2022 South Dakota Legislature

Senate Bill 43

ENROLLED

AN ACT

ENTITLED An Act to authorize the Board of Regents to contract for the design, renovation, and construction of an addition for a health sciences center at Black Hills State University–Rapid City, 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, renovation, furnishing, equipping, and construction of an addition for a health sciences center at Black Hills State University–Rapid City, together with furnishings and equipment, including heating, air conditioning, plumbing, water, sewer, electric facilities, sidewalks, parking, landscaping, architectural and engineering services, and such other facilities, services or actions as may be required to accomplish the project authorized in this Act, for an estimated cost of $15,114,644, 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 $8,000,000 in federal fund expenditure authority from the American Rescue Plan Act (ARPA) Capital Projects Fund moneys; the sum of $5,114,644 in other fund expenditure authority from those portions of the higher education facilities fund allocable to Black Hills State University and South Dakota State University; and the sum of $2,000,000 in other fund expenditure authority from donated funds, 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 authorized in this Act may not exceed one hundred twenty-five percent of the estimated cost stated in section 1 of this Act.

Section 4. The Board of Regents may accept, transfer, and expend any funds obtained for the project 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 projects authorized by this Act, subject to the limitations stated in sections 1 to 3, inclusive, of this Act.

Section 5. The South Dakota Building Authority may finance the Health Sciences Center authorized in section 1 of this Act, including the issuance of higher education facilities fund bonds not to exceed a total of $7,114,644, in accordance with this Act and chapter 5-12.

Section 6. 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 7. 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 8. 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 9. Any amounts appropriated in this Act not lawfully expended or obligated shall revert in accordance with the procedures prescribed in chapter 4-8.

Section 10. The Board of Regents shall comply with any federal guidance on using the American Rescue Plan Capital Projects Fund.

Section 11. 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.

An Act to authorize the Board of Regents to contract for the design, renovation, and construction of an addition for a health sciences center at Black Hills State University–Rapid City, to make an appropriation therefor, and to declare an emergency.

I certify that the attached Act originated in the:

Senate as Bill No. 43

_____
Secretary of the Senate

_____
President of the Senate

Attest:

_____
Secretary of the Senate

_____
Speaker of the House

Attest:

_____
Chief Clerk

Senate Bill No. 43
File No. _____
Chapter No. _____

Received at this Executive Office
this _____ day of _____,

2022 at _____M.

By _____
for the Governor

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

_____
Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 2022
at _____ o'clock __M.

_____
Secretary of State

By _____
Asst. Secretary of State