



## 2022 South Dakota Legislature

**Senate Bill 53**

HOUSE ENGROSSED

*Introduced by: The Senate Committee on Appropriations at the request of the Governor's Office of Economic Development*

1 **An Act to make an appropriation to increase workforce housing and to declare an**  
2 **emergency.**

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

4 **Section 1.** There is hereby appropriated the sum of \$50,000,000 in federal fund expenditure  
5 authority to the Governor's Office of Economic Development (GOED) for purposes of  
6 developing housing infrastructure across South Dakota.

7 **Section 2.** Moneys appropriated under section 1 of this Act must be administered through  
8 the Local Infrastructure Improvement Program pursuant to the criteria outlined in § 1-16G-  
9 50.

10 **Section 3.** Until June 30, 2024, GOED must make seventy percent of the funding available  
11 to municipalities having a population of less than 50,000 and thirty percent of the funding  
12 available for all municipalities. After June 30, 2024, all remaining funding must be made  
13 available to all municipalities, regardless of their population. GOED's share of the funding shall  
14 not exceed one-third of total project costs, with the remaining portion to be provided by an  
15 equal match from a local governmental entity and the project developer. GOED shall comply  
16 with any federal guidance on using the American Rescue Plan Act, Pub. L. 117-2, 135 Stat.  
17 223 (2021) state fiscal recovery funds to provide grants for housing infrastructure,  
18 wastewater and storm water projects that comply with the purpose of this Act.

19 **Section 4.** The commissioner of the GOED shall approve vouchers and the state auditor shall  
20 draw warrants to pay expenditures authorized by sections 1 to 3 this Act.

21 **Section 5.** No project may receive funding from both the housing opportunity fund and the  
22 local infrastructure improvement fund for the same project if the project is in a municipality  
23 with a population over 50,000.

1 **Section 6.** Any amounts appropriated in this Act not lawfully expended or obligated shall  
2 revert in accordance with the procedures prescribed in chapter 4-8.

3 **Section 7.** Any individual with a beneficial ownership interest, either directly or indirectly, or  
4 five percent or greater in a project that receives any of the federal grant funds under section  
5 1 of this Act will be reported to GOED. The beneficial interest must be determined and reported  
6 at the time the grant funds are disbursed. GOED shall report to the legislature by June first  
7 of each year, until the federal grants have been fully expended.

8 **Section 8.** Whereas, this Act is necessary for the support of state government and its existing  
9 public institutions, an emergency is hereby declared to exist, and this Act shall be in full force  
10 and effect from and after its passage and approval.