

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

460B0312

HOUSE ENGROSSED NO. **HB1115** - 1/30/98

Introduced by: Representatives Hunt, Brooks, Cutler, Davis, and Richter and Senators Hainje and Dunn (Rebecca)

1 FOR AN ACT ENTITLED, An Act to allow school districts to sell real property by public
2 auction or by using a real estate broker.

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

4 Section 1. That § 5-18-18.1 be amended to read as follows:

5 5-18-18.1. The purchase by a school district of perishable food, raw materials used in
6 construction or manufacture of products for resale, contracts for asbestos removal in emergency
7 response actions and contracts for services provided by individuals or firms for consultants,
8 audits, legal services, architectural services and engineering, insurance, real estate services,
9 auction services, or transportation of students are exempt from the provisions of this chapter.

10 No contract for the transportation of students may exceed five years. Specific provisions of
11 the contract may be renegotiated during the term of the contract provided that guidelines for
12 making changes are in the contract. Any change made during the term of the contract shall be
13 reported in the school board minutes.

14 Section 2. That chapter 6-13 be amended by adding thereto a NEW SECTION to read as
15 follows:

1 In lieu of receiving sealed bids as required by this chapter, a school district may sell real
2 property at public auction or by listing the property with one or more licensed real estate
3 brokers. The school board may accept any offer for purchase of real property provided the offer
4 exceeds ninety percent of the appraised value of the real property as required by § 6-13-2. If a
5 school board sells real property by public auction or through a real estate broker, the school
6 board shall give notice of the sale of the real property as required by § 6-13-4.

1 **BILL HISTORY**

2 1/20/98 First read in House and referred to Commerce. H.J. 118

3 1/27/98 Scheduled for Committee hearing on this date.

4 1/27/98 Commerce Do Pass, Passed, AYES 13, NAYS 0. H.J. 252

5 1/27/98 Commerce Place on Consent Calendar.

6 1/28/98 Second reading of consent calendar items.

7 1/29/98 Motion to Amend, Passed. H.J. 302

8 1/29/98 House of Representatives Do Pass Amended, Passed, AYES 65, NAYS 2. H.J. 303

9 1/29/98 House of Representatives Title Amended. H.J. 303