

State of South Dakota

EIGHTY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2006

400M0226

SENATE BILL NO. 206

Introduced by: The Committee on Taxation at the request of the Governor

1 FOR AN ACT ENTITLED, An Act to revise certain provisions of the owner-occupied
2 classification for property tax relief purposes.

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

4 Section 1. That § 10-13-39 be amended to read as follows:

5 10-13-39. Each owner-occupied single-family dwelling in this state is specifically classified
6 for the purpose of taxation. For the purposes of this section, an owner-occupied single-family
7 dwelling is a house, condominium apartment, residential housing consisting of four or less
8 family units, town house, town home, housing cooperatives where membership in the
9 cooperative is strictly limited to stockholder occupants of the building, dwelling as classified
10 in § 10-13-39.1, and manufactured or mobile home as defined in § 32-3-1, which is assessed and
11 taxed as a separate unit, including an attached or unattached garage and the parcel of land upon
12 which the structure is situated as recorded in the records of the director of equalization. A
13 person may only have one dwelling, which is the person's principal place of residence as defined
14 in § 12-1-4, classified as an owner-occupied single-family dwelling. If the owner occupies fifty
15 percent or more of the living space within the dwelling, the entire dwelling is classified as an
16 owner-occupied single-family dwelling. If the owner occupies a duplex, triplex, or fourplex,



1 or less than fifty percent of the living space within the dwelling, the portion of the dwelling so
2 occupied shall be classified as an owner-occupied single-family dwelling. If the property is
3 occupied by a parent of the owner, the parent is considered the owner and occupant of the
4 property.