



2022 South Dakota Legislature

House Bill 1080

HOUSE EDUCATION ENGROSSED

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 be equal to at least eighty five percent of the district's~~
16 ~~increase in local need, as defined in subdivision (2), from fiscal year 2016 to fiscal year~~
17 ~~2017 and, notwithstanding any negotiated agreement, at least eighty five percent of the~~
18 ~~increase in state aid to general education funding the school district receives for fiscal year~~
19 ~~2017, less the amount of revenue generated in fiscal year 2016, shall be used to increase~~
20 ~~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 be decreased by an amount equal~~
23 ~~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.