

# State of South Dakota

SEVENTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2002

325H0346

HOUSE EDUCATION COMMITTEE ENGROSSED NO.

**SB 57 - 02/19/2002**

Introduced by: Senators Sutton (Dan), Albers, Hutmacher, Koetzle, McCracken, McIntyre, Moore, Munson, and Olson (Ed) and Representatives Slaughter, Broderick, Brown (Richard), Flowers, Lange, Michels, and Olson (Mel)

1 FOR AN ACT ENTITLED, An Act to allow school boards to initiate an election to change the  
2 size of the school board and to declare an emergency.

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

4 Section 1. That § 13-8-3 be amended to read as follows:

5 13-8-3. The voters of any school district may increase the number of board members to seven  
6 or to nine, or establish school board representation areas, by a majority vote of all voters voting  
7 at an election called and held as hereinafter provided. If a petition signed by ten percent of the  
8 registered voters of any school district, based upon the total number of registered voters at the  
9 last preceding general election, is presented to the board requesting that an election be called for  
10 the purpose of voting upon the question of the change of number of board members, or the  
11 establishment of school board representation areas, the board shall call an election. The school  
12 board may, by resolution, call for an election for the purpose of voting upon the question of the  
13 change of number of board members, or the establishment of school board representation areas.

14 The question shall be submitted to the voters at an election to be held not less than forty-five nor



1 more than sixty days from the date of the filing of such petition with the business manager. If  
2 such a petition is filed less than one hundred twenty days prior to the next annual election, the  
3 question shall be submitted at the annual election. Such election shall be held upon the same  
4 notice and conducted in the same manner as provided by chapter 13-7. Any increase or decrease  
5 in the number of board members shall be implemented at the next succeeding annual election.

6 Section 2. Whereas, this Act is necessary for the immediate preservation of the public peace,  
7 health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and  
8 effect from and after its passage and approval.