



## 2020 South Dakota Legislature

# House Bill 1263

HOUSE STATE AFFAIRS ENGROSSED

Introduced by: **Representative Goodwin**

1 **An Act to revise certain provisions regarding the dates on which certain school**  
 2 **district elections may be held.**

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

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

5 **13-16-6.3. Hearing on installment purchase, lease-purchase or capital**  
 6 **outlay certificates--Approval or reference to voters.**

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

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

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

18 Approval to enter into an agreement or issue capital outlay certificates to which  
 19 ~~§ 13-16-6.3 applies is subject to a referendum if five percent of the registered voters,~~  
 20 based upon the total number of registered voters at the last preceding general election,  
 21 petition, within twenty days thereafter, to have the question of approval or disapproval of  
 22 the agreement or issue of capital outlay certificates or the lease-purchase agreement  
 23 placed upon the ballot at the next regular election or at a special election called for that  
 24 purpose. The business manager shall give notice of the fact that the question will be on  
 25 the ballot at a ~~regular or special election to be held on the date of the primary election,~~

1 as provided for under § 12-2-1, or on the date of the general election, as provided by law  
2 for school elections and for under § 12-2-2. The special election may also be held on the  
3 first Tuesday following the first Monday in June or on the first Tuesday following the first  
4 Monday in November in odd-numbered years. The business manager shall prepare official  
5 ballots therefor according to the provisions of this title relating to elections and the issue  
6 shall be decided by sixty percent of those voting thereon.