

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

906C0311

SENATE JOINT RESOLUTION NO. 3

Introduced by: Senators Staggers, Albers, Brosz, Drake, Munson (David), Rounds, Vitter, and Whiting and Representatives Napoli, Brooks, Diedtrich (Elmer), Klaudt, McCoy, Monroe, Sebert, Slaughter, Sutton (Duane), and Windhorst

1 A JOINT RESOLUTION, Proposing and submitting to the electors at the next general election
2 amendments to Article XI of the Constitution of the State of South Dakota to prohibit the
3 taxation of income except on banks, financial corporations, and precious metals.

4 BE IT RESOLVED BY THE SENATE OF THE STATE OF SOUTH DAKOTA, THE
5 HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

6 Section 1. That at the next general election held in the state, the following amendments to
7 Article XI of the Constitution of the State of South Dakota, as set forth in sections 2 and 3 of
8 this Joint Resolution, which is hereby agreed to, shall be submitted to the electors of the state
9 for approval.

10 Section 2. That Article XI, section 13 of the Constitution of the State of South Dakota, be
11 amended to read as follows:

12 § 13. The rate of taxation imposed by the State of South Dakota on ~~personal or corporate~~
13 ~~income or on~~ sales or services, or the allowable levies or the percentage basis for determining
14 valuation as fixed by law for purposes of taxation on real or personal property, ~~shall~~ may not be
15 increased unless by consent of the people by exercise of their right of initiative or by two-thirds
16 vote of all the members elect of each branch of the Legislature.

1 Section 3. That Article XI of the Constitution of the State of South Dakota be amended by
2 adopting a new section to read as follows:

3 § 15. No tax may be levied on any personal or corporate income, and the Legislature may
4 not enact any law imposing such a tax except an income tax on banks or financial corporations
5 or on net profits from the sale of precious metals severed in this state.