



2022 South Dakota Legislature

House Bill 1021

Introduced by: The House Committee on Appropriations at the request of the Board of Regents

1 **An Act to authorize the Board of Regents to acquire property, contract for the design**
 2 **and construction of an athletics events center at Dakota State University, to**
 3 **make an appropriation therefor, and to declare an emergency.**

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

5 **Section 1.** The Board of Regents is hereby authorized to contract for the planning, site
 6 preparation, construction, furnishing, and equipping of an athletics events center comprised
 7 of a football stadium, athletic fields, track, associated spectator seating, restrooms,
 8 concession stands, locker rooms, media area, classrooms, labs, training areas, esports area,
 9 offices, club room, service area, meeting rooms, and storage at Dakota State University,
 10 including heating, air conditioning, plumbing, water, sewer, electricity, sidewalks, parking,
 11 landscaping, architectural and engineering services, land acquisition, and such other facilities,
 12 services or actions as may be required to accomplish the project, for an estimated cost of
 13 \$28,047,000, subject to permitted adjustments pursuant to section 3 of this Act.

14 **Section 2.** There is hereby appropriated to the Board of Regents, for the purposes authorized
 15 in this Act, the sum of \$28,047,000 in other fund expenditure authority from donated funds,
 16 together with any additional sums received pursuant to section 4 of this Act, and permitted
 17 adjustments pursuant to section 3 of this Act.

18 **Section 3.** The cost estimates contained in this Act have been stated in terms of 2021 values.
 19 The Board of Regents may adjust such cost estimates to reflect project inflation as measured
 20 by the Building Cost Index, reported by the Engineering News Record, and additional
 21 expenditures required to comply with regulations adopted after the effective date of this Act,
 22 or additional sums received pursuant to section 4 of this Act. Any adjustments to construction
 23 cost estimates for the project may not exceed one hundred twenty-five percent of the
 24 estimated project construction cost stated in section 1 of this Act.

1 **Section 4.** The Board of Regents may accept, transfer, and expend any funds obtained for
2 the projects authorized in this Act from federal sources, donations, or any other external
3 sources, all of which comprise a special fund for the benefitted project. All moneys deposited
4 into that fund are hereby appropriated to the projects authorized by this Act, subject to
5 limitations stated in sections 1 through 3, inclusive, of this Act.

6 **Section 5.** The Board of Regents may purchase or otherwise acquire, on behalf of Dakota
7 State University, for the purposes authorized in section 1 of this Act and for an amount not
8 to exceed the appraised value, the following described real estate in the City of Madison, Lake
9 County, South Dakota:

- 10 (1) N341' S459.21' E368.5' LT 1 CO AUD SUB NE1/4 SEC 6-106-52;
11 (2) LOT 1 BLOCK 1 DSU FOUNDATION ADD;
12 (3) LOT 2 BLOCK 1 DSU FOUNDATION ADD; and
13 (4) LOT 3 BLOCK 1 DSU FOUNDATION ADD.

14 **Section 6.** No indebtedness, bond, or obligation incurred or created under the authority of
15 this Act may be or may become a lien, charge, or liability against this state, nor against the
16 property or funds of this state, within the meaning of the state's Constitution and laws.

17 **Section 7.** The administration of the design and construction of the project authorized in this
18 Act shall be under the general charge and supervision of the Bureau of Administration as
19 provided in chapter 5-14.

20 **Section 8.** Any amounts appropriated in this Act not lawfully expended or obligated shall
21 revert in accordance with the procedures prescribed in chapter 4-8.

22 **Section 9.** The executive director of the Board of Regents shall approve vouchers and the
23 state auditor shall draw warrants to pay expenditures authorized by this Act.

24 **Section 10.** Whereas, this Act is necessary for the support of the state government and its
25 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in
26 full force and effect from and after its passage and approval.