

State of South Dakota

EIGHTIETH SESSION
LEGISLATIVE ASSEMBLY, 2005

960L0527

SENATE BILL NO. 160

Introduced by: Senators Kloucek, Bartling, Koetzle, Kooistra, Moore, Napoli, and Peterson (Jim) and Representatives Gassman, Bradford, Dennert, Elliott, Haley, Jensen, Lange, McCoy, Miles, Street, and Valandra

1 FOR AN ACT ENTITLED, An Act to exempt certain energy production facilities from property
2 taxation for a certain period of time.

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

4 Section 1. That chapter 10-4 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Any commercial power production facility, utilizing coal or any renewable resources, such
7 as sun, wind, geothermal, or biomass, that begins construction after June 30, 2005, and will
8 produce more than ten megawatts of electricity as measured by nameplate rating, is exempt from
9 property taxation for a period of two years or until the facility is operational, whichever occurs
10 last. This exemption only applies to new buildings and structures and does not apply to the land
11 or any buildings or structures that existed at the beginning of construction. The assessed
12 valuation of the property may not be less than the assessed valuation of the property in the year
13 preceding the beginning of construction. This section does not prohibit any county from
14 applying a discretionary formula providing additional property tax abatements as permitted by
15 statute.

