

# State of South Dakota

SEVENTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2004

348J0121

HOUSE TAXATION COMMITTEE ENGROSSED NO.

**HB 1187** - 02/07/2004

**This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.**

Introduced by: Representatives Konold, Frost, and Novstrup and Senators Dennert, Brown, and McCracken

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the assessment and  
2 valuation of real property.

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

4 Section 1. That § 10-6-33.24 be amended to read as follows:

5 10-6-33.24. Notwithstanding the provisions of chapter 10-6, agricultural land may be  
6 assessed based on its agricultural income value if there are less than ~~fifteen~~ twenty arms-length  
7 transactions of agricultural land during the three preceding assessment years. The agricultural  
8 income value of agricultural land shall be determined on the basis of the capitalized annual cash  
9 rent of the agricultural land. The capitalized annual cash rent shall be based on data collected  
10 and analyzed pursuant to § 10-6-33.25. For the purposes of this section, arms-length transactions  
11 do not include any agricultural land sales subject to the provisions of § 10-6-33.14, 10-6-33.20,  
12 or 10-6-74.

13 Section 2. That § 10-6-74 be amended to read as follows:

14 10-6-74. Any real property which sells for more than one hundred ~~fifty~~ seventy-five percent



1 of its assessed value, may not be used for the purpose of valuing other real property. The sale  
2 of any real property which is not used for the purpose of valuing other real property pursuant  
3 to this section may not be used in any sales ratio study.

4 Section 3. That § 10-6-74 be amended to read as follows:

5 10-6-74. Any real property which sells for more than ~~one~~ two hundred ~~fifty~~ percent of its  
6 assessed value, may not be used for the purpose of valuing other real property. The sale of any  
7 real property which is not used for the purpose of valuing other real property pursuant to this  
8 section may not be used in any sales ratio study.

9 Section 4. Section 3 of this Act is effective on July 1, 2006.