

State of South Dakota

EIGHTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2013

398U0599

HOUSE BILL NO. 1176

Introduced by: Representatives May, Greenfield, Heinert, Hoffman, Olson (Betty), Rounds, Schaefer, and Wick and Senator Jensen

1 FOR AN ACT ENTITLED, An Act to define truancy.

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

3 Section 1. That chapter 13-27 be amended by adding thereto a NEW SECTION to read as
4 follows:

5 Any child of compulsory school age who is absent from school without a valid excuse for
6 more than three days in any school year is truant.

7 Section 2. That § 13-27-11 be amended to read as follows:

8 13-27-11. Any person having control of a child of compulsory school age who ~~fails to have~~
9 ~~the child attend school as required by the provisions of this title,~~ is truant as defined in section
10 1 of this Act is guilty of a Class 2 misdemeanor for the first offense. For each subsequent
11 offense, a violator of this section is guilty of a Class 1 misdemeanor.

12 Section 3. That § 13-27-20 be amended to read as follows:

13 13-27-20. Each truancy officer shall make and file truancy complaints, and any teacher,
14 school officer, or any citizen may make and file a truancy complaint, before a circuit court
15 judge, against any person having control of a child of compulsory school age who is ~~not~~



1 ~~attending school or whose attendance is irregular~~ truant as defined in section 1 of this Act. The
2 complaint shall state the name of the parent, guardian, or person responsible for the control of
3 the child. The complaint shall be verified by oath upon belief of the complainant.