



2022 South Dakota Legislature  
**House Bill 1024**  
**ENROLLED**

AN ACT

**ENTITLED An Act to revise and repeal certain provisions regarding self-support tuition rates at off-campus locations governed by the Board of Regents.**

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

**Section 1. That § 13-51-1.3 be AMENDED:**

**13-51-1.3.** The expenditures authorized by chapter 106 of the 2006 Session Laws must be solely for the purposes of providing a site for the operation of instructional, research, and service programs delivered through institutions established by the Legislature and governed by the Board of Regents. The Board of Regents may only use the property for the primary purpose of education or research. It is the intent of the Board of Regents and the Eighty-first Legislature that the Board of Regents may not without express legislative authorization:

- (1) Organize the programs delivered at this site into a separate degree-granting institution;
- (2) Erect student residence facilities on the site;
- (3) Construct facilities on the site for use as intercollegiate athletic practice or competition;
- (4) Establish intercollegiate athletic teams at the site;
- (5) Sell any portion of the property acquired pursuant to chapter 106 of the 2006 Session Laws unless the property is appraised and advertised and offered for sale at public auction. No portion of the property may be sold except at public sale and for an amount less than the appraised value;
- (6) Lease for nonagricultural purposes more than ten percent of the surface area of the property to third parties;
- (7) Lease to third parties more than ten percent of the useable space within any building constructed with state funds appropriated by the Legislature; or

- (8) Permit any free-standing commercial facility to be constructed on the property or any commercial facility to be located within any building constructed with state funds unless the commercial facility is reasonably needed to meet the convenience and needs of the students and instructors using the building.

**Section 2. That § 13-28-37.1 be AMENDED:**

**13-28-37.1.** A state subsidized high school dual credit program must be established for any student in grades eleven or twelve. The public institution of higher education or technical college offering the credit shall set the admission standards. A participating institution shall regularly submit course availability, enrollment, and completion data to the Department of Education.

If a student receives a failing grade in any course or withdraws from a course after the deadline and does not receive credit for the course, the student may no longer participate in the program. The Board of Regents or Board of Technical Education may reinstate a student who is prohibited from participating in the dual credit program if the student demonstrates good cause for failing a course or withdrawing from a course, or if at the student's expense the student retakes and passes the course that the student withdrew from or failed.

The dual credit program may not be used for remedial courses.

The Board of Regents shall set a high school dual credit tuition rate equivalent to forty-three percent of the undergraduate tuition rate. The student taking the course shall pay an amount equal to thirty-three and three-tenths percent of the total high school dual credit tuition rate and a school district may pay any portion of the student's share. The state shall pay an amount equal to sixty-six and seven-tenths percent of the total high school dual credit tuition rate. No public institution of higher education or technical college offering the credit may require any additional fees.

The student is responsible for any other costs involved with attending a postsecondary institution. For the purposes of this section, the term, undergraduate tuition rate, means the per-credit rate, as set by the Board of Regents, that was in effect on January first of the previous fiscal year.

**Section 3. That § 13-51-1.2 be REPEALED.**

**Section 4. That § 13-55-2.1 be REPEALED.**

An Act to revise and repeal certain provisions regarding self-support tuition rates at off-campus locations governed by the Board of Regents.

I certify that the attached Act originated in the:  
House as Bill No. 1024

Received at this Executive Office this \_\_\_\_ day of \_\_\_\_\_, 2022 at \_\_\_\_\_ M.

\_\_\_\_\_  
Chief Clerk

By \_\_\_\_\_  
for the Governor

\_\_\_\_\_  
Speaker of the House

The attached Act is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2022

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
Governor

**STATE OF SOUTH DAKOTA,**

ss.

Office of the Secretary of State

\_\_\_\_\_  
President of the Senate

Attest:

Filed \_\_\_\_\_, 2022  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Secretary of State

House Bill No. 1024  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

By \_\_\_\_\_  
Asst. Secretary of State