

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

965T0322

HOUSE EDUCATION ENGROSSED NO. **HB 1195** - 1/30/2012

Introduced by: Representatives Sly, Boomgarden, Brunner, Elliott, Fargen, Haggar, Moser, Nelson (Stace), Perry, and Tulson and Senators Brown, Bradford, Frerichs, Gray, Holien, Kraus, Maher, Olson (Russell), Rave, and Rhoden

1 FOR AN ACT ENTITLED, An Act to authorize the collection of fees for certain educational
2 programming and services, and to declare an emergency.

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

4 Section 1. That § 13-8-50 be amended to read as follows:

5 13-8-50. The school board may provide programming before ~~and~~ or after the regular school
6 programming term or school day, including weekends, for children who are of school age and
7 are enrolled in a school within the district and may charge a fee therefor. However, the
8 programming provided by a school district for which a fee may be charged pursuant to this
9 section does not include any high school extracurricular activity.

10 Section 2. That § 13-28-5 be amended to read as follows:

11 13-28-5. The privileges of the public schools of any district shall be free to all persons with
12 school residence within the district until they complete the secondary school program or until
13 they reach the age of twenty-one. However, except as otherwise prohibited by law, schools may
14 charge a fee for early childhood services for any child who is under the age of compulsory



1 attendance pursuant to § 13-27-1 and is not enrolled in kindergarten or a more advanced grade.

2 Section 3. Any fees paid to a school district under the provisions of this Act shall be
3 deposited into the school district's public enterprise fund enumerated in § 13-16-2.

4 Section 4. Whereas, this Act is necessary for the support of the state government and its
5 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in
6 full force and effect from and after its passage and approval.