



2024 South Dakota Legislature

House Bill 1164

Introduced by: **Representative Aylward**

1 **An Act to require a school board to hold a bond election at the primary election.**

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

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

4 **13-16-6.4.** Approval to enter into an agreement or issue capital outlay certificates
 5 ~~to which § 13-16-6.3 applies, pursuant to § 13-16-6.3,~~ is subject to a referendum if five
 6 percent of the registered voters, based upon the total number of registered voters at the
 7 last preceding general election, petition, within twenty days thereafter, to have the
 8 question of approval ~~or disapproval of~~ to enter into the agreement or issue of capital outlay
 9 certificates ~~or the lease-purchase agreement~~ placed upon the ballot at the next ~~regular~~
 10 primary or general election ~~or at a special election called for that purpose~~. The business
 11 manager shall give notice ~~of the fact that the question will be on the ballot at a regular or~~
 12 ~~special~~ the primary or general election as provided by law for school elections and prepare
 13 official ballots therefor according to the provisions of this title relating to elections ~~and the~~
 14 ~~issue shall be decided by sixty percent of those voting thereon.~~ Approval of the question
 15 to enter into an agreement or issue capital outlay certificates requires an affirmative vote
 16 of at least sixty percent of those voting on the question.

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