

# State of South Dakota

SEVENTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2002

442H0358

HOUSE EDUCATION COMMITTEE ENGROSSED NO.

**SB 89** - 02/19/2002

**This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.**

Introduced by: Senators Dennert, Hutmacher, McIntyre, Moore, and Sutton (Dan) and Representatives Elliott, Olson (Mel), and Sutton (Duane)

1 FOR AN ACT ENTITLED, An Act to allow school boards to initiate a vote relating to the  
2 imposition of an excess tax levy and to declare an emergency.

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

4 Section 1. That § 10-12-43 be amended to read as follows:

5 10-12-43. The governing body of the school district may raise additional revenues for general  
6 fund purposes only, from property tax through the imposition of an excess tax levy. The  
7 governing body of a school district may impose the excess tax levy with an affirmative two-thirds  
8 vote of the governing body on or before July fifteenth of the year prior to the year the taxes are  
9 payable. The decision of the governing body to originally impose or subsequently increase an  
10 excess tax levy shall be published within ten days of the decision. The decision may be referred  
11 upon a resolution of the governing body of the school district or by a petition signed by at least  
12 five percent of the registered voters in the school district and filed with the governing body  
13 within twenty days of the publication of the decision. The referendum election shall be held on  
14 or before October first of the year prior to the time the taxes are payable.



1           Section 2. Whereas, this Act is necessary for the support of the state government and its  
2 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full  
3 force and effect from and after its passage and approval.