

AN ACT

ENTITLED, An Act to revise certain provisions relating to the distribution of funds to sparse school districts, and to declare an emergency.

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

Section 1. That § 13-13-78 be amended to read as follows:

13-13-78. Terms used in § 13-13-79 mean:

- (1) "Sparse school district," a school district that meets each of the following criteria:
 - (a) Has an average daily membership per square mile of 0.50 or less;
 - (b) Has an average daily membership of five hundred or less;
 - (c) Has an area of four hundred square miles or more;
 - (d) Has at least fifteen miles between its secondary attendance center or centers and that of an adjoining district;
 - (e) Operates a secondary attendance center;
 - (f) Levies ad valorem taxes at the maximum rates allowed pursuant to § 10-12-42 or more; and
 - (g) Has a general fund balance percentage of thirty percent or less excluding revenue received from opting out of property tax limitations pursuant to chapter 10-12;
- (2) "Sparsity average daily membership for sparse school districts with an adjusted average daily membership as defined in subdivision 13-13-10.1(2) of less than one hundred or greater than two hundred seventy-five," calculated as follows:
 - (a) Divide the average daily membership as defined in subdivision 13-13-10.1(1) by the area of the school district in square miles;
 - (b) Multiply the quotient obtained in subsection (a) times negative 0.125;
 - (c) Add 0.0625 to the product obtained in subsection (b); and

- (d) Multiply the sum obtained in subsection (c) times the average daily membership;
- (3) "Sparsity adjusted average daily membership for sparse school districts with an adjusted average daily membership as defined in subdivision 13-13-10.1(2) of greater than or equal to one hundred and less than two hundred seventy-five," calculated as follows: Subtract the school district adjusted average daily membership as defined in subdivision 13-13-10.1(2) from two hundred seventy-five.

Section 2. That § 13-13-79 be amended to read as follows:

13-13-79. At the same time that foundation program state aid is distributed to school districts pursuant to §§ 13-13-10.1 to 13-13-41, inclusive, the secretary of the Department of Education shall distribute funds to sparse school districts by multiplying the result of the calculation in subdivision (2) or (3) of § 13-13-78 by the per student allocation as defined in § 13-13-10.1. However, no sparse school district may receive a sparsity benefit in any year that exceeds two hundred fifty thousand dollars.

Section 3. Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.

An Act to revise certain provisions relating to the distribution of funds to sparse school districts, and to declare an emergency.

I certify that the attached Act
originated in the

SENATE as Bill No. 32

Secretary of the Senate

President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 32
File No. _____
Chapter No. _____

Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State