

AN ACT

ENTITLED, An Act to revise certain provisions regarding education funding.

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

Section 1. That § 13-13-1.4 be repealed.

Section 2. That § 13-13-1.5 be repealed.

Section 3. That § 13-13-1.6 be repealed.

Section 4. That § 13-13-1.7 be repealed.

Section 5. That § 13-13-1.9 be repealed.

Section 6. That § 13-13-11.1 be amended to read:

13-13-11.1. For the purposes of distributing state aid to special education under the provisions of § 13-37-36.1, funds received from the federal government under Title VIII of the Elementary and Secondary Education Act funds add on for children with disabilities shall be deposited into the school district special education fund.

Section 7. That § 13-13-17 be repealed.

Section 8. That § 13-13-88 be amended to read:

13-13-88. There is hereby created in the state treasury the workforce education fund to be used for the following purposes:

- (1) To fund the limited English proficiency adjustment as referenced in § 13-13-89;
- (2) Provide grants for the purposes of providing secondary career and technical education programs; and
- (3) Provide one-time funding to the Department of Education for one-time education enhancement programs that are defined annually and approved by the Legislature.

Interest earned on money in the fund shall be deposited into the fund. Any money in the workforce education fund is continuously appropriated to the Department of Education for the

purposes stated in this section and § 13-13-89. Any money deposited into and distributed from the fund shall be set forth in an informational budget as described in § 4-7-7.2.

Section 9. That § 13-13-89 be amended to read:

13-13-89. The secretary of the Department of Education shall authorize and disburse money from the workforce education fund to fund the state's share of the limited English proficiency adjustment as calculated by §§ 13-13-10.1 and 13-13-73 for state fiscal years 2014, 2015, and 2016. Beginning in fiscal year 2017, money from the workforce education fund shall be disbursed as follows:

- (1) Two million five hundred thousand dollars shall be distributed to fund new and existing secondary career and technical education programs of which two hundred fifty thousand dollars may be distributed to private, nonprofit entities that provide specialized career and technical services and education; and
- (2) Any amount remaining in the fund after the distribution in subdivision (1) is made shall be allocated to the Department of Education for one-time education enhancement programs that are defined annually and approved by the Legislature.

Section 10. That § 13-28-40 be amended to read:

13-28-40. An enrollment options program is established to enable any South Dakota kindergarten through twelfth grade student to attend any public school that serves the student's grade level in any South Dakota school district, subject to the provisions in §§ 13-28-40 to 13-28-47, inclusive. For purposes of determining state aid to education as it relates to the provisions of §§ 13-28-40 to 13-28-47, inclusive, fall enrollment as defined in § 13-13-10.1 is used to compute state aid to general education and special education fall enrollment as defined in § 13-37-35.1 is used to determine funding for special education.

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I certify that the attached Act  
originated in the

SENATE as Bill No. 132

\_\_\_\_\_  
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. 132  
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