

2025 South Dakota Legislature

Senate Bill 145**AMENDMENT 145B
FOR THE INTRODUCED BILL**

1 **An Act to require ~~legislative~~ approval of real property leases that are necessary for**
2 **the operation of state government ~~and exceed specified durations or rental~~**
3 **payments.**

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

5 **Section 1. That § 1-33-9 be AMENDED:**

6 **1-33-9.** The Bureau of Human Resources and Administration shall:

- 7 (1) Provide workers' compensation coverage and a group health and flexible benefit
8 plan for all state employees unless ~~such~~ the duties are delegated to another agency
9 pursuant to chapter 1-24;
- 10 (2) Administer recruitment and classification for all civil service employees unless
11 ~~such~~ the duties are delegated to another agency pursuant to chapter 1-24;
- 12 (3) Provide human resource management and programs including programs governing
13 human resource planning, training and development, internships, performance
14 evaluation, employee assessment and testing, classification, compensation,
15 recruitment, and other matters relating to human resource management for all of
16 the executive branch of state government under the control of the Governor and
17 by agreement for other state government agencies;
- 18 (4) Perform all administrative functions for the Civil Service Commission;
- 19 (5) Employ ~~such~~ staff as are necessary to perform its duties;
- 20 (6) Contract as is necessary to perform its duties;
- 21 (7) Keep an exact and true inventory of all property, real and personal, belonging to
22 the state and promulgate rules pursuant to chapter 1-26 enumerating the types
23 and classes of public personal property to be included in the inventory required by
24 § 5-24-1;
- 25 (8) Administer the procurement of supplies, services, and public improvements as
26 prescribed in chapters 5-18A, 5-18B, and 5-18D;

- 1 (9) Supervise ~~such central administrative services as~~ transportation, mail, records
 2 management,~~—and~~ document reproduction services, and other central
 3 administrative services, and make provisions for the supplying of office supplies
 4 and furniture;
- 5 (10) Maintain the buildings and grounds of the capitol complex and install central
 6 facilities to be used by all state agencies under rules the bureau promulgates
 7 pursuant to chapter 1-26;
- 8 (11) Contract for the provision of food services, candy, and beverages in the capitol
 9 complex;
- 10 (12) Supervise the administration of the Office of Hearings Examiners;
- 11 (13) Administer the federal surplus property allotted to the state;
- 12 (14) Provide for the lease of real property necessary for the operation of state
 13 government, in accordance with the limitations approval criteria set forth in section
 14 2 of this Act;
- 15 (15) Administer a program of risk management for state government;
- 16 (16) Contract for services required by multiple state agencies, if the contract improves
 17 the efficiency of state government; and
- 18 (17) Take any other function as may be required by statute, executive order, or
 19 administrative action.

20 **Section 2. That a NEW SECTION be added to chapter 1-33:**

21 The Bureau of Human Resources and Administration may not, without ~~legislative~~
 22 ~~consent approval by the Joint Committee on Appropriations~~, enter into or otherwise
 23 authorize the lease of real property necessary for the operation of state government,~~if~~
 24 ~~the term of the lease exceeds ten years or the amount of rental payments due during the~~
 25 ~~term of the lease exceeds five million dollars.~~

26 ~~In order to receive legislative consent, the commissioner of bureau human~~
 27 ~~resources and administration shall:~~

28 ~~(1) If the legislature is in session, seek the introduction and adoption of a joint~~
 29 ~~resolution consenting to the lease; or~~

30 ~~(2) If the Legislature is in a recess or between legislative sessions, request that the~~
 31 ~~Executive Board of the Legislative Research Council review and consent to the~~
 32 ~~terms and conditions of the lease.~~

1 ~~A lease of real property necessary for the operation of state government may not~~
2 ~~be divided or structured in order to avoid or otherwise defeat the approval threshold~~
3 ~~established in this section.~~

4 ~~Any lease entered into in violation of this section is void and unenforceable.~~

AMENDMENT