

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

753B0789

HOUSE BILL NO. 1284

Introduced by: Representatives McNenny, Apa, Chicoine, and Putnam and Senators Dunn
(Jim), Brown (Arnold), Kleven, Symens, and Vitter

1 FOR AN ACT ENTITLED, An Act to revise the factors used in determining the value of
2 agricultural land.

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

4 Section 1. That § 10-6-33.1 be amended to read as follows:

5 10-6-33.1. The true and full value in money of agricultural land, as defined by § 10-6-31,
6 which has been in primarily agricultural use for at least five successive years immediately
7 preceding the tax year for which assessment is to be made shall be the market value as
8 determined for each county through the use of all comparable sales of agricultural land based on
9 consideration of the following factors:

10 (1) The capacity of the land to produce agricultural products as defined in § 10-6-33.2;
11 and

12 (2) The location, size, soil, terrain and topographical condition of the property including
13 but not limited to capability, the land's use, climate, accessibility and surface
14 obstructions which can be documented through an analysis of land selling prices;

15 The comparable sales that are used shall be evidenced by an instrument recorded with the

- 1 register of deeds of the county in which the land is located, if the date of such instrument and the
- 2 recording date is not more than two years prior to the assessment year.