

# State of South Dakota

SEVENTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2002

400H0717

## SENATE JOINT RESOLUTION NO. 4

Introduced by: The Committee on State Affairs at the request of the Governor

1 A JOINT RESOLUTION, Proposing and submitting to the electors at the next general election  
2 an amendment to Article XI of the Constitution of the State of South Dakota specifying the  
3 minimum vote necessary to opt out of the property tax freeze.

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 amendment to  
7 Article XI of the Constitution of the State of South Dakota, as set forth in section 2 of this Joint  
8 Resolution, which is hereby agreed to, shall be submitted to the electors of the state for approval.

9 Section 2. That Article XI of the Constitution, of the State of South Dakota, be amended by  
10 adding a NEW section that reads as follows:

11 § 16. The rate of taxation imposed by the local governments of South Dakota on the  
12 allowable levies or the percentage basis for determining valuation as fixed by law for purposes  
13 of taxation on real or personal property, may not be increased except by consent of the people  
14 by exercise of their right of initiative or referendum or by two-thirds vote of all the members  
15 elect of the local government governing body. If people vote on a measure to increase the



- 1 allowable levies or the percentage basis for determining valuation of real or personal property,
- 2 the vote shall be not less than sixty percent in favor of the increase in the rate of taxation to
- 3 become effective.