

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

514H0031

HOUSE BILL NO. 1111

Introduced by: Representatives Burg, Bartling, Begalka, Bradford, Brown (Jarvis), Davis, Elliott, Flowers, Frost, Fryslie, Hanson (Gary), Hargens, Hennies (Don), Hundstad, Jensen, Klaudt, Kloucek, Kooistra, McCoy, Nachtigal, Olson (Mel), Peterson (Jim), Pummel, Rhoden, Sigdestad, Slaughter, and Van Gerpen and Senators Duxbury, Dennert, Diedrich (Larry), Greenfield, Hutmacher, McIntyre, Moore, Olson (Ed), Putnam, Reedy, Staggers, Sutton (Dan), and Symens

1 FOR AN ACT ENTITLED, An Act to restrict the transfer of certain appropriated money and
2 to provide for the redistribution of certain appropriated money.

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

4 Section 1. That § 4-8A-8 be amended to read as follows:

5 4-8A-8. ~~Moneys~~ Except as otherwise provided by this Act, moneys appropriated on a
6 program basis by the general appropriation act may be transferred between program accounts
7 within or between programs within departments and bureaus or between departments and
8 bureaus to reflect a reorganization pursuant to S.D. Const., Art. IV, § 8 only at the written
9 request of a governing body, department secretary, or bureau commissioner, or designee, in
10 accordance with procedures established by the Bureau of Finance and Management and only
11 upon written approval of the Bureau of Finance and Management. Transfer of moneys
12 appropriated by the general appropriations act between departments, institutions, and bureaus



1 that is not necessary for a reorganization pursuant to S.D. Const., Art. IV, § 8 may only occur
2 at the written request of a governing body, department secretary, or bureau commissioner, or
3 designee, only in accordance with procedures established by the Bureau of Finance and
4 Management and only upon approval by the special committee created in this chapter. The
5 Bureau of Finance and Management shall keep a record of all such authorizations of transfers
6 and make them available for public inspection. The bureau shall also submit an informational
7 report detailing all transfers approved to the special legislative committee established in
8 § 4-8A-2.

9 Section 2. That chapter 4-8A be amended by adding thereto a NEW SECTION to read as
10 follows:

11 Money appropriated as state aid to general education may not be transferred to other
12 program accounts. Money appropriated as state aid to general education may be spent only for
13 general aid to public school districts.

14 Section 3. That chapter 4-8 be amended by adding thereto a NEW SECTION to read as
15 follows:

16 If the amount of money appropriated as state aid to general education is in excess of the
17 amount required to meet the entitlement provided for in chapter 13-13, at such time the excess
18 is determined the Department of Education and Cultural Affairs shall distribute the excess to all
19 school districts on a pro rata basis according to each school district's adjusted average daily
20 membership as defined in § 13-13-10.1.