

State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

578J0032

HOUSE EDUCATION COMMITTEE ENGROSSED NO.

HB 1003 - 01/21/2004

Introduced by: Representatives Dykstra, Bartling, Bradford, Deadrick (Thomas), Elliott, Heineman, LaRue, McLaughlin, and Peterson (Jim) and Senators Duxbury and Koskan at the request of the Interim Committee on School District Educational Equality and Organization

1 FOR AN ACT ENTITLED, An Act to allow two or more school districts to include a proposed
2 excess tax levy in their consolidation plan.

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

4 Section 1. That § 13-6-13 be amended to read as follows:

5 13-6-13. The plan shall contain:

- 6 (1) A map or maps showing the boundaries of the proposed district or districts, the
7 boundaries of the existing districts involved, the location of existing and proposed
8 attendance centers and a description of the facilities, and the proposed school bus
9 routes, if any;
- 10 (2) A legal description of the boundaries of the proposed district or districts;
- 11 (3) Estimates of the school age population within the proposed district or districts;
- 12 (4) The assessed valuation of all taxable property of each existing district and of the
13 proposed district or districts;
- 14 (5) Outstanding general obligation bonds of any component district, funds in all school



- 1 accounts and estimated receipts in all accounts in process of collection;
- 2 (6) If a joint district, the designation of the county of jurisdiction;
- 3 (7) The official name of the proposed district;
- 4 (8) A statement with regard to a proposed method of adjustment of assets and liabilities;
- 5 (9) The proposed number of school board members if a new entity is to be created;
- 6 (10) A description of the proposed educational program;
- 7 (11) A reasonably detailed budget showing estimated annual receipts and expenditures for
- 8 the operation of the proposed district or districts;
- 9 (12) A statement recognizing any requests for minor boundary changes;
- 10 (13) Such additional information as may be necessary to show compliance with the
- 11 standards for school districts as adopted by the South Dakota Board of Education.

12 ~~When~~ If the plan proposes the dissolution and annexation of a school district to one or more

13 school districts, the school board of the receiving district, or districts, shall by resolution express

14 their acceptance or rejection of all or part of the district to be dissolved as set forth in the

15 proposed plan.

16 If the school boards of two or more school districts are developing a plan to consolidate, and

17 two-thirds of the members of each affected school board agree, the plan may also include the

18 provisions of an excess tax levy authorized in § 10-12-43 if an excess tax levy currently exists

19 in one or more of the school districts. If the plan is approved by the voters, the proposed excess

20 tax levy may be applied in the new consolidated school district. If a proposed excess tax levy

21 is included in the plan, the plan shall state the amount of the proposed excess tax levy. The

22 proposed excess tax levy may be applied for taxes payable in any of the five years following the

23 date of reorganization. In addition, each school board involved in the development of the plan

24 shall announce the inclusion of the proposed excess tax levy in the plan to the taxpayers in the

1 manner set forth in § 10-12-43.