

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

484D0104

SENATE EDUCATION COMMITTEE

ENGROSSED NO. **SB2** - 2/2/00

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsors.

Introduced by: Senators Olson, Lawler, and Moore and Representatives Kooistra, Brown (Jarvis), Garnos, Hagen, and Hennies at the request of the Interim Drug Sales and Use Committee

1 FOR AN ACT ENTITLED, An Act to repeal certain provisions banning students from
2 extracurricular activities in secondary schools for controlled substance violations.

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

4 Section 1. That § 13-32-9 be amended to read as follows:

5 13-32-9. Any person adjudicated, convicted, or the subject of a suspended imposition of
6 sentence for possession, use, or distribution of controlled substances or marijuana as defined in
7 chapter 22-42 is ineligible to participate in any extracurricular activity at any secondary school
8 accredited by the Department of Education and Cultural Affairs for one year unless such person
9 agrees to such counseling or drug testing as the school district may prescribe. Upon a subsequent
10 adjudication, conviction, or suspended imposition of sentence for possession, use, or distribution
11 of controlled substances or marijuana by a court of competent jurisdiction, that person is
12 ineligible to participate for one year in any extracurricular activity accredited by the Department
13 of Educational and Cultural Affairs. Upon a second subsequent adjudication, conviction, or
14 suspended imposition of sentence for possession, use, or distribution of controlled substances
15 or marijuana by a court of competent jurisdiction, that person is ineligible to participate in any

1 extracurricular activity while that person is attending any school accredited by the Department
2 of Education and Cultural Affairs. Upon such a determination in any juvenile proceeding the
3 Unified Judicial System shall give notice of that determination to the South Dakota High School
4 Activities Association and the chief administrator of the school in which the person is enrolled.

5 As used in this section, the term, extracurricular activity, means any activity sanctioned by
6 the South Dakota High School Activities Association.

1 **BILL HISTORY**

2 1/11/00 First read in Senate and referred to Education. S.J. 14

3 1/30/00 Scheduled for Committee hearing on this date.

4 2/1/00 Education Hog Housed.

5 2/1/00 Scheduled for Committee hearing on this date.

6 2/1/00 Education Do Pass Amended, Passed, AYES 6, NAYS 1. S.J. 267

7 2/2/00 Education Hog Housed.