

# State of South Dakota

SEVENTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 1997

813A0470

HOUSE EDUCATION COMMITTEE ENGROSSED

NO. **SB154** - 2/28/97

Introduced by: Senators Everist, Munson (David), and Olson and Representatives Brown (Richard), Cutler, and Richter

1 FOR AN ACT ENTITLED, An Act to revise certain school district funds.

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

3 Section 1. That § 13-13-11.1 be amended to read as follows:

4 13-13-11.1. For the purpose of distributing state aid to education under the provisions of  
5 §§ 13-13-10.1 to 13-13-46, inclusive, funds received from the federal government under the  
6 provisions of ~~P.L. 81-874 shall be included in total general fund revenue at the time the funds~~  
7 ~~are transferred from the school district 874 fund to the school district general fund~~ P.L. 103-382,  
8 title VIII for basic support shall be included in total general fund revenue at the times the funds  
9 are transferred from the school district P.L. 103-382, title VIII fund to the school district funds.  
10 For the purposes of distributing state aid to special education under the provisions of § 13-37-36,  
11 funds received from the federal government under the provisions of P.L. 103-382, title VIII add  
12 on for children with disabilities shall be deposited into the school district special education fund.

13 Section 2. That § 13-16-30 be amended to read as follows:

14 13-16-30. Any funds received from the federal government under the provisions of ~~P.L.~~  
15 ~~81-874~~ P.L. 103-382, title VIII for basic support may be deposited into the ~~874 fund~~ P.L. 103-

1   382, title VIII fund.

2       Section 3. That § 13-16-31 be amended to read as follows:

3       13-16-31. The ~~874~~ P.L. 103-382, title VIII fund shall serve as a fund from which transfers  
4   shall be made to the ~~other~~ funds enumerated in § 13-16-2. A school district may not make  
5   expenditures out of its ~~874~~ P.L. 103-382, title VIII fund . Transfers out of the ~~874~~ P.L. 103-382,  
6   title VIII fund shall be made at the discretion of the school board.

7       Section 4. To establish the school district special education fund statutory carryover  
8   excluding federal funds, the following calculations shall be performed:

- 9       (1)   Divide the total federal special education revenue by the total special education  
10            revenues; and
- 11       (2)   Multiply the federal special education percentage calculated in (1) times the total  
12            special education fund balance; and
- 13       (3)   Deduct the amount of federal revenue calculated in (2) from the special education  
14            fund balance.

1    **BILL HISTORY**

2    1/28/97 First read in Senate and referred to Education. S.J. 192

3    2/5/97 Scheduled for Committee hearing on this date.

4    2/5/97 Education Deferred to another day.

5    2/12/97 Scheduled for Committee hearing on this date.

6    2/12/97 Education Deferred to another day. S.J. 408

7    2/15/97 Scheduled for Committee hearing on this date.

8    2/15/97 Education Do Pass Amended, Passed, AYES 6, NAYS 1. S.J. 482

9    2/20/97 Senate Do Pass Amended, Passed, AYES 19, NAYS 16. S.J. 562

10   2/21/97 First read in House and referred to Education. H.J. 638

11   2/25/97 Scheduled for Committee hearing on this date.

12   2/27/97 Scheduled for Committee hearing on this date.

13   2/27/97 Education Do Pass Amended, Passed, AYES 10, NAYS 2. H.J. 746