



2022 South Dakota Legislature

House Bill 1080

Introduced by: **Representative Bartels**

1 **An Act to prolong requirements for increasing teacher compensation.**

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

3 **Section 1. That § 13-13-73.6 be AMENDED:**

4 **13-13-73.6.** The Department of Education shall calculate the following for each
5 school district:

6 (1) The average teacher salary, based on data collected pursuant to §§ 13-3-51 and
7 13-8-47;

8 (2) The increase in local need pursuant to § 13-13-10.1, excluding any effect due to
9 change in the school district's fall enrollment and less the amount of revenue
10 generated in school fiscal year 2016 as a percentage increase, from fiscal year
11 2016 to fiscal year 2017; and

12 (3) The increase in average teacher compensation as a percentage increase, as defined
13 in § 13-8-47, from fiscal year 2016 to fiscal year 2017.

14 For each school district, the district's increase in average teacher compensation
15 from fiscal year 2016 to 2017 ~~shall~~must be equal to at least eighty-five percent of the
16 district's increase in local need, as defined in subdivision (2), from fiscal year 2016 to
17 fiscal year 2017 and, notwithstanding any negotiated agreement, at least eighty-five
18 percent of the increase in state aid to general education funding the school district receives
19 for fiscal year 2017, less the amount of revenue generated in fiscal year 2016, ~~shall~~must
20 be used to increase instructional salaries and benefits for certified instructional staff.

21 If a district fails to comply with the requirements of this section, state aid to general
22 education funding to the district in fiscal year 2018 ~~shall~~must be decreased by an amount
23 equal to fifty percent of the amount calculated in subdivision (2).

24 For each fiscal ~~years~~year from ~~2019, 2020, and 2021~~ to 2024, inclusive, if a
25 district's average teacher compensation is less than the district's average teacher
26 compensation in fiscal year 2017, state aid to general education funding to the district in

1 the following fiscal year ~~shall~~must be reduced by an amount equal to five hundred dollars
2 for each teacher employed in the school district.

3 A school district may request a waiver from any penalty imposed under this section
4 from the School Finance Accountability Board.