

2025 South Dakota Legislature

House Bill 1093**AMENDMENT 1093D
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 an election. In
 13 even-numbered years, the election must be held in conjunction with the regular primary
 14 or general election. In odd-numbered years, the question must be placed upon the ballot
 15 at a special election called for that purpose and held on:

16 (1) The first Tuesday after the first Monday in June; or

17 (2) The first Tuesday after the first Monday in November.

18 When the election is held in conjunction with the primary or general election, the
 19 expenses and governmental responsibilities of a combined election must be shared in a
 20 manner agreed upon by the board of the school district and the boards of county
 21 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