

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

780T0037

HOUSE ENGROSSED NO. **HB 1078** - 1/30/2012

Introduced by: Representatives Dennert, Cronin, Hoffman, Schaefer, and Sigdestad and
Senators Hundstad, Begalka, Putnam, and Rhoden

1 FOR AN ACT ENTITLED, An Act to allow certain structures or facilities previously used as
2 an elevator to be classified as agricultural property.

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

4 Section 1. That chapter 10-6 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 In addition to any building or structure classified as agricultural property pursuant to § 10-6-
7 33.33, any structure or facility previously used as an elevator for the storage of grain on
8 nonagricultural property shall be classified as agricultural property if:

- 9 (1) The property is owned by a person engaged in the production of agricultural crops;
- 10 (2) The owner does not derive any income from fees for storing crops or rent;
- 11 (3) The owner stores agricultural crops in the structure or facility; and
- 12 (4) The owner does not load and transport any agricultural products onto a train from the
13 structure or facility.

