

AN ACT

ENTITLED, An Act to revise certain provisions relating to the formation of school districts and contractual agreements among school districts.

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

Section 1. That chapter 13-5 be amended by adding thereto a NEW SECTION to read as follows:

No school district may be formed after July 1, 1998, unless it operates both an elementary and a secondary school within the boundaries of the district.

Section 2. That chapter 13-15 be amended by adding thereto a NEW SECTION to read as follows:

No school district may enter into contractual agreements pursuant to § 13-15-1.3 or 13-15-11 after July 1, 1998.

Section 3. That chapter 13-15 be amended by adding thereto a NEW SECTION to read as follows:

Any school district that has entered into contractual agreements pursuant to § 13-15-1.3 or 13-15-11 on or before July 1, 1997, is not subject to the provisions of section 2 of this Act.

Section 4. That § 13-15-14.2 be repealed.

Section 5. That chapter 13-15 be amended by adding thereto a NEW SECTION to read as follows:

Any school district that enters into contractual agreements pursuant to § 13-15-11 and sends over fifty percent of its resident students enrolled in grades for which it contracts to an adjoining school district or districts located in South Dakota shall reorganize the school district pursuant to chapter 13-6 within two years of the end of the school year. For the purposes of this section, the number of students attending adjoining districts shall be based on general enrollment average daily membership pursuant to § 13-13-10.1(1).

Section 6. That § 13-11-9 be amended to read as follows:

13-11-9. For any school district that is sending its students to an adjoining school district pursuant to § 13-15-1.3, the county auditor shall spread a levy over the taxable property of the sending school district sufficient to raise the sending school district's tax levy per one thousand dollars of taxable valuation up to the weighted average tax levy per one thousand dollars of taxable valuation of the receiving school districts. The weighted average tax levy shall be calculated pursuant to § 13-11-10. This section does not apply to a school district that operates a secondary school or enters into contractual agreements pursuant to § 13-15-11.

An Act to revise certain provisions relating to the formation of school districts and contractual agreements among school districts.

=====

I certify that the attached Act originated in the

SENATE as Bill No. 149

\_\_\_\_\_  
Secretary of the Senate

=====

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 149  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

=====

Received at this Executive Office this \_\_\_\_ day of \_\_\_\_\_ ,

19\_\_ at \_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

=====

The attached Act is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_ , A.D., 19\_\_

\_\_\_\_\_  
Governor

=====

STATE OF SOUTH DAKOTA,  
ss.

Office of the Secretary of State

Filed \_\_\_\_\_ , 19\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State