

# State of South Dakota

SEVENTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 1998

717B0536

SENATE EDUCATION COMMITTEE

ENGROSSED NO. **SB80** - 2/9/98

Introduced by: Senators Vitter, Aker, Albers, Benson, Dennert, Hainje, Halverson, Ham, Hutmacher, Kleven, Lawler, Munson (David), Shoener, Staggers, and Whiting and Representatives Pederson (Gordon), Duniphan, Fitzgerald, Hassard, Koskan, Napoli, and Van Gerpen

1 FOR AN ACT ENTITLED, An Act to permit school districts to enter an agreement with a  
2 nonprofit organization to provide for construction, operation, and maintenance of facilities.

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

4 Section 1. That chapter 13-15 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 The school board of a school district may enter into an agreement or contract with a  
7 nonprofit organization to provide for the recreation of the children who reside within the school  
8 district and to provide for the construction, operation, and maintenance of any recreational  
9 facility for the school district and the nonprofit organization upon terms and conditions as may  
10 be mutually agreed. The nonprofit organization shall be an exempt organization under section  
11 501(c)(3) or 501(c)(4) of the United States Internal Revenue Code. If a school district incurs any  
12 indebtedness through an agreement or contract with a nonprofit organization pursuant to this  
13 section, the school district shall comply with any requirement concerning indebtedness of a  
14 school district including public notification or bond election.

1 **BILL HISTORY**

2 1/17/98 First read in Senate and referred to Education. S.J. 68

3 1/26/98 Scheduled for Committee hearing on this date.

4 2/4/98 Scheduled for Committee hearing on this date.

5 2/9/98 Scheduled for Committee hearing on this date.

6 2/9/98 Education Do Pass Amended, Passed, AYES 7, NAYS 0. S.J. 386