



# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

316E0498

HOUSE EDUCATION COMMITTEE ENGROSSED NO.

**HB 1158** - 02/02/2001

Introduced by: Representatives Broderick, Abdallah, Brown (Richard), Eccarius, Flowers, Gillespie, Hennies (Thomas), Madsen, and Teupel and Senators Albers and Apa

1 FOR AN ACT ENTITLED, An Act to reallocate a certain portion of state aid to education.

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

3 Section 1. Notwithstanding the provisions of chapter 13-13, if a student is enrolled pursuant  
4 to § 13-28-43, and the nonresident school district in which the student is enrolled does not  
5 receive state aid to general education, the Department of Education and Cultural Affairs shall  
6 pay state aid to education to the nonresident district in which the student is enrolled. For each  
7 student, the amount of state aid paid shall be the per student allocation as defined in subdivision  
8 13-13-10.1(4). The payment shall be prorated per the number of days the student was enrolled  
9 in the nonresident district compared to the number of days the nonresident district was in session.

10 The payment shall be made in the succeeding fiscal year.

11 Section 2. That chapter 13-28 be amended by adding thereto a NEW SECTION to read as  
12 follows:

13 Notwithstanding the provisions of § 13-28-40, any student who enrolls in another school  
14 district pursuant to the provisions contained in §§ 13-28-40 to 13-28-47, inclusive, from a

1 district that does not receive state aid pursuant to chapter 13-13 in the succeeding fiscal year  
2 remains the financial obligation of the resident district. For each student, the resident district shall  
3 pay tuition to the nonresident district in the succeeding fiscal year per the following calculation:

4 (1) Multiply the nonresident district's adjusted average daily membership calculated  
5 pursuant to subdivision 13-13-10.1(2) by the per student allocation as defined in  
6 subdivision 13-13-10.1(4);

7 (2) Divide the result of (1) by the nonresident district's average daily membership  
8 calculated pursuant to subdivision 13-13-10.1(1);

9 (3) Multiply the result of (2) by the number of days the student was enrolled in the  
10 nonresident district;

11 (4) Divide the result of (3) by the number of days the nonresident district was in session.

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

624E0710

HOUSE EDUCATION COMMITTEE ENGROSSED NO.

**HB 1196** - 01/31/2001

Introduced by: Representatives Begalka, Flowers, Garnos, Hennies (Thomas), Holbeck,  
and Kooistra and Senator Munson

1 FOR AN ACT ENTITLED, An Act to authorize the funding of textbooks through the school  
2 capital outlay fund.

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

4 Section 1. That § 13-16-6 be amended to read as follows:

5 13-16-6. The capital outlay fund of the school district is a fund provided by law to meet  
6 expenditures of three hundred dollars or more which result in the acquisition or lease of or  
7 additions to real property, plant, or equipment. Such an expenditure shall be for land, existing  
8 facilities, improvement of grounds, construction of facilities, additions to facilities, remodeling  
9 of facilities, or for the purchase or lease of equipment. It may also be used for installment or  
10 lease-purchase payments for the purchase of real property, plant or equipment, which have a  
11 contracted terminal date not exceeding twenty years from the date of the installment contract or  
12 lease-purchase and for the payment of the principal of and interest on capital outlay certificates  
13 issued pursuant to § 13-16-6.2. The total accumulated unpaid principal balances of such  
14 installment contracts and lease-purchase and the outstanding principal amounts of such capital

1 outlay certificates may not exceed three percent of the taxable valuation. The school district shall  
2 provide a sufficient levy each year under the provisions of § 13-16-7 to meet the annual  
3 installment contract, lease-purchase and capital outlay certificate payments, including interest.

4 A school district which contracts its student transportation may expend from the capital  
5 outlay fund an amount not to exceed fifteen percent of the contract amount.

6 The capital outlay fund may be used to purchase textbooks and instructional software.