

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

884B0064

SENATE BILL NO. 2

Introduced by: Senators Bolin, Maher, Nesiba, and Youngberg and Representatives Duvall, Bartels, Schoenfish, and Smith (Jamie) at the request of the Extraordinary Cost Fund for Special Education Study Committee

1 FOR AN ACT ENTITLED, An Act to adjust for inflation the amount of the special education
2 appropriation that may be set aside for extraordinary expenses.

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

4 Section 1. That § 13-37-40 be amended to read:

5 13-37-40. Subject to the limitation in § 13-37-42, the secretary of the Department of
6 Education shall, for school fiscal year ~~2014 and each year thereafter~~ 2020, set aside ~~four~~ five
7 million dollars of the state aid to districts for special education appropriation for extraordinary
8 expenses incurred in providing special education programs or services to one or more children
9 with disabilities; ~~with expenditures to be made as~~ For school fiscal year 2021 and for each
10 school fiscal year thereafter, the amount set aside shall equal the amount set aside in the
11 previous school fiscal year increased by the index factor as defined in subdivision 13-37-
12 35.1(6). Any expenditures of the funds set aside shall be recommended by an oversight board
13 and approved by the secretary of the Department of Education. Any funds not expended or
14 obligated pursuant to this section ~~shall not be~~ are not subject to reversion pursuant to § 4-8-19.



1 ~~The~~ For school fiscal year 2020, the total amount set aside for extraordinary expenses ~~each~~
2 ~~fiscal year~~ plus the total amount not reverted from previous fiscal years may not exceed ~~five~~ six
3 million five hundred thousand dollars. For school fiscal year 2021 and for each school fiscal
4 year thereafter, the total amount set aside for extraordinary expenses plus the total amount not
5 reverted from previous school fiscal years may not exceed the maximum amount allowed in the
6 previous school fiscal year increased by the index factor.

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