

# State of South Dakota

## EIGHTY-SEVENTH SESSION LEGISLATIVE ASSEMBLY, 2012

634T0118

### HOUSE BILL NO. 1147

Introduced by: Representatives Sly, Bolin, Boomgarden, Brunner, Jones, Kirkeby, Lucas, Magstadt, Nelson (Stace), Olson (Betty), Schaefer, Vanneman, and Venner and Senators Rempelberg, Adelstein, Johnston, Nygaard, Peters, Rhoden, Schlekeway, and Tieszen

1 FOR AN ACT ENTITLED, An Act to remove the individual liability of a school board member  
2 who authorizes the making of a void contract, check or registered warrant.

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

4 Section 1. That § 13-16-24 be amended to read as follows:

5 13-16-24. Every contract made or check or registered warrant issued in excess of the issuing  
6 capacity of the district as restricted in this title is void and is not an obligation of the district. A  
7 school board member who makes, or participates in making or authorizes the making of a void  
8 contract or the issuance of a void check or registered warrant is individually liable for it. Each  
9 school board member present when a void contract or warrant is made or authorized is party to  
10 the making or authorizing of the void contract or warrant unless he dissents from the action and  
11 causes his dissent to be entered as part of the official minutes of the school district.

