

AN ACT

ENTITLED, An Act to revise certain provisions concerning the establishment of representation areas for school board members and determination of vacancies on school boards.

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

Section 1. That § 13-8-7 be repealed.

Section 2. That § 13-8-7.1 be amended to read as follows:

13-8-7.1. Any school board may establish school board member representation areas. The electors of any school district may also establish school board representation areas by a majority vote of all electors voting at an election called and held as set forth in §§ 13-8-3 to 13-8-5, inclusive. The representation areas, if established, shall become effective January first of the following year. Each representation area shall include a population with a variance of not more than five percent and shall be reapportioned at least once every ten years. The number of representation areas shall be the same as the number of board members. If board member representation areas are established, the school board member candidate shall be a resident voter and reside within the representation area to qualify. Before the school board member representation areas are established, the entity responsible for establishing the school board member representation areas shall state whether the board members will be elected at large or elected by the voters who reside within the representation area.

All current board members shall serve the balance of their terms. At the time of an election or vacancy, board members shall be elected or appointed in order that each representation area shall have a resident board member.

Section 3. That § 13-8-23 be amended to read as follows:

13-8-23. A vacancy on the school board occurs if any of the following events happen before the expiration of the term of a school board member. If the member:

- (1) Dies;

- (2) Is removed from the board;
- (3) Fails to qualify as a board member as provided by law;
- (4) Ceases to be a resident of the school district or representation area where elected;
- (5) Is convicted of any infamous crime or of any offense involving a violation of the member's official oath;
- (6) Has a judgment obtained against the member for breach of the member's official bond;
- (7) Is incapacitated and is unable to attend to the duties of the position;
- (8) Assumes the duties of an office incompatible with the duties of a school board member;
- (9) Resigns.

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I certify that the attached Act originated in the

SENATE as Bill No. 3

Secretary of the Senate

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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 3
File No. _____
Chapter No. _____

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Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State