

## AN ACT

ENTITLED, An Act to require a school district to which a former contracting school district is annexed to assign certain resident students to a school district in a bordering state, and to temporarily exempt certain school districts from the requirement to reorganize due to low enrollment.

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

Section 1. That § 13-28-19.1 be amended to read as follows:

13-28-19.1. If a school district that was contracting pursuant to § 13-15-11, dissolves and is annexed to another school district prior to July 1, 2010, the school board for the school district to which the former contracting school district is annexed shall, for the current school year and for each school year thereafter, assign the students who reside in land area that was part of the former contracting district to the school that was receiving the students under the contract. The rate of tuition paid per year to the receiving school district may not be less than the per student allocation as defined in § 13-13-10.1 for that school fiscal year. In addition, the school district to which the former contracting school district is annexed may compensate the receiving school district for all or any portion of the transportation or other costs associated with the students attending school in the receiving school district. If the parent or guardian of a student assigned to a school district in a bordering state pursuant to this section disapproves of the student's assignment, the school board shall assign that student to an attendance center within the district. However, notwithstanding any other provision of law, the school district is not required to provide transportation to that student.

Section 2. The provisions of § 13-6-97 do not apply to any school district that is currently contracting pursuant to § 13-15-11 and is seeking to dissolve and be annexed under the terms of chapter 13-6, but has not completed the reorganization process.

Section 3. Section 2 of this Act is repealed on July 1, 2010.

An Act to require a school district to which a former contracting school district is annexed to assign certain resident students to a school district in a bordering state, and to temporarily exempt certain school districts from the requirement to reorganize due to low enrollment.

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I certify that the attached Act  
originated in the

SENATE as Bill No. 174

\_\_\_\_\_  
Secretary of the Senate  
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\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 174  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

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Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor  
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The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor  
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STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State