

State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

465J0169

SENATE BILL NO. 88

Introduced by: Senators Jaspers, Dennert, Greenfield, Kelly, Kleven, Napoli, Sutton (Dan), and Sutton (Duane) and Representatives Weems, Adelstein, Bartling, Burg, Craddock, Cutler, Davis, Glenski, Haverly, Heineman, Hennies, Hunhoff, Klautt, Konold, McLaughlin, Miles, Murschel, Smidt, and Williamson

1 FOR AN ACT ENTITLED, An Act to revise the eligibility qualification for an assessment
2 freeze of single-family dwellings and to declare an emergency.

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

4 Section 1. That § 10-6A-2 be amended to read as follows:

5 10-6A-2. Any person making an application under the provisions of this chapter is entitled
6 to a real property tax assessment freeze upon the person's single-family dwelling if the following
7 conditions are met:

8 (1) Has a household income of less than ~~fifteen thousand forty-one dollars and~~
9 ~~twenty-eight cents~~ twenty thousand dollars if the household is a single-member
10 household; or

11 (2) Has a household income of less than ~~eighteen thousand eight hundred one dollars and~~
12 ~~fifty-nine cents~~ twenty-five thousand dollars if the household is a multiple-member
13 household; and

14 (3) Has owned a single-family dwelling, in fee or by contract to purchase, for at least one



1 year and has been a resident of South Dakota for at least one year; and

2 (4) Has resided for at least two hundred days of the previous calendar year in the
3 single-family dwelling; and

4 (5) Has established a base year.

5 Beginning on January 1, ~~2003~~ 2005, the household income listed in subdivisions (1) and (2)
6 of this section shall increase by the index factor. The index factor is the annual percentage
7 change in the consumer price index for urban wage earners and clerical workers as computed
8 by the Bureau of Labor Statistics of the United States Department of Labor for the year before
9 the year immediately preceding the year of adjustment or the annual percentage change in
10 federal social security payments for the preceding year, whichever is greater.

11 Section 2. That § 10-6A-3 be amended to read as follows:

12 10-6A-3. This chapter does not apply to a single-family dwelling with a full and true market
13 value of one hundred fifty thousand dollars or more unless the applicant has received the freeze
14 on assessments in a preceding year on the single-family dwelling.

15 Section 3. Whereas, this Act is necessary for the support of the state government and its
16 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in
17 full force and effect from and after its passage and approval.