

# State of South Dakota

EIGHTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2012

634T0118

## HOUSE BILL NO. 1147

Introduced by: Representatives Sly, Bolin, Boomgarden, Brunner, Jones, Kirkeby, Lucas, Magstadt, Nelson (Stace), Olson (Betty), Schaefer, Vanneman, and Venner and Senators Rempelberg, Adelstein, Johnston, Nygaard, Peters, Rhoden, Schlekeway, and Tieszen

1 FOR AN ACT ENTITLED, An Act to remove the individual liability of a school board member  
2 who authorizes the making of a void contract, check or registered warrant.

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

4 Section 1. That § 13-16-24 be amended to read as follows:

5 13-16-24. Every contract made or check or registered warrant issued in excess of the issuing  
6 capacity of the district as restricted in this title is void and is not an obligation of the district. ~~A~~  
7 ~~school board member who makes, or participates in making or authorizes the making of a void~~  
8 ~~contract or the issuance of a void check or registered warrant is individually liable for it. Each~~  
9 ~~school board member present when a void contract or warrant is made or authorized is party to~~  
10 ~~the making or authorizing of the void contract or warrant unless he dissents from the action and~~  
11 ~~causes his dissent to be entered as part of the official minutes of the school district.~~

