

# State of South Dakota

SEVENTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2000

632D0545

## HOUSE BILL NO. 1210

Introduced by: Representatives Clark, Fiegen, Napoli, Putnam, and Wudel and Senators  
Staggers and Bogue

1 FOR AN ACT ENTITLED, An Act to modify contract renewal provisions for school district  
2 food service purchases.

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

4 Section 1. That § 5-18-18.1 be amended to read as follows:

5 5-18-18.1. The ~~purchase~~ purchases by a school district of perishable food, raw materials used  
6 in construction or manufacture of products for resale, the contracts for asbestos removal in  
7 emergency response actions, and the contracts for services provided by individuals or firms for  
8 consultants, audits, legal services, architectural services and engineering, insurance, real estate  
9 services, auction services, or transportation of students are exempt from the provisions of this  
10 chapter.

11 No contract for the transportation of students may exceed five years. Specific provisions of  
12 the contract may be renegotiated during the term of the contract provided that guidelines for  
13 making changes are in the contract. Any change made during the term of the contract shall be  
14 reported in the school board minutes.

15 No contract for the services of a food service management company may exceed one year.

16 An original contract for the services of a school food service management company may be

1 renewed annually no more than four times consecutively following the original contract. Both  
2 bid and contract shall specify that the contract can be renewed, but the local school is not  
3 required to renew the contract. Specific provisions of the original contract may be renegotiated  
4 prior to renewal provided that guidelines for making changes are in the original contract. The  
5 school board shall record in its minutes any changes made during the term of a food service  
6 management contract or renewal.