

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

400Q0165

HOUSE BILL NO. 1067

Introduced by: The Committee on Appropriations at the request of the Bureau of Finance and Management

1 FOR AN ACT ENTITLED, An Act to repeal certain provisions regarding state aid payments
2 for increasing and decreasing enrollment.

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

4 Section 1. That subdivision (2A) of § 13-13-10.1 be amended to read as follows:

5 (2A) "Fall enrollment," the number of kindergarten through twelfth grade students enrolled
6 in all schools operated by the school district on the last Friday of September of the
7 previous school year minus the number of students for whom the district receives
8 tuition, except nonresident students who are in the care and custody of a state agency
9 and are attending a public school and students for whom tuition is being paid
10 pursuant to § 13-28-42.1, plus the number of students for whom the district pays
11 tuition. ~~When computing state aid to education for a school district under the~~
12 ~~foundation program pursuant to § 13-13-73, the secretary of the Department of~~
13 ~~Education shall use either the school district's fall enrollment or the average of the~~
14 ~~school district's fall enrollment and the school district's fall enrollment from the prior~~
15 ~~year, whichever is higher. However, if a school district qualifies to benefit from both~~



1 ~~the averaging permitted in this subdivision and the one-time payment provided in~~
2 ~~§ 13-13-80 in the same fiscal year, the school district may not benefit from both, but~~
3 ~~only from the one that provides the most additional funding to the district;~~

4 Section 2. That § 13-13-80 be repealed.

5 ~~— 13-13-80. If a school district's current fall enrollment, as defined in § 13-13-10.1, increases~~
6 ~~by at least five percent or by a minimum of twenty-five students over the fall enrollment, that~~
7 ~~school district shall receive a one-time payment equal to fifty percent of the per student~~
8 ~~allocation times the number of students by which the current fall enrollment exceeds the fall~~
9 ~~enrollment. The payment shall be made to the district prior to the first of December in the~~
10 ~~current school year. However, if a school district qualifies to benefit from both the averaging~~
11 ~~permitted in subdivision 13-13-10.1(2A) and the one-time payment pursuant to this section in~~
12 ~~the same fiscal year, the school district may not benefit from both, but only from the one that~~
13 ~~provides the most additional funding to the district.~~