

2020 South Dakota Legislature

House Bill 1213**AMENDMENT 1213B FOR THE INTRODUCED BILL**

1 **An Act to preclude the assignment of exclusive broadcast rights for certain high**
2 **school interscholastic activities.**

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

4 **Section 1. That ~~§ 13-36-4~~ be AMENDED:**

5 ~~13-36-4. Delegation of control, supervision, and regulation of high school interscholastic~~
6 ~~activities to association.~~

7 ~~The school board of a public school, approved and accredited by the secretary of the~~
8 ~~Department of Education, may delegate, on a year to year basis, the control, supervision, and~~
9 ~~regulation of any high school interscholastic activities to any association which is voluntary~~
10 ~~and nonprofit if:~~

11 ~~(1) Membership in the association is open to all high schools approved and accredited~~
12 ~~pursuant to this section, including any school that allows participation by students receiving~~
13 ~~alternative instruction as set forth in § 13-27-3, pursuant to the provisions of this title;~~

14 ~~(2) The constitution, bylaws, and rules of the association are subject to ratification by the~~
15 ~~school boards of the member public school districts and the governing boards of the member~~
16 ~~nonpublic schools and include a provision for a proper review procedure and review board;~~

17 ~~(3) The report of any audit required by § 13-26-5 is made public on the association's~~
18 ~~website as well as the Department of Legislative Audit's website;~~

19 ~~(4) The association complies with the provisions of chapter 1-25 and chapter 1-27.~~
20 ~~However, the association, and its employees, meetings, and records, are afforded the same~~
21 ~~exemptions and protections as a political subdivision or public body is provided under chapter~~
22 ~~1-25 and chapter 1-27; and~~

23 ~~(5) The association shall report to the Government Operations and Audit Committee~~
24 ~~annually, or at the call of the chair.~~

25 ~~The governing body of a nonpublic school, approved and accredited by the secretary of the~~
26 ~~Department of Education, or AdvancED, or the Association of Christian Schools International~~
27 ~~(ACSI), or the Association of Classical and Christian Schools (ACCS), or Christian Schools~~
28 ~~International (CSI), or National Lutheran School Accreditation (NLSA), or Commission for~~

1 ~~Oceti Sakowin Accreditation (COSA), or Wisconsin Evangelical Lutheran Synod School~~
2 ~~Accreditation, may also delegate, on a year to year basis, the control, supervision, and~~
3 ~~regulation of any high school interscholastic activities to any association which is voluntary~~
4 ~~and nonprofit if membership in such association is open to all high schools approved and~~
5 ~~accredited pursuant to this section, including any school that allows participation by students~~
6 ~~receiving alternative instruction as set forth in § 13-27-3, pursuant to the provisions of this~~
7 ~~title, and if the constitution, bylaws, and rules of the association are subject to ratification by~~
8 ~~the school boards of the member public school districts and the governing boards of the~~
9 ~~member nonpublic schools and include a provision for a proper review procedure and review~~
10 ~~board.~~

11 ~~Any association which that complies with this section may exercise the control, supervision,~~
12 ~~and regulation of interscholastic activities, including interscholastic athletic events of member~~
13 ~~schools, except as otherwise provided in § 13-36-4.1. The association may promulgate~~
14 ~~reasonable uniform rules, to make decisions and to provide and enforce reasonable penalties~~
15 ~~for the violation of the rules.~~

16 **Section 2. That a NEW SECTION be added:**

17 ~~Exclusive broadcast rights--Assignment--Limitation.~~

18 ~~The authority to exercise control, supervision, and regulation of interscholastic activities,~~
19 ~~including interscholastic athletic events, as set forth in § 13-36-4, does not include the~~
20 ~~authority to grant or assign exclusive broadcast rights for state level events to a media~~
21 ~~contractor.~~