

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

159I0650

SENATE BILL NO. 169

Introduced by: Senators Dempster, Apa, Moore, and Sutton (Duane) and Representatives Murschel, Frost, McCaulley, and Williamson

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the general fund levy
2 of a school district.

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

4 Section 1. That § 10-12-42 be amended to read as follows:

5 10-12-42. For taxes payable in ~~2002~~ 2004 and each year thereafter, the levy for the general
6 fund of a school district shall be as follows:

7 (1) The maximum tax levy shall be thirteen dollars and ninety-three cents per thousand
8 dollars of taxable valuation subject to the limitations on agricultural property as
9 provided in subdivision (2) of this section, owner-occupied property as provided for
10 in subdivision (3) of this section, and nonagricultural acreage property as provided for
11 in subdivision (4) of this section;

12 (2) The maximum tax levy on agricultural property for such school district shall be four
13 dollars and four cents per thousand dollars of taxable valuation. If the district's levies
14 are less than the maximum levies as stated in this section, the levies shall maintain the
15 same proportion to each other as represented in the mathematical relationship at the



1 maximum levies;

2 (3) The maximum tax levy for an owner-occupied single-family dwelling as defined in
3 § 10-13-40, for such school district may not exceed six dollars and fifty cents per
4 thousand dollars of taxable valuation. If the district's levies are less than the maximum
5 levies as stated in this section, the levies shall maintain the same proportion to each
6 other as represented in the mathematical relationship at the maximum levies; and

7 (4) The maximum tax levy on nonagricultural acreage property as defined in
8 § 10-6-33.14, for such school district shall be five dollars and four cents per thousand
9 dollars of taxable valuation. If the district's levies are less than the maximum levies as
10 stated in this section, the levies shall maintain the same proportion to each other as
11 represented in the mathematical relationship at the maximum levies.

12 All levies in this section shall be imposed on valuations where the median level of assessment
13 represents eighty-five percent of market value as determined by the Department of Revenue.
14 These valuations shall be used for all school funding purposes. If the district has imposed an
15 excess levy pursuant to § 10-12-43 before July 1, 2003, the levies shall maintain the same
16 proportion to each other as represented in the mathematical relationship at the maximum levies
17 in this section. If the district imposes an excess levy pursuant to § 10-12-43 on or after July 1,
18 2003, the excess levy shall be made in proportion to the taxable valuation without regard to the
19 maximum levies in this section. The school district may elect to tax at less than the maximum
20 amounts set forth in this section.