

## 2025 South Dakota Legislature

**House Bill 1093****AMENDMENT 1093A  
FOR THE INTRODUCED BILL**

1 **An Act to require the board of a school district to hold a bond election at the primary**  
2 **or general election.**

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

4 **Section 1. That § 13-16-6.4 be AMENDED:**

5 **13-16-6.4.** Approval to enter into an agreement or issue capital outlay certificates  
6 ~~to which § 13-16-6.3 applies pursuant to § 13-16-6.3,~~ is subject to a referendum if five  
7 percent of the registered voters, based upon the total number of registered voters at the  
8 last preceding general election, petition, within twenty days thereafter, to have the  
9 question of approval ~~or disapproval of~~ to enter into the agreement or issue of capital outlay  
10 certificates ~~or the lease purchase agreement~~ placed upon the ballot ~~at the next regular~~  
11 primary or general at an election ~~or at a special election called for that purpose.~~ In even-  
12 numbered years, the election must be held in conjunction with the regular primary or  
13 general election. In odd-numbered years, the question must be placed upon the ballot at  
14 a special election called for that purpose and held on:

15 (1) The first Tuesday after the first Monday in June; or

16 (2) The first Tuesday after the first Monday in November.

17 When the election is held in conjunction with the primary or general election, the  
18 expenses and governmental responsibilities of a combined election must be shared in a  
19 manner agreed upon by the board of the school district and the boards of county  
20 commissioners involved.

21 The business manager shall give notice ~~of the fact that the question will~~ is to be on  
22 the ballot at ~~a~~ the regular or special ~~the primary or general~~ election as provided by law  
23 for school elections and prepare official ballots therefor according to the provisions of this  
24 title ~~relating to elections and the issue shall be decided by sixty percent of those voting~~  
25 ~~thereon.~~ Approval of the question to enter into an agreement or issue capital outlay

1 certificates requires an affirmative vote of at least sixty percent of those voting on the  
2 question.

3 If the question~~is~~ submitted to the voters at~~a primary an~~ election~~and~~ is not  
4 approved by the voters, the school board may, by resolution, place the question on the  
5 ballot at the next~~general~~ available election provided by this section, immediately following  
6 the~~primary~~ election.

AMENDED