

**LRC EXECUTIVE BOARD**

**RESOLUTION REGARDING HB 1033**

WHEREAS, during the 2022 Session of the South Dakota Legislature, the House of Representatives and the Senate passed HB 1033, and Governor Noem signed the Bill into law; and

WHEREAS, Section 1 of HB 1033 appropriates \$150 million to the South Dakota Housing Opportunity Fund for the purpose of providing \$100 million in loans and \$50 million in grants for construction of housing infrastructure as defined in Section 5; and

WHEREAS, Section 2 of HB 1033 appropriates \$50 million to the South Dakota Housing Development Authority for the purpose of providing grants for construction of housing infrastructure as defined in Section 5; and

WHEREAS, Sections 3 and 4 of HB 1033 impose certain conditions and restrictions on the distribution of the funds appropriated under Sections 1 and 2, including the percentage of loans or grants that may be made available to municipalities based on population, and a limit on the total project costs that may be funded by a grant; and

WHEREAS, the purpose of HB 1033 is to provide grants and revolving loans for housing infrastructure as defined in Section 5;

WHEREAS, the purpose of the South Dakota Housing Opportunity Fund as currently constituted under SDCL Chapter 11-13 is to provide grants and loans for the purchase, construction and rehabilitation of single family and multi-family housing units;

WHEREAS, because the purpose of the housing infrastructure funds appropriated under HB 1033 is different than the purpose of the funds currently administered by the South Dakota Housing Development Authority under SDCL Chapter 11-13, these funds are not subject to the income targeting requirements and other restrictions set forth in that Chapter;

NOW THEREFORE BE IT RESOLVED, by the Executive Board of the South Dakota Legislative Research Council, that the Legislature intends that South Dakota Housing Development Authority administer the funds appropriated under HB 1033 in accordance with the provisions of that Act and not SDCL Chapter 11-3, and that any repayment of housing infrastructure loans and interest thereon be receipted into the South Dakota Housing Opportunity Fund and expended for the purpose of making housing infrastructure loans in accordance with HB 1033.

Adopted: May 16, 2022

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By: \_\_\_\_\_  
Its Chair