

2020 South Dakota Legislature

House Bill 1263**AMENDMENT 1263C FOR THE INTRODUCED BILL**

1 **An Act to require that certain school district ~~elections occur in conjunction with the~~**
2 **general electionactions be referred to the voters and to limit the dates on**
3 **which certain school district elections may be held.**

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

5 **Section 1.** That § 13-16-6.3 be AMENDED:

6 **13-16-6.3. Hearing on installment purchase, lease-purchase or capital**
7 **outlay certificates--Approval or reference to voters.**

8 Any proposed installment purchase contract, lease-purchase, or issue of capital
9 outlay certificates authorized pursuant to § 13-16-6 or 13-16-6.2 which will obligate the
10 school district for future payments on the principal, the total of which will exceed one and
11 one-half percent of the taxable valuation of taxable property within the district, may not
12 be entered into, or certificates issued, unless prior thereto the school board conducts a
13 public hearing thereon after having given notice by publication at least twice in its official
14 newspaper at least ten days before the hearing. Upon the hearing the board may approve
15 the action ~~or may~~. If the board approves the action, the board shall refer the matter to
16 the voters of the district.

17 **Section 2.** That § 13-16-6.4 be AMENDED:

18 **13-16-6.4. Installment purchase--Capital outlay certificates--Referendum**
19 **petition and election--Date of election.**

20 ~~Approval to enter into an agreement or issue capital outlay certificates to which~~
21 ~~§ 13-16-6.3 applies is subject to a referendum if five percent of the registered voters,~~
22 ~~based upon the total number of registered voters at the last preceding general election,~~
23 ~~petition, within twenty days thereafter, to have the question of approval or disapproval of~~
24 ~~the agreement or issue of capital outlay certificates or the lease-purchase agreement~~

1 ~~placed upon the ballot at the next regular election or at a special election called for that~~
2 ~~purpose.~~ The business manager shall give notice of the fact that the question will be on
3 the ballot at a ~~regular or special election to be held on the date of the~~ primary election,
4 as provided for under § 12-2-1, or on the date of the general election, as provided ~~by law~~
5 ~~for school elections for under § 12-2-2, and.~~ The special election may also be held on the
6 first Tuesday following the first Monday in June or on the first Tuesday following the first
7 Monday in November in odd-numbered years. The business manager shall prepare official
8 ballots therefor according to the provisions of this title relating to elections, and the issue
9 shall be decided by sixty percent of those voting thereon.