

# State of South Dakota

SEVENTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2002

415H0566

## HOUSE BILL NO. 1124

Introduced by: Representatives Brown (Richard), Elliott, Flowers, Murschel, Olson (Mel),  
and Sutton (Duane) and Senators Hutmacher, Albers, McIntyre, Moore,  
Olson (Ed), and Sutton (Dan)

1 FOR AN ACT ENTITLED, An Act to restrict the transfer of certain appropriated money and  
2 to provide for the distribution 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  
13 that is not necessary for a reorganization pursuant to S.D. Const., Art. IV, § 8 may only occur  
14 at the written request of a governing body, department secretary, or bureau commissioner, or



1 designee, only in accordance with procedures established by the Bureau of Finance and  
2 Management and only upon approval by the special committee created in this chapter. The  
3 Bureau of Finance and Management shall keep a record of all such authorizations of transfers  
4 and make them available for public inspection. The bureau shall also submit an informational  
5 report detailing all transfers approved to the special legislative committee established in  
6 § 4-8A-2.

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

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

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

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