



## 2025 South Dakota Legislature

# House Bill 1093

HOUSE ENGROSSED

Introduced by: **Representative Aylward**

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~~ at  
 11 an election or at a special election called for that purpose. In even-numbered years, the  
 12 election must be held in conjunction with the regular primary or general election. In odd-  
 13 numbered years, the question must be placed upon the ballot at a special election called  
 14 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~~ is to be on  
 22 the ballot ~~at a~~ the regular or special election as provided by law for school elections and  
 23 prepare official ballots therefor according to the provisions of this title ~~relating to elections~~  
 24 ~~and the issue shall be decided by sixty percent of those voting thereon.~~ Approval of the  
 25 question to enter into an agreement or issue capital outlay certificates requires an  
 26 affirmative vote of at least sixty percent of those voting on the question.

- 1 If the question submitted to the voters at an election is not approved by the voters,
- 2 the school board may, by resolution, place the question on the ballot at the next available
- 3 election provided by this section, immediately following the election.