

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

813D0287

SENATE EDUCATION COMMITTEE

ENGROSSED NO. **SB59** - 1/26/00

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

1 certificate. A violation of this section is a Class 2 misdemeanor.

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

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

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

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