

## 2019 Legislature: Bill Summary

Updated: March 31, 2019

NOTE: This list of education-related bills is not all inclusive. To access all bills from the 2019 session, visit the South Dakota Legislature's website at [sdlegislature.gov](http://sdlegislature.gov).

### Funding Bills

**SB 179** – SB 179 provides a 2.5 percent increase for state aid to general education – bringing the target for statewide average teacher salaries to \$50,360.26 for FY 2020. The bill increases the overhead rate in the funding formula to 33.06 percent. The bill also sets general fund levies as follows:

- Maximum levy of \$6.821/thousand dollars of taxable valuation (subject to limitations noted below)
- Maximum ag levy of \$1.473/thousand dollars of taxable valuation
- Maximum owner-occupied levy of \$3.296/thousand dollars of taxable valuation

**SB 182** – This bill sets the maximum special education fund levy at \$1.616/thousand dollars of taxable valuation. It also revises the definition of local effort for the purposes of special education state aid to \$1.416/thousand dollars of taxable valuation and updates the funding per disability levels as follows:

- Level 1 -- \$5,665.27
- Level 2 -- \$13,074.98
- Level 3 -- \$16,664.57
- Level 4 -- \$16,160.97
- Level 5 -- \$28,865.25
- Level 6 -- \$8,314.11

**HB 1001** – HB 1001 revises the timing of the recalculation of disability levels in the state aid to special education funding formula. It changes from a recalculation every three years to a recalculation every two years, starting with the recalculation in FY 2020 (as noted above).

### Education Bills

**SB 1 and SB 3** – These two bills came about as a result of the Legislature's summer study of the Extraordinary Cost Fund.

- SB 1 moves the Extraordinary Cost Oversight Board into statute; it is currently in administrative rule. It also adds a member of the Legislature to the board.

- SB 3 creates the Special Education Interim Legislative Committee and outlines the committee's purpose and membership. It charges the committee with reporting its findings and recommendations by the next legislative session.

**SB 55** – SB 55 requires that the national motto of the United States, “In God We Trust,” be prominently displayed in each public school. In the case of any lawsuits or complaints brought about as a result, the state’s attorney general is responsible for providing free legal representation to the school district, employee or board.

**SB 84** – This bill authorizes schools to possess opioid antagonists and allows for trained school personnel to administer the drug in the event of a suspected overdose. The bill lists particular requirements for the training and provides immunity for schools and school personnel.

**SB 91** – SB 91 makes changes to the open meeting requirements laid out in SDCL 1-25 to exclude press conferences called by the representatives of public bodies from the definition of official meetings and to limit the requirement for public comment periods to regularly scheduled official meetings.

**SB 96** – This bill expands the tax credit for companies making contributions to the partners in education tax credit program. Under the bill, companies making contributions may now claim up to 100 percent of total contributions made to the scholarship granting organization, as opposed to the current 80 percent.

**SB 140** – SB 140 authorizes the Board of Regents to increase enrollment and retention of students who belong to one of the nine tribes in South Dakota. It directs the board to annually report progress in this area beginning July 1, 2020.

**SB 146** – This bill allows for certain individuals working as paraprofessionals providing speech-language pathology services, under the direction of a certified speech-language pathologist, to continue in that role, as long as certain stipulations are met. It applies to a very limited number of people.

**HB 1040** – This bill adds a new section to SDCL 13-55, laying out the requirements for home school students to access the South Dakota Opportunity Scholarship, including a composite ACT score of 24 and a transcript of required coursework.

**HB 1044** – HB 1044 directs that the children of active duty military who are transferred, or pending transfer, to a military institution in South Dakota meet the residency requirement for free school privileges in the district where the military parent/guardian resides or will reside.

**HB 1111** – This bill provides for certain active duty military personnel and their spouses to be issued a South Dakota teaching certificate within 30 days of application, as long as the individual has a valid certificate from another state or the District of Columbia that is considered “in good standing.” The bill waives the application fee and allows for the certificate to remain valid through the applicant’s length of tour.

**HB 1155** – HB 1155 allows for privileged communications between *social workers* and students – just like the privileged communication that currently exists for school counselors and psychologists and their students.