

# State of South Dakota

SEVENTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 1997

482A0480

## HOUSE BILL NO. 1106

Introduced by: Representatives Cutler, Belatti, Brown (Richard), Roe, and Schaunaman and  
Senators Paisley, Aker, Everist, and Rounds

1 FOR AN ACT ENTITLED, An Act to exempt certain bonds from property tax levy limitations.

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

3 Section 1. That § 10-13-35 be amended to read as follows:

4 10-13-35. This section does not apply to school districts. For taxes payable in 1997, and each  
5 year thereafter, the total amount of revenue payable from taxes on real property within a taxing  
6 district, excluding the levy pursuant to § 10-13-36, may increase no more than the lesser of three  
7 percent or the index factor, as defined in § 10-13-38, over the amount of revenue payable from  
8 taxes on real property in the preceding year, excluding the amount of taxes levied pursuant to  
9 § 10-13-36. After applying the index factor, a taxing district may increase the revenue payable  
10 from taxes on real property above the limitations provided by this section by the percentage  
11 increase of value resulting from any improvements or change in use of real property, annexation,  
12 minor boundary changes, and any adjustments in taxation of property separately classified and  
13 subject to statutory adjustments and reductions under chapters 10-4, 10-6, 10-6A and 10-6B,  
14 except 10-6-31.4, only if assessed the same as property of equal value. A taxing district may  
15 increase the revenue it receives from taxes on real property above the limit provided by this

1 section for taxes levied to pay the principal, interest, and redemption charges on any bonds  
2 issued after January 1, 1997, scheduled payment increases on ~~bonded indebtedness incurred prior~~  
3 ~~to December 31, 1995~~, bonds and for a levy directed by the order of a court for the purpose of  
4 paying a judgment against such taxing district. Any taxing district created after the effective date  
5 of this section is exempt from the limitation provided by this section for a period of two years  
6 immediately following its creation.