



2025 South Dakota Legislature

House Joint Resolution 5005

Introduced by: **Representative Sjaarda**

1 **A JOINT RESOLUTION, Proposing and submitting to the voters at the next general**
2 **election an amendment to the Constitution of the State of South Dakota,**
3 **limiting the assessed value of real property and limiting real property taxes.**

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 **Section 1.** That at the next general election held in the state, the following amendment to
6 Article XI of the Constitution of the State of South Dakota, as set forth in section 2 of this
7 Joint Resolution, which is hereby agreed to, be submitted to the electors of the state for
8 approval.

9 **Section 2. That Article XI, § 2 of the Constitution of the State of South Dakota, be**
10 **AMENDED:**

11 **§ 2.** To the end that the burden of taxation may be equitable upon all property,
12 and in order that no property which is made subject to taxation shall escape, the
13 Legislature is empowered to divide all property, including moneys and credits, as well as
14 physical property, into classes and to determine what class or classes of property ~~shall be~~
15 are subject to taxation and what property, if any, ~~shall not be~~ is not subject to taxation.
16 ~~Taxes shall~~ Except as otherwise required in this section, taxes must be uniform on all
17 property of the same class, and ~~shall must~~ be levied and collected for public purposes
18 only. Taxes may be imposed upon any and all property including privileges, franchises,
19 and licenses to do business in the state. Gross earnings and net incomes may be
20 considered in taxing any and all property, and the valuation of property for taxation
21 purposes ~~shall may~~ never exceed the actual value thereof. The Legislature is empowered
22 to impose taxes upon incomes and occupations, ~~and taxes.~~ Taxes upon incomes may be
23 graduated and progressive and reasonable exemptions may be provided.

24 For the purposes of taxation, the assessed value of real property, except centrally
25 assessed property, must be based on the fair market value of the property. The assessed
26 value of real property may be annually adjusted by a factor not in excess of two percent,

1 as determined by law. The annual adjustment of the assessed value of such property, as
2 provided for in this section, is applicable each year beginning with the 2026 assessed
3 property valuation, which is hereby established as the base year for this valuation
4 procedure. The value of property may be further adjusted if there is a change in use,
5 ownership, or classification of the real property; or to account for any addition, damage,
6 or destruction to the real property.

7 Notwithstanding the provisions of Article XI, §§ 13 and 14, the maximum amount
8 of all ad valorem taxes on real property may not exceed one percent of the assessed value
9 of the real property. The limitation on the amount of all ad valorem taxes on real property
10 does not apply to ad valorem taxes or special assessments to pay the interest or
11 redemption charges on any indebtedness approved by voters prior to July 1, 2028.