

State of South Dakota

NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2017

400Y0522

HOUSE ENGROSSED NO. **HB 1209** - 2/23/2017

Introduced by: The Committee on State Affairs at the request of the Office of the Governor

1 FOR AN ACT ENTITLED, An Act to provide for the sale of certain surplus real estate at the
2 STAR Academy and to provide for the deposit of the proceeds.

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

4 Section 1. Notwithstanding any other provision of law, upon the request of the Governor,
5 the commissioner of school and public lands shall sell all or any portion of the following real
6 estate and any related personal property and improvements located on the property:

- 7 (1) Certain property under the control of the Department of Corrections described
8 generally as the Southwest Quarter of the Southwest Quarter, Section 12, Township
9 4 South, Range 4 East of the Black Hills Meridian, Custer County, South Dakota;
- 10 (2) Certain property under the control of the Department of Corrections described
11 generally as the West Half of the Northwest Quarter, Section 13, Township 4 South,
12 Range 4 East of the Black Hills Meridian, Custer County, South Dakota;
- 13 (3) Certain property under the control of the Department of Corrections described
14 generally as the Southeast Quarter of the Northeast Quarter, Section 14, Township
15 4 South, Range 4 East of the Black Hills Meridian, Custer County, South Dakota;



1 (4) Certain property under the control of the Department of Corrections described
2 generally as the South Half of the South Half of the Northeast Quarter of the
3 Northeast Quarter, Section 14, Township 4 South, Range 4 East of the Black Hills
4 Meridian, Custer County, South Dakota;

5 (5) Certain property under the control of the Department of Corrections described
6 generally as the Endecott Tracts, being part of HES # 169, located in Section 14 and
7 23, Township 4 South, Range 4 East of the Black Hills Meridian, Custer County,
8 South Dakota; and

9 (6) Certain property under the control of the Department of Corrections described
10 generally as Tract B of HES #169, located in Section 14, Township 4 South, Range
11 4 East of the Black Hills Meridian, Custer County, South Dakota.

12 Section 2. Real estate and related personal property and improvements on the property which
13 are generally considered a part of the tracts described in section 1 of this Act but not specifically
14 included in the legal descriptions set out in section 1 of this Act may be sold as provided in this
15 Act as though the property and improvements were specifically described in section 1 of this
16 Act.

17 Section 3. The real estate and other property described in section 1 of this Act shall be
18 appraised by the board of appraisal established by § 5-9-3 and may be sold in any manner, on
19 such terms and conditions as the Governor requires, subject to all applicable constitutional
20 reservations.

21 Section 4. The proceeds from the sale of the real estate and other property described in
22 section 1 of this Act shall be deposited into the permanent fund established by S.D. Const., Art.
23 VIII, § 7 for the use and benefit of the Department of Corrections training school.

24 Section 5. Notwithstanding the provisions of this Act or any other law to the contrary, the

1 Governor may direct the commissioner of school and public lands to sell any real estate and
2 related personal property described in section 1 of this Act to a political subdivision within
3 which the real estate and related personal property is located. The sale price shall be at least the
4 appraised value as determined by the board of appraisal established by § 5-9-3, and is subject
5 to all applicable constitutional reservations.

6 Section 6. Notwithstanding the provisions of this Act or any law to the contrary, the
7 Governor may also enter into any lease, management agreement, or other arrangement for the
8 use of the property described in section 1 of this Act.