



2022 South Dakota Legislature
Senate Bill 97
ENROLLED

AN ACT

ENTITLED An Act to authorize the Board of Regents to acquire the incubator building located on the campus of South Dakota School of Mines and Technology, to contract for the design and renovation thereof, 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 may acquire, on behalf of South Dakota School of Mines and Technology, the incubator building located on the campus of South Dakota School of Mines and Technology, at the purchase price of up to \$5,250,000, but not to exceed the appraised value of the building.

Section 2. The Board of Regents is hereby authorized to contract for the planning, design, renovation, furnishing and equipping of the building identified in section 1 of this act, together with heating, air conditioning, plumbing, water, sewer, electric facilities, offices, laboratories, sidewalks, parking, landscaping, architectural, and engineering service, and such other facilities, services or actions as may be required to accomplish the project, for an estimated cost of \$2,000,000, subject to any permitted adjustments pursuant to section 4 of this Act.

Section 3. There is hereby appropriated to the Board of Regents, for the purpose authorized in section 1 of this Act, the sum of \$5,250,000 from the general fund, and appropriated \$2,000,000 in other fund expenditure authority, for the purpose authorized in section 2 of this Act, together with any additional sums received pursuant to section 5 of this Act and permitted adjustments pursuant to section 4 of this Act.

Section 4. The construction cost estimates contained in section 2 of this Act are stated in terms of 2021 values. The Board of Regents may adjust such 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 5 of this Act. However, 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 2 of this Act.

Section 5. 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 projects authorized by this Act, subject to the limitations stated in sections 2 to 4, inclusive, of this Act.

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.

An Act to authorize the Board of Regents to acquire the incubator building located on the campus of South Dakota School of Mines and Technology, to contract for the design and renovation thereof, to make an appropriation therefor, and to declare an emergency.

I certify that the attached Act originated in the:

Received at this Executive Office this ____ day of _____,

Senate as Bill No. 97

2022 at _____ M.

Secretary of the Senate

By _____
for the Governor

President of the Senate

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

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Speaker of the House

Filed _____, 2022
at _____ o'clock __ M.

Attest:

Chief Clerk

Secretary of State

Senate Bill No. 97
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State