

State of South Dakota

EIGHTY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2006

393M0404

HOUSE BILL NO. 1168

Introduced by: Representatives Dennert, Gassman, Halverson, Lange, and Sigdestad and Senators Duenwald, Bartling, Hansen (Tom), Hanson (Gary), Hundstad, Kloucek, Koetzle, Moore, Nesselhuf, Peterson (Jim), Sutton (Dan), and Two Bulls

1 FOR AN ACT ENTITLED, An Act to revise the method for imposing the excess levy for the
2 general fund of school districts.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 10-12-42 be amended to read as follows:

5 10-12-42. For taxes payable in 2006 and each year thereafter, the levy for the general fund
6 of a school district shall be as follows:

7 (1) The maximum tax levy shall be eleven dollars per thousand dollars of taxable
8 valuation subject to the limitations on agricultural property as provided in
9 subdivision (2) of this section, owner-occupied property as provided for in
10 subdivision (3) of this section, and nonagricultural acreage property as provided for
11 in subdivision (4) of this section;

12 (2) The maximum tax levy on agricultural property for such school district shall be three
13 dollars and nineteen cents per thousand dollars of taxable valuation. If the district's
14 levies are less than the maximum levies as stated in this section, the levies shall



1 maintain the same proportion to each other as represented in the mathematical
2 relationship at the maximum levies;

3 (3) The maximum tax levy for an owner-occupied single-family dwelling as defined in
4 § 10-13-40, for such school district may not exceed five dollars and thirteen cents per
5 thousand dollars of taxable valuation. If the district's levies are less than the
6 maximum levies as stated in this section, the levies shall maintain the same
7 proportion to each other as represented in the mathematical relationship at the
8 maximum levies; and

9 (4) The maximum tax levy on nonagricultural acreage property as defined in § 10-6-
10 33.14, for such school district shall be four dollars and nineteen cents per thousand
11 dollars of taxable valuation. If the district's levies are less than the maximum levies
12 as stated in this section, the levies shall maintain the same proportion to each other
13 as represented in the mathematical relationship at the maximum levies.

14 All levies in this section shall be imposed on valuations where the median level of
15 assessment represents eighty-five percent of market value as determined by the Department of
16 Revenue and Regulation. These valuations shall be used for all school funding purposes. If the
17 district ~~has imposed~~ imposes an excess levy pursuant to § 10-12-43, ~~the levies shall maintain~~
18 ~~the same proportion to each other as represented in the mathematical relationship at the~~
19 ~~maximum levies in this section~~ after June 30, 2006, the levy may only be imposed on property
20 defined as an owner-occupied single-family dwelling pursuant to § 10-13-40. Any excess levy
21 imposed prior to July 1, 2006, shall maintain the same proportion to each other as represented
22 in the mathematical relationship at the maximum levies in this section. The school district may
23 elect to tax at less than the maximum amounts set forth in this section.