



## 2025 South Dakota Legislature

# House Bill 1093

Introduced by: **Representative Aylward**

1 **An Act to require the board of a school district to hold a bond election at the primary**  
 2 **or general election.**

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

4 **Section 1. That § 13-16-6.4 be AMENDED:**

5 **13-16-6.4.** Approval to enter into an agreement or issue capital outlay  
 6 certificate ~~to which § 13-16-6.3 applies pursuant to § 13-16-6.3,~~ is subject to a  
 7 referendum if five percent of the registered voters, based upon the total number of  
 8 registered voters at the last preceding general election, petition, within twenty days  
 9 thereafter, to have the question of approval ~~or disapproval of~~ to enter into the agreement  
 10 or issue ~~of capital outlay certificates or the lease-purchase agreement~~ placed upon the  
 11 ballot at the next regular primary or general election ~~or at a special election called for that~~  
 12 ~~purpose.~~

13 The business manager shall give notice ~~of the fact~~ that the question ~~will~~ is to be on  
 14 the ballot at ~~a regular or special~~ the primary or general election as provided by law for  
 15 school elections and prepare official ballots therefor according to the provisions of this  
 16 title ~~relating to elections and the issue shall be decided by sixty percent of those voting~~  
 17 ~~thereon.~~ Approval of the question to enter into an agreement or issue capital outlay  
 18 certificates requires an affirmative vote of at least sixty percent of those voting on the  
 19 question.

20 If the question is submitted to the voters at a primary election and is not approved  
 21 by the voters, the school board may, by resolution, place the question on the ballot at the  
 22 next general election immediately following the primary election.