

## TAXING AND BORROWING AUTHORITY/LIMITATIONS

### TAXING

The district's taxing authority is established by state law. The district establishes levies in accordance SDCL 10-12-42, which may change annually. The governing body of the school district may impose an excess tax levy with an affirmative two thirds vote of the governing body on or before July fifteenth of the year prior to the year taxes are payable. This decision may be referred upon a resolution of the governing body of the school district or by a petition signed by at least five percent of the registered voters in the school district.

For capital outlay funds, the tax levy cannot exceed three (3) dollars per thousand dollars on the taxable valuation of the district, and for special education funds, the tax levy cannot exceed 1.409 dollars per thousand dollars on taxable valuation.

### BORROWING

By law, the board is permitted to borrow money in anticipation of the collection of taxes for the purpose of securing funds for school operations. The amount of money borrowed cannot exceed the sum of ninety-five percent (95%) of the amount of uncollected taxes levied for the current school fiscal year, plus other uncollected receivables (including state or federal money not yet received, but) owed to the district.

### **Established by law**

LEGAL REFS.: Constitution of the State of South Dakota, Art. XIII, sec. 15

SDCL 10-12-29; 10-12-42; 10-12-43  
10-13-36  
13-10-6  
13-15-12 through 13-15-14.2  
13-16-3; 13-16-6; 13-16-7  
13-16-10 through 13-16-14  
13-19-1 through 13-19-9  
13-37-16

CROSS REF.: FC, Facilities Capitalization Program

ADOPTED: April 18, 1983  
REVISED: January 24, 1994  
REVISED: February 25, 2002  
REVISED: February 2003  
REVISED: June 23, 2003  
REVIEWED: August 24, 2015  
REVISED: March 29, 2016