

# State of South Dakota

EIGHTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2008

488P0355

SENATE EDUCATION

ENGROSSED NO. **HB 1300** - 2/21/2008

**This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.**

Introduced by: Representatives Heineman, Dykstra, Gilson, Hills, Krebs, Lust, McLaughlin, Novstrup (Al), Rave, Rhoden, Weems, and Wick and Senators Olson (Ed), Dempster, Jerstad, Knudson, Nesselhuf, Peterson (Jim), and Smidt (Orville)

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to the payment of  
2 additional funds to consolidated school districts.

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

4 Section 1. That § 13-6-92 be amended to read as follows:

5 13-6-92. If two or more school districts consolidate after July 1, 2001 and ~~prior to~~ on or  
6 before July 1, 2007, the new school district is entitled to an additional three hundred dollars per  
7 average daily membership as defined in § 13-13-10.1, up to a maximum of four hundred average  
8 daily membership from each school district or a prorated portion thereof from a partial school  
9 district as it existed prior to consolidation for the first year after consolidation. If two or more  
10 school districts consolidate after July 1, 2001 and ~~prior to~~ on or before July 1, 2007, the new  
11 school district is entitled to an additional two hundred dollars per average daily membership as  
12 defined in § 13-13-10.1, up to a maximum of four hundred average daily membership from each  
13 school district or a prorated portion thereof from a partial school district as it existed prior to



1 consolidation for the second year after consolidation. If two or more school districts consolidate  
2 after July 1, 2001 and ~~prior to~~ on or before July 1, 2007, the new school district is entitled to an  
3 additional one hundred dollars per average daily membership as defined in § 13-13-10.1, up to  
4 a maximum of four hundred average daily membership from each school district or a prorated  
5 portion thereof from a partial school district as it existed prior to consolidation for the third year  
6 after consolidation.

7 If two or more school districts consolidate after July 1, 2007, ~~the~~ for the first year after  
8 consolidation, each new school district is entitled to ~~an additional six hundred~~ nine hundred  
9 ~~dollars per fall enrollment as defined in § 13-13-10.1, up to a maximum of four hundred fall~~  
10 ~~enrollment from each school district or a prorated portion thereof from a partial school district~~  
11 ~~as it existed prior to consolidation for the first year after consolidation~~ for each sending district  
12 student included in the receiving district's fall enrollment for the first year after consolidation,  
13 up to a maximum of four hundred sending district students. If two or more school districts  
14 consolidate after July 1, 2007, ~~the~~ for the second year after consolidation, each new school  
15 district is entitled to ~~an additional four hundred~~ six hundred dollars ~~per fall enrollment, up to~~  
16 ~~a maximum of four hundred fall enrollment from each school district or a prorated portion~~  
17 ~~thereof from a partial school district as it existed prior to consolidation for the second year after~~  
18 ~~consolidation~~ for each sending district student included in the receiving district's fall enrollment  
19 for the first year after consolidation, up to a maximum of four hundred sending district students.

20 If two or more school districts consolidate after July 1, 2007, ~~the~~ for the third year after  
21 consolidation, each new school district is entitled to ~~an additional two hundred~~ three hundred  
22 ~~dollars per fall enrollment, up to a maximum of four hundred fall enrollment from each school~~  
23 ~~district or a prorated portion thereof from a partial school district as it existed prior to~~  
24 ~~consolidation for the third year after consolidation~~ for each sending district student included

1 in the receiving district's fall enrollment for the first year after consolidation, up to a maximum  
2 of four hundred sending district students.

3 Section 2. For the purposes of this Act, the following terms mean:

4 (1) "New school district," a school district which is formed as the result of a  
5 consolidation of two or more school districts;

6 (2) "Receiving district," a new school district in which a secondary attendance center was  
7 operated prior to consolidation and is operated after consolidation;

8 (3) "Sending district," a school district which is not a receiving school district whose  
9 land has become part of another school district; and

10 (4) "Sending district student," a student who was included in the current fall enrollment  
11 as defined in § 13-13-10.1 of a sending school district for the school year prior to the  
12 first year the new school district operates.

13 Section 3. That chapter 13-6 be amended by adding thereto a NEW SECTION to read as  
14 follows:

15 Notwithstanding the provisions of § 13-6-92, if two or more school districts consolidate  
16 after July 1, 2007, and the secretary of education has issued an order to give effect to the  
17 reorganization plan pursuant to § 13-6-48 no later than July 1, 2008, the new school district is  
18 entitled to an additional six hundred dollars per fall enrollment as defined in § 13-13-10.1, up  
19 to a maximum of four hundred fall enrollment from each school district or a prorated portion  
20 thereof from a partial school district as it existed prior to consolidation for the first year after  
21 consolidation. If two or more school districts consolidate after July 1, 2007, and the secretary  
22 of education has issued an order to give effect to the reorganization plan pursuant to § 13-6-48  
23 no later than July 1, 2008, the new school district is entitled to an additional four hundred  
24 dollars per fall enrollment, up to a maximum of four hundred fall enrollment from each school

1 district or a prorated portion thereof from a partial school district as it existed prior to  
2 consolidation for the second year after consolidation. If two or more school districts consolidate  
3 after July 1, 2007, and the secretary of education has issued an order to give effect to the  
4 reorganization plan pursuant to § 13-6-48 no later than July 1, 2008, the new school district is  
5 entitled to an additional two hundred dollars per fall enrollment, up to a maximum of four  
6 hundred fall enrollment from each school district or a prorated portion thereof from a partial  
7 school district as it existed prior to consolidation for the third year after consolidation.

8 Any school district that receives consolidation incentive payments pursuant to this section  
9 may not receive consolidation incentive payments pursuant to § 13-6-92.