

# State of South Dakota

EIGHTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2010

961R0640

## SENATE JOINT RESOLUTION NO. 7

Introduced by: Senators Rhoden, Adelstein, Brown, Dempster, Fryslie, Gant, Gray, Hansen (Tom), Haverly, Howie, Hunhoff (Jean), Knudson, Novstrup (Al), Olson (Russell), and Schmidt and Representatives Noem, Boomgarden, Brunner, Carson, Curd, Faehn, Gosch, Hamiel, Juhnke, Kirkeby, Krebs, Lust, Olson (Betty), Rausch, Rave, Rounds, and Turbiville

1 A JOINT RESOLUTION, Proposing and submitting to the electors at the next general election  
2 an amendment to Article VIII of the Constitution of the State of South Dakota relating to  
3 school districts expending public funds to support certain lawsuits against the State of South  
4 Dakota.

5 BE IT RESOLVED BY THE SENATE OF THE STATE OF SOUTH DAKOTA, THE HOUSE  
6 OF REPRESENTATIVES CONCURRING THEREIN:

7 Section 1. That at the next general election held in the state, the following amendment to  
8 Article VIII of the Constitution of the State of South Dakota, as set forth in section 2 of this  
9 Joint Resolution, which is hereby agreed to, shall be submitted to the electors of the state for  
10 approval.

11 Section 2. That Article VIII of the Constitution of the State of South Dakota, be amended  
12 by adding a NEW SECTION to read as follows:

13 § 21. No school district may be a party to, or expend public funds, directly or indirectly, in



- 1 support of any legal proceeding against the State of South Dakota, or its officers and employees,
- 2 challenging any enactment or seeking a declaration concerning the constitutionality of any
- 3 enactment passed by the Legislature.