

Chapter 197
(Senate Bill 42)

An Act to authorize the Board of Regents to contract for the design and construction of an addition to the wellness center at the University of South Dakota, to make an appropriation therefor, and to declare an emergency.

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

Section 1. The Board of Regents is hereby authorized to contract for the planning, site preparation, construction, furnishing, and equipping of an addition to the wellness center comprised of a fifty-meter competition pool, a wellness pool, hot tub, steam room, expanded wellness locker rooms, athletic locker rooms, offices, meeting rooms, restrooms, seating, and storage at the University of South Dakota, including heating, air conditioning, plumbing, water, sewer, electricity, sidewalks, parking, landscaping, architectural and engineering services, and such other facilities, services or actions as may be required to accomplish the project, for an estimated cost of \$25,000,000, subject to permitted adjustments pursuant to section 3 of this Act.

Section 2. There is hereby appropriated to the Board of Regents, for the purposes authorized in this Act, the sum of \$25,000,000 in other fund expenditure authority, together with any additional sums received pursuant to section 4 of this Act, and permitted adjustments pursuant to section 3 of this Act.

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

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

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

Section 6. The administration of the design and construction of the project authorized in this Act shall be under the general charge and supervision of the Bureau of Administration as provided in chapter 5-14.

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

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

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

Signed March 21, 2022
