

2025 South Dakota Legislature

House Bill 1093**AMENDMENT 1093B
FOR THE HOUSE ENGROSSED 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 at
11 an primary or general 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 ~~an a primary~~ 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 ~~available general~~ election provided by this section, immediately following
6 the ~~primary~~ election.

AMENDED