



2022 South Dakota Legislature

House Bill 1022

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 contract for the design and renovation**
 2 **of, and construction of an addition to, the Stanley J. Marshall Center at South**
 3 **Dakota State University, to make an appropriation therefor, and to declare an**
 4 **emergency.**

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

6 **Section 1.** The Board of Regents is hereby authorized to contract for the design and
 7 renovation of, and construction of an addition to, the Stanley J. Marshall Center at South
 8 Dakota State University, together with furnishings and equipment, including heating, air
 9 conditioning, plumbing, water, sewer, electric facilities, sidewalks, parking, landscaping,
 10 architectural and engineering services, asbestos abatement, and such other facilities, services
 11 or actions as may be required to accomplish the project, all at an estimated cost of
 12 \$53,168,000, subject to permitted adjustments pursuant to section 3 of this Act.

13 **Section 2.** There is hereby appropriated to the Board of Regents, for the purposes authorized
 14 in this Act, the sum of \$43,168,000 in other fund expenditure authority from donated funds;
 15 the sum of \$4,000,000 in other fund expenditure authority from South Dakota State
 16 University other funds; and the sum of \$6,000,000 in other fund expenditure authority from
 17 that portion of the higher education facilities fund allocable to South Dakota State University,
 18 for the purposes of maintenance and repair to address the portion of the project that would
 19 otherwise involve maintenance and repair projects, together with any additional sums
 20 received pursuant to section 4 of this Act, and permitted adjustments pursuant to section 3
 21 of this Act.

22 **Section 3.** The cost estimates contained in this Act have been stated in terms of 2021 values.
 23 The Board of Regents may adjust the cost estimates to reflect project inflation as measured
 24 by the Building Cost Index, reported by the Engineering News Record, and additional
 25 expenditures required to comply with regulations adopted after the effective date of this Act,
 26 or additional sums received pursuant to section 4 of this Act. Any adjustments to design and

1 renovation cost estimates for the project authorized in this Act may not exceed one hundred
2 twenty-five percent of the estimated project cost stated in section 1 of this Act.

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

9 **Section 5.** No indebtedness, bond, or obligation incurred or created under the authority of
10 this Act may be or may become a lien, charge, or liability against this state, nor against the
11 property or funds of this state within the meaning of the state's Constitution and laws.

12 **Section 6.** The administration of the design and renovation of the projects authorized in this
13 Act shall be under the general charge and supervision of the Bureau of Administration as
14 provided in chapter 5-14.

15 **Section 7.** The executive director of the Board of Regents shall approve vouchers and the
16 state auditor shall draw warrants to pay expenditures authorized by this Act.

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

19 **Section 9.** Whereas, this Act is necessary for the support of the state government and its
20 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in
21 full force and effect from and after its passage and approval.