

# State of South Dakota

SEVENTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 1998

930B0758

## HOUSE ENGROSSED NO. **HB1281** - 2/11/98

Introduced by: Representatives Lucas and Gabriel and Senators Hutmacher and Benson

1 FOR AN ACT ENTITLED, An Act to authorize certain uses of money in a school district's  
2 special education fund.

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

4 Section 1. That § 13-37-16 be amended to read as follows:

5 13-37-16. For taxes payable in 1997, and each year thereafter, the school board shall levy  
6 no more than one dollar and forty cents per thousand dollars of taxable valuation, as a special  
7 levy in addition to all other levies authorized by law for the amount so determined to be  
8 necessary, and such levy shall be spread against all of the taxable property of the district. The  
9 proceeds derived from such levy shall constitute a school district special education fund of the  
10 district for the payment of costs for the special education of all children in need of special  
11 education or special education and related services who reside within the district pursuant to the  
12 provisions of §§ 13-37-8.2 to 13-37-8.10, inclusive. The levy in this section shall be based on  
13 valuations such that the median level of assessment represents 85% of market value as  
14 determined by the Department of Revenue. The total amount of taxes that would be generated  
15 at the levy pursuant to this section shall be considered local effort. Money in the special

- 1 education fund may be expended for the purchase or lease of any assistive technology that is
- 2 directly related to special education and specified in a student's individualized education plan.

1 **BILL HISTORY**

2 1/26/98 First read in House and referred to Education. H.J. 225

3 2/5/98 Scheduled for Committee hearing on this date.

4 2/5/98 Education Do Pass Amended, Passed, AYES 10, NAYS 2.

5 2/10/98 Motion to Amend, Passed. H.J. 527

6 2/10/98 House of Representatives Do Pass Amended, Passed, AYES 63, NAYS 5. H.J. 527