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State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

522B0067

HOUSE BILL NO. _____

Introduced by: _____

FOR AN ACT ENTITLED, An Act to revise the recalculation of the allocations for the disability levels in the state aid to special education formula and to provide for inflationary increases in the extraordinary cost fund.

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

Section 1. That § 13-37-35.2 be amended to read:

13-37-35.2. In fiscal year ~~2004~~ 2020 and every ~~three~~ two years thereafter, the Department of Education shall recalculate the amounts of the allocations for the disability levels defined in § 13-37-35.1. The recalculation shall be based on statewide average expenditures as reported to the Department of Education in school district annual reports by disability for the previous three school fiscal years.

Section 2. That § 13-37-40 be amended to read:

13-37-40. Subject to the limitation in § 13-37-42, the secretary of the Department of Education shall, for school fiscal year ~~2014 and each year thereafter~~ 2020, set aside ~~four million~~ five million two hundred fifty-nine thousand seven hundred dollars of the state aid to districts for special education appropriation for extraordinary expenses incurred in providing special education programs or services to one or more children with disabilities, with expenditures to

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Insertions into existing statutes are indicated by underscores.
Deletions from existing statutes are indicated by ~~overstrikes~~.

be made as recommended by an oversight board and approved by the secretary of the Department of Education. For each school fiscal year thereafter, the amount set aside shall increase by an amount equal to the average percentage increase in statewide average expenditures based on the previous year's statewide average expenditures as reported to the Department of Education in school district annual reports by disability. Any funds not expended or obligated pursuant to this section shall not be subject to reversion pursuant to § 4-8-19. ~~The~~ For school fiscal year 2020, the total amount set aside for extraordinary expenses ~~each fiscal year~~ plus the total amount not reverted from previous fiscal years may not exceed ~~five million five hundred thousand~~ six million seven hundred fifty-nine thousand seven hundred dollars. For each school fiscal year thereafter, the total amount set aside for extraordinary expenses plus the total amount not reverted from previous fiscal years may not exceed the previous fiscal year's maximum increased by an amount equal to the average percentage increase in statewide average expenditures based on the previous year's statewide average expenditures as reported to the Department of Education in school district annual reports by disability.

The amount appropriated for extraordinary expenses shall be recalculated at the same time as the amount of the allocations for disability levels as provided in § 13-37-35.2.