

State of South Dakota

EIGHTIETH
LEGISLATIVE ASSEMBLY, 2005

400L0385

SENATE ENGROSSED NO. **SB 66** - 01/27/2005

Introduced by: The Committee on Education at the request of the Department of Education

1 FOR AN ACT ENTITLED, An Act to provide certain options to school boards in
2 reorganization, to increase the percentage of voters necessary to petition for school district
3 reorganization, and to declare an emergency.

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

5 Section 1. That § 13-6-10 be amended to read as follows:

6 13-6-10. If the school board or the voters of two or more districts or parts of districts express
7 a desire to consolidate their respective districts to create a new entity; or the school board or the
8 voters of an existing district express a desire to divide the district to create one or more new
9 entities; or the school board or the voters of an existing district express a desire to dissolve and
10 be annexed to an existing district, the school board may by resolution, or shall, if presented by
11 a petition signed by ~~fifteen~~ the lesser of one thousand registered voters or twenty percent of the
12 registered voters residing in the district, based upon the total number of registered voters at the
13 last preceding general election, develop a plan to accomplish the desire expressed in the
14 resolution or contained in the petition. If more than one district is involved, their respective
15 school boards shall act jointly in the preparation of the plan. Within fifteen days after a petition
16 is filed as provided in this section, the school district shall acknowledge the receipt of the



1 petition in writing to the person who filed the petition. Within one hundred eighty days after the
2 petition was filed, the school board shall develop the plan required in this section and shall file
3 the plan as required in § 13-6-17. The Department of Education may grant two extensions of
4 the filing deadline, not to exceed ninety days each.

5 The school board shall call conferences and hold hearings to develop the plan. The school
6 board may employ a consultant. If the school boards involved in the creation of a plan initiated
7 by a petitioner cannot agree on a single plan within the time allowed in this section, the
8 Secretary of Education shall submit a plan to the voters of each affected school board within
9 ninety days.

10 Section 2. Whereas, this Act is necessary for the immediate preservation of the public peace,
11 health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and
12 effect from and after its passage and approval.