



2026 South Dakota Legislature

Senate Bill 106

HOUSE APPROPRIATIONS ENGROSSED

Introduced by: **Senator Sauder**

1 **An Act to modify the amount required to be set aside for extraordinary expenses**
 2 **incurred in providing special education programs.**

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

4 **Section 1. That § 13-37-40 be AMENDED:**

5 **13-37-40.** Subject to the ~~limitation~~ limitations provided below and in § 13-37-42,
 6 the secretary of the Department of Education shall, ~~for school fiscal year 2014 and each~~
 7 year thereafter beginning July 1, 2026, set aside ~~four~~ five million dollars of the state aid
 8 to districts for special education appropriation for extraordinary expenses incurred in
 9 providing special education programs or services to ~~one or more~~ children with disabilities,
 10 with expenditures to be made as ~~recommended by an oversight board and approved by~~
 11 the secretary of the Department of Education provided in § 13-37-60.

12 Any funds not expended or obligated pursuant to this section ~~shall~~ are not be
 13 subject to reversion pursuant to § 4-8-19. ~~The total amount set aside for extraordinary~~
 14 ~~expenses each fiscal year plus the total amount not reverted from previous fiscal years~~
 15 may, provided that the total amount reserved each year for extraordinary expenses does
 16 not exceed five million five hundred thousand dollars.

17 ~~The amount appropriated for extraordinary expenses shall be recalculated at the~~
 18 ~~same time as the amount of the allocations for disability levels as provided in § 13-37-~~
 19 ~~35.2.~~