



2025 South Dakota Legislature
Senate Bill 144
ENROLLED

AN ACT

ENTITLED An Act to require legislative approval for significant capital expenditures by the Department of Game, Fish and Parks.

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

Section 1. That § 41-2-19 be AMENDED:

41-2-19. Subject to section 2 of this Act, the Department of Game, Fish and Parks may, on behalf and in the name of the state, acquire public or private property by gift, grant, devise, purchase, lease, or condemnation proceedings, and may manage, control, and improve the property for the purpose of exercising the powers granted in this title.

Section 2. That a NEW SECTION be added to chapter 41-2:

Notwithstanding any provision of this title to the contrary, the Department of Game, Fish and Parks may not acquire, build, or significantly improve a building, facility, or other physical asset, or build or significantly improve any infrastructure, or enter into a lease or a lease-purchase agreement, if doing so would require a cumulative capital expenditure in excess of two million five hundred thousand dollars, without first obtaining the express approval of the Legislature.

Notwithstanding any provision of this title to the contrary, the Department of Game, Fish and Parks may not acquire any public or private real property if doing so would require a cumulative capital expenditure in excess of two million five hundred thousand dollars, without first obtaining:

- (1) The express approval of the Legislature; or
- (2) The express approval of the special committee created in accordance with § 4-8A-2, if:
 - (a) Time is of the essence; and
 - (b) The Legislature is in a recess or between sessions.

No acquisition, construction, improvement, or contract described in this section may be divided so as to require multiple smaller capital expenditures in order to avoid or otherwise defeat the approval threshold established in this section.

Any contract entered into in violation of this section is voidable in a legal action initiated by the attorney general.

The applicability of this section includes any action authorized under this title.

An Act to require legislative approval for significant capital expenditures by the Department of Game, Fish and Parks.

I certify that the attached Act originated in the:

Received at this Executive Office this ____ day of _____,

Senate as Bill No. 144

2025 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., 2025

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Speaker of the House

Attest:

Filed _____, 2025
at _____ o'clock __ M.

Chief Clerk

Secretary of State

Senate Bill No. 144
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State