

State of South Dakota

NINETY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2018

400Z0356

SENATE EDUCATION ENGROSSED NO. **SB 19** - 1/23/2018

Introduced by: The Committee on Education at the request of the South Dakota Board of
Technical Education

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding lease-purchase
2 agreements for a local education agency.

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

4 Section 1. That § 13-39A-25 be amended to read:

5 13-39A-25. A lease-purchase agreement authorized pursuant to § 13-39A-24:

6 (1) ~~May be for a term of no more than thirty years;~~

7 ~~(2)~~ Shall be approved by the governing body of the LEA;

8 ~~(3)~~(2) May provide for the simultaneous conveyance of existing facilities to be leased back
9 with the improvements and other property being financed;

10 ~~(4)~~(3) May provide for all rights, title, and interest of the authority to be conveyed to the
11 LEA or to the board upon payment or other discharge of the bonds issued therefor;
12 and

13 ~~(5)~~(4) May contain any other provision the authority and the board determine is necessary
14 or appropriate to secure payment of amounts due under any agreement. No other



1 provision of law may limit or otherwise restrict the power and authority of an LEA
2 or the board to enter into a lease-purchase agreement or govern the procedure by
3 which an agreement is authorized.