

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

861T0642

SENATE BILL NO. 96

Introduced by: Senator Maher and Representative Brunner

1 FOR AN ACT ENTITLED, An Act to provide the assessment and payment of taxes on certain
2 school and endowment mineral rights leases.

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

4 Section 1. That § 5-11-1 be amended to read as follows:

5 5-11-1. The commissioner of school and public lands shall on or before June first of each
6 year certify to the auditor of each county where school and endowment land exists a list of all
7 school and endowment lands in the county, the rent or fee for any mineral rights lease, and name
8 and address of each lessee and the number of acres of school and endowment land under lease.

9 Section 2. That § 5-11-1.1 be amended to read as follows:

10 5-11-1.1. Any person who has leased school and endowment lands shall forfeit that lease
11 if that person fails to pay the tax levied upon the leased lands or the value of the mineral rights
12 lease by November first of the year in which it is due and payable. If the tax remains delinquent,
13 each county may proceed with collection under procedures set forth in chapter 10-22 for the
14 collection of mobile home taxes. On December first of each year the county treasurer shall
15 certify to the commissioner of school and public lands any taxes on leased lands that have not



1 been paid.

2 Section 3. That § 10-6-3.1 be amended to read as follows:

3 10-6-3.1. For purposes of taxation of leased school and endowment lands and mineral rights
4 leases, the assessment date shall be June first and the valuation date the preceding November
5 first.

6 Section 4. That § 10-6-31.2 be amended to read as follows:

7 10-6-31.2. Leased school and endowment lands and mineral rights leases as provided in
8 chapter 5-11 are hereby separately classified for the purpose of taxation.

9 Section 5. That § 10-6-33.5 be amended to read as follows:

10 10-6-33.5. The assessment, valuation, equalization, and taxation of school and endowment
11 lands shall be at the same level and on the same basis as lands assessed, valued, and equalized
12 according to §§ 10-6-33.28 to 10-6-33.33, inclusive. The assessment, valuation, equalization,
13 and taxation of school and endowment mineral rights leases shall be determined by the value
14 of the mineral rights leases.