

# State of South Dakota

EIGHTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2008

400P0312

## HOUSE BILL NO. 1049

Introduced by: The Committee on Education at the request of the Department of Education

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to the calculation of  
2 school and public lands funds and county general school funds.

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

4 Section 1. That § 13-13-5 be amended to read as follows:

5 13-13-5. The county treasurer shall on or before the fifth day of January and July furnish the  
6 county auditor with a statement of all money in the county treasury belonging to the county  
7 general school fund and shall pay the money, upon the order of the auditor to the public school  
8 districts having land area within the county in proportion to the ~~average daily membership of~~  
9 ~~children residing~~ fall enrollment, as defined by § 13-13-10.1, in the school districts ~~as certified~~  
10 ~~by the Division of Education Services and Resources~~ plus the nonpublic fall enrollment as  
11 defined by § 13-37-35.1.

12 Section 2. That § 13-13-1.1 be amended to read as follows:

13 13-13-1.1. The individual school district ~~average daily membership as calculated by the~~  
14 ~~Division of Education Services and Resources~~ fall enrollment for distribution of school and  
15 public lands funds ~~may not include pupils for whom the public school receives tuition, shall~~



- 1 ~~include pupils for whom the district pays tuition, and shall include resident pupils attending~~
- 2 ~~private schools~~ shall be the fall enrollment, as defined by § 13-13-10.1, in the school district
- 3 plus the nonpublic fall enrollment, as defined by § 13-37-35.1.