



2025 South Dakota Legislature

House Bill 1093

SENATE EDUCATION 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~~
 11 primary or general election ~~or at a special election called for that purpose.~~

12 The business manager shall give notice ~~of the fact that the question will~~ is to be on
 13 the ballot at ~~a regular or special~~ the primary or general election as provided by law for
 14 school elections and prepare official ballots therefor according to the provisions of this title
 15 relating to elections and the issue shall be decided by ~~sixty percent of those voting~~
 16 ~~thereon.~~ Approval of the question to enter into an agreement or issue capital outlay
 17 certificates requires an affirmative vote of at least sixty percent of those voting on the
 18 question.

19 If the question is submitted to the voters at a primary election and is not approved
 20 by the voters, the school board may, by resolution, place the question on the ballot at the
 21 next general election provided by this section, immediately following the primary election.