

State of South Dakota

NINETY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2018

547Z0761

SENATE BILL NO. 142

Introduced by: Senator Nelson and Representatives Goodwin, Brunner, and Peterson (Sue)

1 FOR AN ACT ENTITLED, An Act to authorize an opt out of school board approved
2 installment purchase contracts, lease purchase contracts, or capitol outlay certificates.

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

4 Section 1. That § 13-16-6.3 be amended to read:

5 13-16-6.3. ~~Any~~ A school board may not enter into a proposed installment purchase contract;
6 or lease-purchase; contract or issue of any capital outlay ~~certificates~~ certificate authorized
7 pursuant to § 13-16-6 or 13-16-6.2 ~~which will obligate~~ that obligates the school district for
8 future payments on the principal, if the total of which will exceed one and one-half percent of
9 the taxable valuation of taxable property within the district, may not be entered into, or
10 certificates issued, unless prior thereto the school board conducts a public hearing thereon after
11 having given notice before the contract is entered into or certificate is issued. The school board
12 shall give notice by publication at least twice in its official newspaper at least ten days before
13 the hearing. Upon the hearing the board may approve the action or may refer the matter to the
14 voters of the district.

15 The decision of the school board may be referred to a vote of the people upon a resolution



1 of the governing body of the school district or by a petition signed by at least five percent of the
2 registered voters in the school district and filed with the governing body within ten days of the
3 first publication of the decision. The referendum election shall be held before October second
4 of the year before the time a contract is entered into or a certificate is issued.