



2024 South Dakota Legislature

Senate Bill 49

Introduced by: The Chair of the Senate Committee on Appropriations at the request of the Department of Corrections

1 **An Act to make an appropriation for the site preparation of a prison facility for**
 2 **offenders committed to the Department of Corrections, to transfer moneys to**
 3 **the incarceration construction fund, and to declare an emergency.**

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

5 **Section 1. That section 2 of chapter 195 of the 2023 Session Laws be AMENDED:**

6 The Department of Corrections is hereby authorized to contract for the planning
 7 and site preparation of a prison facility for offenders committed to the Department of
 8 Corrections, including architectural services, engineering services, utilities, and other
 9 services as may be required to accomplish the project.

10 **Section 2.** There is hereby appropriated the sum of \$10,000,000 in federal fund expenditure
 11 authority, for the expenditure of State Fiscal Recovery Fund moneys authorized by the
 12 American Rescue Plan Act, for installing the water and sewer infrastructure of a prison facility
 13 for offenders committed to the Department of Corrections as established by 2023 Session
 14 Laws, chapter 195, § 2.

15 **Section 3.** The state treasurer shall transfer the sum of \$132,449,532 from the general fund
 16 and the sum of \$95,731,352 from the budget reserve fund to the incarceration construction
 17 fund created in § 1-15-37 for the future construction of the prison facility described in this
 18 Act.

19 **Section 4.** The administration of the design and construction of the project authorized in this
 20 Act shall be under the general charge and supervision of the Bureau of Administration as
 21 provided in chapter 5-14.

22 **Section 5.** The secretary of the Department of Corrections shall approve vouchers and the
 23 state auditor shall draw warrants to pay expenditures authorized by this Act.

1 **Section 6.** Any amounts appropriated in this Act not lawfully expended or obligated by June
2 30, 2027, shall revert in accordance with the procedures prescribed in chapter 4-8.

3 **Section 7.** Whereas, this Act is necessary for the support of the state government and its
4 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in
5 full force and effect from and after its passage and approval.