



# State of South Dakota

SEVENTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2004

578J0032

HOUSE EDUCATION COMMITTEE ENGROSSED NO.

**HB 1003** - 01/21/2004

Introduced by: Representatives Dykstra, Bartling, Bradford, Deadrick (Thomas), Elliott, Heineman, LaRue, McLaughlin, and Peterson (Jim) and Senators Duxbury and Koskan at the request of the Interim Committee on School District Educational Equality and Organization

1 FOR AN ACT ENTITLED, An Act to allow two or more school districts to include a proposed  
2 excess tax levy in their consolidation plan.

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

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

5 13-6-13. The plan shall contain:

- 6 (1) A map or maps showing the boundaries of the proposed district or districts, the  
7 boundaries of the existing districts involved, the location of existing and proposed  
8 attendance centers and a description of the facilities, and the proposed school bus  
9 routes, if any;
- 10 (2) A legal description of the boundaries of the proposed district or districts;
- 11 (3) Estimates of the school age population within the proposed district or districts;
- 12 (4) The assessed valuation of all taxable property of each existing district and of the  
13 proposed district or districts;
- 14 (5) Outstanding general obligation bonds of any component district, funds in all school



- 1 accounts and estimated receipts in all accounts in process of collection;
- 2 (6) If a joint district, the designation of the county of jurisdiction;
- 3 (7) The official name of the proposed district;
- 4 (8) A statement with regard to a proposed method of adjustment of assets and liabilities;
- 5 (9) The proposed number of school board members if a new entity is to be created;
- 6 (10) A description of the proposed educational program;
- 7 (11) A reasonably detailed budget showing estimated annual receipts and expenditures for
- 8 the operation of the proposed district or districts;
- 9 (12) A statement recognizing any requests for minor boundary changes;
- 10 (13) Such additional information as may be necessary to show compliance with the
- 11 standards for school districts as adopted by the South Dakota Board of Education.

12 ~~When~~ If the plan proposes the dissolution and annexation of a school district to one or more  
13 school districts, the school board of the receiving district, or districts, shall by resolution express  
14 their acceptance or rejection of all or part of the district to be dissolved as set forth in the  
15 proposed plan.

16 If the school boards of two or more school districts are developing a plan to consolidate, and  
17 two-thirds of the members of each affected school board agree, the plan may also include the  
18 provisions of an excess tax levy authorized in § 10-12-43 if an excess tax levy currently exists  
19 in one or more of the school districts. If the plan is approved by the voters, the proposed excess  
20 tax levy may be applied in the new consolidated school district. If a proposed excess tax levy  
21 is included in the plan, the plan shall state the amount of the proposed excess tax levy. The  
22 proposed excess tax levy may be applied for taxes payable in any of the five years following the  
23 date of reorganization. In addition, each school board involved in the development of the plan  
24 shall announce the inclusion of the proposed excess tax levy in the plan to the taxpayers in the

1 manner set forth in § 10-12-43.

# State of South Dakota

SEVENTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2004

400J0220

HOUSE TRANSPORTATION COMMITTEE

ENGROSSED NO. **HB 1044** - 01/21/2004

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

Introduced by: The Committee on Transportation at the request of the Department of Revenue and Regulation

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding damage disclosure  
2 information on certain vehicles coming into the state.

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

4 Section 1. That § 32-3-51.16 be amended to read as follows:

5 32-3-51.16. The department shall, in a conspicuous location, place ~~the damage information~~  
6 ~~pursuant to § 32-3-51.7~~ on the first South Dakota title and all subsequent titles issued for any  
7 motor vehicle ~~which came into the state unrepaired~~ and for which a salvage certificate of title  
8 was issued by another state ~~unless the person applying for the South Dakota title maintains at~~  
9 ~~his place of business proof that the vehicle did not sustain damage equivalent to the amount set~~  
10 ~~forth in this chapter. The proof shall include two photographs showing all four sides of the~~  
11 ~~motor vehicle and either an insurance adjuster's written report or a written repair estimate which~~  
12 ~~details the parts, labor, paint, and frame work required to repair the motor vehicle.~~

13 ~~— The photographs and other documents showing proof that the amount of damage is less than~~  
14 ~~set forth in this chapter shall be maintained by the person applying for a title for at least two~~



- 1 ~~years, the name of the previous state and any brand or notation indicated on the title by that~~
- 2 state.

# State of South Dakota

SEVENTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2004

455J0382

HOUSE JUDICIARY COMMITTEE ENGROSSED NO.

**HB 1055** - 01/21/2004

Introduced by: The Committee on Judiciary at the request of the Office of the Attorney  
General

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the offense of witness  
2 tampering.

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

4 Section 1. That § 22-11-19 be amended to read as follows:

5 22-11-19. A person who injures or threatens to injure any person or property, or with intent  
6 to influence a witness, offers, confers, or agrees to confer any benefit on a witness or  
7 prospective witness in an official proceeding to induce the witness to:

8 (1) Testify falsely;

9 (2) Withhold any testimony, information, document, or thing;

10 (3) Elude legal process summoning ~~him~~ the witness to testify or supply evidence; or

11 (4) Absent himself or herself from an official proceeding to which ~~he~~ the witness has  
12 been legally summoned;

13 is guilty of tampering with a witness. Tampering with a witness is a Class 4 felony.

14 Section 2. That chapter 22-11 be amended by adding thereto a NEW SECTION to read as  
15 follows:



1       A person who injures or threatens to injure any person or property in retaliation for that  
2 person testifying in an official proceeding, or for cooperating with law enforcement, government  
3 officials, investigators or prosecutors, is guilty of tampering with a witness. Tampering with a  
4 witness is a Class 4 felony.