



2021 South Dakota Legislature
Senate Bill 182
ENROLLED

AN ACT

ENTITLED An Act to revise provisions regarding owner occupied dwelling requirements.

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

Section 1. That § 10-13-39.3 be AMENDED.

10-13-39.3. Ownership requirements for classifying dwellings as owner-occupied.

For the purposes of §§ 10-13-39 and 10-13-40, an owner shall be the owner of the owner-occupied dwelling as recorded by the director of equalization in the county where the dwelling is located. A joint tenant, an owner of a life estate, a partner, a person owning an interest in a limited liability company, a person owning an interest in a corporation, a vendee of a contract for deed, or a beneficiary of a trust is considered to be an owner.

An owner may claim a credit only on the single-family dwelling used as a principal residence. An owner may have more than one parcel of land classified as owner-occupied if the additional parcel is contiguous to the parcel containing the owner-occupied house. Each parcel that is contiguous, under the same ownership and used as one property shall be considered as owner-occupied. A property is also considered contiguous if separated by a street or alley from the parcel containing the owner-occupied house.

If the dwelling is occupied by a parent of the owner, the parent is considered the owner and occupant of the single-family dwelling. If the dwelling is occupied by an adult with a disability, and the parent of the adult with a disability is the owner, the adult with a disability is considered the owner and occupant of the single-family dwelling.

The owner or a legal representative of the owner may sign for signature purposes on the certification of an owner-occupied dwelling. For the purposes of this Act, adult with a disability, means any person who receives or is qualified to receive monetary payments, pursuant to Title II, X, XIV, or XVI of the Social Security Act, as amended to January 1, 2008.

An Act to revise provisions regarding owner occupied dwelling requirements.

I certify that the attached Act originated in
the:
Senate as Bill No. 182

Received at this Executive Office
this ____ day of _____,
2021 at _____ M.

Secretary of the Senate

By _____
for the Governor

President of the Senate

The attached Act is hereby
approved this _____ day of
_____, A.D., 2021

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Speaker of the House

Attest:

Filed _____, 2021
at _____ o'clock ___ M.

Chief Clerk

Secretary of State

Senate Bill No. 182
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State