

CRITERIA FOR CLASSIFICATION OF LAND AS AGRICULTURAL

10-6-31.3. Criteria for classification of land as agricultural. For tax purposes, land is agricultural land if its principal use is devoted to the raising and harvesting of crops or timber or fruit trees, the rearing, feeding, and management of farm livestock, poultry, fish, or nursery stock, the production of bees and apiary products, or horticulture, all for intended profit. Agricultural real estate also includes woodland, wasteland, and pasture land, but only if the land is held and operated in conjunction with agricultural real estate as defined and it is under the same ownership.

In addition, to be classified as agricultural land for tax purposes, the land shall meet one of the following criteria:

(1) In three of the previous five years, a gross income is derived from the pursuit of agriculture from the land that is at least ten percent of the taxable valuation of the bare land assessed as agricultural property, excluding any improvements. If there is a crop share arrangement or cash rent agreement, the gross income from the land of both the landlord and tenant shall be combined and used to meet this requirement. Alternatively, at least two thousand five hundred dollars of the owner's gross income is annually derived from the pursuit of agriculture; or

(2) The land consists of not less than forty acres of unplatted land or is a part of a management unit of not less than eighty acres of unplatted land. The same acreage specifications apply to platted land, excluding land platted as a subdivision, which is in an unincorporated area. However, the board of county commissioners may increase the minimum acre requirement up to one hundred sixty acres.

For the purposes of this section, the term, management unit, means any parcels of land, whether adjoining or not, under common ownership located within this state and managed and operated as a unit for one or more of the principal uses listed in this section. No parcel of land within a management unit may be more than twenty air miles from the nearest other parcel within the management unit. If requested by the director of equalization, the owner shall provide supporting documentation of the land contained in the management unit.

Source: SL 1979, ch 65; SL 1991, ch 81; SL 1992, ch 77; SL 1992, ch 78; SL 1993, ch 83; SL 1998, ch 51, § 7; SL 2008, ch 44, § 18, eff. July 1, 2009; SL 2016, ch 57, § 1; SL 2017, ch 62, § 1.

APPLICATION FOR AG STATUS

SDCL 10-6-31.3

Property Owner Name _____
Current Mailing Address _____
City _____ State _____ Zip Code _____
Parcel Number _____
Full Legal Description _____

For land to be classified as agricultural, its principle use must be devoted to agricultural pursuits and must meet one of the two criteria specified in SDCL 10-6-31.3

PRINCIPLE USE _____

Is the principle use of this land devoted to agricultural pursuits? YES NO

(Raising and harvesting of crops or timber or fruit trees, the rearing, feeding, and management of farm livestock, poultry, fish, or nursery stock, the production of bees and apiary products, or horticulture; also includes woodland, wasteland, and pasture land, but only if the land is held and operated in conjunction with agricultural real estate as defined and it is under the same ownership)

1. NUMBER OF ACRES in the above property

Do you own any other agricultural land in the state? YES NO

Total acres within Management Unit? _____

(The term, management unit, means any parcels of land, whether adjoining or not, under common ownership located within this state and managed and operated as a unit for one or more of the principal uses listed in this section. No parcel of land within a management unit may be more than twenty air miles from the nearest other parcel within the management unit.)

2. INCOME INFORMATION

	Gross Income	Crop or Livestock Use
20__	_____	_____
20__	_____	_____
20__	_____	_____
20__	_____	_____
20__	_____	_____

For Office Use Only	
Taxable Value	10%
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

(In three of the previous five years, a gross income is derived from the pursuit of agriculture from the land that is at least ten percent of the taxable valuation of the bare land assessed as agricultural property, excluding any improvements. If there is a crop share arrangement or cash rent agreement, the gross income from the land of both the landlord and tenant shall be combined and used to meet this requirement. Alternatively, at least \$2,500 of the owner's gross income is annually derived from the pursuit of agriculture.)

I swear the above information to be correct to the best of my knowledge.

Signature of Property Owner _____ Date _____

Director of Equalization may request any additional information or documents for principle use or income verification.