

# State of South Dakota

NINETY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2017

956Y0514

## HOUSE BILL NO. 1180

Introduced by: Representatives Bordeaux, Lesmeister, Livermont, McCleerey, Schoenfish,  
Smith, and Soli and Senators Killer and Heinert

1 FOR AN ACT ENTITLED, An Act to establish the nonbeneficiary student scholarship program  
2 for certain students attending tribally controlled colleges and to make an appropriation  
3 therefor.

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

5 Section 1. That chapter 13-55 be amended by adding a NEW SECTION to read:

6 There is hereby established the nonbeneficiary student scholarship program to be  
7 administered by the Board of Regents. The purpose of the scholarship is to defray a portion of  
8 the costs incurred when a nonbeneficiary student is enrolled in a tribally controlled college or  
9 community college. For the purposes of this Act, a nonbeneficiary student is a student who is  
10 enrolled in Oglala Lakota College in Kyle, Sinte Gleska University in Rosebud, Sitting Bull  
11 College in Mobridge, or Sisseton-Wahpeton Community College in Sisseton; who meets the  
12 South Dakota residency requirement established in § 13-53-24; and who is not an enrolled  
13 member of a federally recognized Indian tribe.

14 Section 2. That chapter 13-55 be amended by adding a NEW SECTION to read:

15 To receive a scholarship under this Act, a nonbeneficiary student shall apply to a



1 participating college on forms provided by the Board of Regents. A student is eligible to  
2 participate in the scholarship program for up to four academic years (four consecutive spring  
3 and fall terms) or until the attainment of a baccalaureate degree, whichever comes first.  
4 However, the consecutive enrollment requirement may be waived if good cause is demonstrated.

5 Section 3. That chapter 13-55 be amended by adding a NEW SECTION to read:

6 In order to maintain eligibility in the nonbeneficiary student scholarship program, a  
7 nonbeneficiary student shall maintain enrollment at a participating college and make satisfactory  
8 progress toward a degree as determined by the student's program of study.

9 Section 4. That chapter 13-55 be amended by adding a NEW SECTION to read:

10 Funding for the nonbeneficiary student scholarship is limited to a maximum of four  
11 thousand dollars per year for each full-time equivalent nonbeneficiary student. One-half of the  
12 scholarship award shall be paid to the participating college on behalf of an eligible  
13 nonbeneficiary student at the beginning of the fall semester, and one-half of the scholarship  
14 award shall be paid to the participating college on behalf of an eligible nonbeneficiary student  
15 at the beginning of the spring semester. If, in any year, the funds available for scholarships are  
16 insufficient to permit each eligible nonbeneficiary student to receive the full amount provided  
17 in this section, the available funds shall be prorated and distributed on behalf of each eligible  
18 nonbeneficiary student in proportion to the entitlement created in this section.

19 Section 5. There is hereby appropriated from the general fund the sum of fifty thousand  
20 dollars (\$50,000), or so much thereof as may be necessary, to the Board of Regents to fund the  
21 scholarship program established in section 1 of this Act.

22 Section 6. The executive director of the Board of Regents shall approve vouchers and the  
23 state auditor shall draw warrants to pay expenditures authorized by this Act.

24 Section 7. Any amounts appropriated in this Act not lawfully expended or obligated by June

1 30, 2018, shall revert in accordance with the procedures prescribed in chapter 4-8.