



# Policy Update

**July 14, 2023**

**Upcoming Navigator CO2 Pipeline PUC Hearing**

The South Dakota Public Utilities Commission will be holding an evidentiary hearing for the Navigator Heartland Greenway CO2 pipeline. The Heartland Greenway Pipeline in South Dakota hearing will be held beginning at 9:00 a.m. CST, July 25, 2023, at the Casey Tibbs South Dakota Rodeo Center, 210 Verendrye Drive, Fort Pierre, South Dakota. The procedural schedule will be set for July 25 – August 3, 2023. There will be a recess at the end of the day on July 27 and it will reconvene on July 31.

For more information, please click [here](#).

**South Dakota Ag Land Assessment Task Force Meets in Pierre**

The Ag Land Assessment Task Force met in Pierre to discuss the ag land productivity system for property taxation. The meeting included updates from the Department of Revenue, updates on House Bill 1325 from the 2022 Legislative Session, and data on Animal Unit Months (AUMs). Below is a quick recap of HB 1325 from the 2022 Legislative Session.

House Bill 1325 allows a director of equalization to take a metered approach when reclassifying Class 4 land. Agricultural property in South Dakota is divided into 8 classes with Class 1 being the best soil and Class 8 being the worst soil. Classes 1-4 are typically deemed cropland while classes 5-8 are noncropland. Under this piece of legislation, Class 4 soil would change from a “shall” be classified as cropland to a “may” be classified as cropland by a county’s director of equalization. Historically, class 4 soils have needed adjustments from the director of equalization and this bill attempts to resolve that issue. Additionally, it is important to notice that the eight statutory adjustments that allow agricultural land to go from cropland to noncropland are still in law. The eight adjustments that qualify an individual for the cropland to noncropland tax rate are found below.

- |                             |                              |
|-----------------------------|------------------------------|
| (1) Location;               | (5) Topographical condition; |
| (2) Size;                   | (6) Climate;                 |
| (3) Soil survey statistics; | (7) Accessibility; or        |
| (4) Terrain;                | (8) Surface obstructions     |

Currently, ten counties have switched categories of one (or more) of their Class 4 soils. This change has resulted in over 365,000 acres in total have been transitioned to noncropland from cropland.

For more info on the Ag Land Assessment Task Force, please click [here](#).

**Attorney General Jackley Releases Final Explanation for Proposed Constitutional Amendment**

South Dakota Attorney General Marty Jackley has released the final ballot explanation for a proposed constitutional amendment that would prohibit the State Legislature from amending or repealing ballot measures for seven years. The measure is proposed by Brian Bengs of Aberdeen. This proposed constitutional amendment states that a ballot measure approved by the voters **may not** be amended or repealed by the Legislature for seven years from the date the measure is enacted. The final ballot explanation can be found [here](#).

If the required 35,017 valid signatures are gathered and approved by the South Dakota Secretary of State's Office, the proposed constitutional amendment will be placed on the 2024 general ballot. A majority of the votes cast in the general election will be needed to pass the measure.

**Contact for Questions**

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