

## 2025 South Dakota Legislature

**House Bill 1093****AMENDMENT 1093E  
FOR THE SENATE EDUCATION ENGROSSED BILL**

1 **An Act to ~~require the board of a school district to hold a bond election at the primary~~**  
2 **~~or general election~~modify the permissible dates for a school district bond**  
3 **election.**

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

5 **Section 1. That § 13-16-6.4 be AMENDED:**

6 **13-16-6.4.** Approval to enter into an agreement or issue capital outlay certificates  
7 ~~to which § 13-16-6.3 applies pursuant to § 13-16-6.3.~~ is subject to a referendum if five  
8 percent of the registered voters, based upon the total number of registered voters at the  
9 last preceding general election, petition, within twenty days thereafter, to have the  
10 question of approval ~~or disapproval of~~ to enter into the agreement or issue of capital outlay  
11 certificates ~~or the lease purchase agreement~~ placed upon the ballot at ~~the next regular~~  
12 primary or general election or at a special election called for that purpose and held on:

13 (1) The first Tuesday after the first Monday in March;

14 (2) The first Tuesday after the first Monday in June; or

15 (3) The first Tuesday after the first Monday in November.

16 If the bond election is held on a date listed in subdivision (2) or (3) in an even-  
17 numbered year, the election must be held in conjunction with the regular primary or  
18 general election, respectively. When the election is held in conjunction with the primary  
19 or general election, the expenses and governmental responsibilities of a combined election  
20 must be shared in a manner agreed upon by the board of the school district and the boards  
21 of county commissioners involved.

22 The business manager shall give notice ~~of the fact that the question will~~ is to be on  
23 the ballot at ~~a the regular or special the primary or general~~ election as provided by law  
24 for school elections and prepare official ballots therefor according to the provisions of this  
25 title ~~relating to elections and the issue shall be decided by sixty percent of those voting~~  
26 thereon. Approval of the question to enter into an agreement or issue capital outlay

1 certificates requires an affirmative vote of at least sixty percent of those voting on the  
2 question.

3 If the question~~is~~ submitted to the voters at~~a primary an~~ election~~and~~ is not  
4 approved by the voters, the school board may, by resolution, place the question on the  
5 ballot at the next~~general~~ available election provided by this section,~~immediately following~~  
6 ~~the primary election.~~

AMENDED