



2024 South Dakota Legislature

Senate Bill 159

Introduced by: **Senator Bordeaux**

1 **An Act to prohibit school districts from using certain mascots and team names that**
 2 **are derogatory toward Native American peoples or culture.**

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

4 **Section 1. That chapter 13-1 be amended with a NEW SECTION:**

5 A school district may not use a mascot or athletic team name that is derogatory
 6 toward Native American peoples or culture. Any school district that uses a mascot or
 7 athletic team name that is derogatory towards Native American peoples and culture shall
 8 discontinue its use.

9 This section does not apply to any school district that is comprised of a student
 10 population of at least fifty percent Native American students.

11 **Section 2. That chapter 13-1 be amended with a NEW SECTION:**

12 Notwithstanding section 1 of this Act, a school district may continue to use uniforms
 13 or other materials bearing the mascot or athletic team name that is derogatory toward
 14 Native American peoples or culture purchased before July 1, 2024, for a period of no
 15 longer than five years, if the school district:

16 (1) Selects a new mascot or team name;

17 (2) Refrains from purchasing or acquiring, for the purpose of distribution or sale to
 18 students or employees, any uniform that includes or bears the derogatory mascot
 19 or name;

20 (3) Refrains from purchasing or acquiring, for the purpose of distribution or sale to
 21 students or employees, any yearbook, newspaper, program, or other similar
 22 material that includes or bears the derogatory mascot or name in its logo or cover
 23 title; and

24 (4) Refrains from purchasing or constructing a marquee, sign, or other new or
 25 replacement fixture that includes or bears the derogatory mascot or name, and for

- 1 any existing facility that bears the mascot or name, the school district removes it
- 2 no later than the next time the associated part of the facility is replaced in the
- 3 normal course of maintenance, or within five years, whichever comes first.