

# State of South Dakota

SEVENTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2000

910D0019

SENATE EDUCATION COMMITTEE

ENGROSSED NO. **SB71** - 1/26/00

Introduced by: Senators Brosz, Everist, Olson, and Reedy and Representatives Konold, Davis, Duniphan, Lockner, and Solum

1 FOR AN ACT ENTITLED, An Act to remove certain restrictions relating to the use of school  
2 buses.

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

4 Section 1. That § 13-29-1 be amended to read as follows:

5 13-29-1. The school board of any school district may acquire, own, operate, or hire buses  
6 for the transportation of students to and from its schools either from within or without the  
7 district or for transportation to and from athletic, musical, speech, and other interscholastic  
8 contests in which participation is authorized by the school board. ~~If the use of a school bus is~~  
9 ~~granted by the school board pursuant to subdivision 49-28-2(1) or (8), the school district is not~~  
10 ~~liable for suit or damages which may arise as the result of the use. The school board may~~  
11 ~~authorize the use of the buses owned by the board for transportation of adults pursuant to~~  
12 ~~subdivision 49-28-2(1) or (7). The provisions to transport adults, provided in this section, shall~~  
13 ~~not apply to school districts which contain a first class municipality. Use of a school bus for~~  
14 ~~transportation of persons enumerated in subdivision 49-28-2(7) is limited to providing shelter,~~  
15 ~~health care, nutrition, religious activities and other necessities of life.~~

16 Section 2. That chapter 13-29 be amended by adding thereto a NEW SECTION to read as

1 follows:

2 A school board may allow nonprofit civic organizations or other government entities to use  
3 vehicles owned by the school district to transport persons to various activities deemed by the  
4 school board to be in the public interest. A school board may adopt policies for the use of its  
5 vehicles by other organizations. If the use of a school bus is granted by a school board, the  
6 school district is not liable for suit or damages which may result from the operation of the bus  
7 by a nonprofit civic organization or other government entity.

1 **BILL HISTORY**

2 1/15/00 First read in Senate and referred to Education. S.J. 59

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

4 1/25/00 Scheduled for Committee hearing on this date.

5 1/25/00 Education Do Pass Amended, Passed, AYES 6, NAYS 0. S.J. 182