

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

813D0287

HOUSE ENGROSSED NO. **SB59** - 2/16/00

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

Introduced by: Senators Albers, Madden, and Vitter and Representatives Engbrecht and Hennies

1 FOR AN ACT ENTITLED, An Act to clarify certain provisions related to the filing of student
2 birth certificates.

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

4 Section 1. That § 13-27-3.1 be amended to read as follows:

5 13-27-3.1. Any person who is required pursuant to § 13-27-1 to cause any child to attend
6 any public or nonpublic school or alternative instruction program pursuant to § 13-27-3 in this
7 state shall, either at the time of enrollment in any school in this state or upon being excused from
8 school attendance pursuant to § 13-27-3 or within thirty days of initial enrollment or excuse,
9 provide the public or nonpublic school or the alternative instruction program with a certified
10 copy of ~~such~~ the child's birth certificate or affidavit in lieu of birth certificate as issued by the
11 Department of Health in such cases where the original birth certificate is deemed unattainable.
12 Any parent or guardian who requests an excuse for his or her child pursuant to § 13-27-3, shall
13 with the initial request for excuse, provide a certified copy of the child's birth certificate or an
14 affidavit notarized or witnessed by two or more witnesses, swearing or affirming that the child
15 identified on the request for excuse is the same person appearing on the child's certified birth
16 certificate. A violation of this section is a Class 2 misdemeanor.

1 Section 2. That § 13-27-3.2 be amended to read as follows:

2 13-27-3.2. Any copy of any certified birth certificate provided pursuant to § 13-27-3.1 shall
3 be maintained by the public or nonpublic school or alternative instruction program and shall
4 ~~become~~ be a part of the child's permanent cumulative school record.

5 Section 3. That § 13-27-3.3 be amended to read as follows:

6 13-27-3.3. The superintendent of any public or nonpublic school or any person who provides
7 alternative instruction in this state who maintains a child's permanent cumulative school record
8 shall ~~regularly~~ within thirty days of enrollment report to the ~~state's attorney~~ school board of the
9 district the name and address of any child ~~for whom the school~~ whose permanent cumulative
10 record does not have a copy of a certified birth certificate in violation of § 13-27-3.1 or 13-27-
11 3.2. If the violation is not corrected within thirty days after the report, the school board of the
12 district shall notify the state's attorney.

1 **BILL HISTORY**

2 1/15/00 First read in Senate and referred to Education. S.J. 57

3 1/20/00 Scheduled for Committee hearing on this date.

4 1/20/00 Education Deferred to another day, AYES 4, NAYS 2.

5 1/25/00 Education Hog Housed.

6 1/25/00 Scheduled for Committee hearing on this date.

7 1/25/00 Education Do Pass Amended, Passed, AYES 7, NAYS 0. S.J. 181

8 1/27/00 Senate Do Pass Amended, Passed, AYES 32, NAYS 3. S.J. 227

9 1/28/00 First read in House and referred to Education. H.J. 293

10 2/10/00 Scheduled for Committee hearing on this date.

11 2/10/00 Education Do Pass, Passed, AYES 8, NAYS 3. H.J. 556

12 2/11/00 House of Representatives Deferred to another day. H.J. 622

13 2/14/00 House of Representatives Deferred to another day. H.J. 650

14 2/15/00 Motion to Amend, Passed. H.J. 672

15 2/15/00 House of Representatives Do Pass Amended, Passed, AYES 56, NAYS 10. H.J. 673