

2020 South Dakota Legislature

House Bill 1251**AMENDMENT 1251B FOR THE INTRODUCED BILL**

1 **An Act to ~~establish~~address membership of the Board of Regents.**

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

3

4 **Section 1. That ~~§ 13-49-1~~ be AMENDED:**

5 ~~13-49-1. Control of educational institutions vested in board-- Appointment of members.~~

6 ~~The control of the public postsecondary educational institutions of the state offering college~~
7 ~~credit, which are sustained wholly or in part by the state, is vested in a board of nine~~
8 ~~members, designated as the Board of Regents. The, appointed by the Governor shall appoint~~
9 ~~the members, with the consent of the Senate.~~

10 **Section 1. That § 13-49-2 be AMENDED:**

11 **13-49-2. Qualifications of members of board.**

12 Each regent ~~who is a regular member~~ shall be a person of probity and wisdom and
13 selected from among the best known citizens, who are residents of different portions of
14 the state.

15 No regent may be a resident of a county in which an institution of higher education
16 under the board's control maintains its principal physical presence.

17 No two regents may be residents ~~in of~~ the same county ~~and not more than six may~~
18 ~~be members of the same political party. One regent shall be the student regent as provided~~
19 ~~in § 13-49-6.1.~~

20 A regent's residence is determined by where the regent is registered to vote.

21

22 **Section 3. That ~~§ 13-49-3~~ be AMENDED:**

1 ~~13-49-3. Term of office of regents.~~

2 ~~Each regent, except the student regent, shall be appointed for a term of six~~

3 ~~The term of each person serving as a regent on June 30, 2020, shall expire on July 1, 2020,~~
4 ~~and the Governor shall then appoint five members to serve as the Board of Regents.~~

5 ~~The Governor shall determine who among the five appointees shall serve for a term of one~~
6 ~~year, which two among the five appointees shall serve for a term of two years, and which two~~
7 ~~among the five appointees shall serve for a term of three years. Thereafter, the term of each~~
8 ~~regent appointed under this section must be three years.~~

9 ~~The term shall expire expires on the last day of March June or when a successor is appointed~~
10 ~~and qualified, unless removed as provided in § 3-17-1.~~

11 ~~No regent appointed on or after July 1, 2018, and without any previous service on the board~~
12 ~~2020, may serve more than two consecutive three year terms. However, after serving two~~
13 ~~consecutive terms, a regent may be reappointed after at least two years have passed since~~
14 ~~the expiration of the regent's last term. Any partial term to fill a vacancy on the board An~~
15 ~~appointment to a term having a duration of less than three years may not count against the~~
16 ~~two-term limit.~~

17

18 **Section 4. That § 13-49-4 be AMENDED:**

19 ~~13-49-4. Filling of vacancies--Failure of senate to confirm--New appointee named.~~

20 ~~If a vacancy occurs as provided in § 3-4-1, the Governor shall fill the vacancy by appointment,~~
21 ~~and the appointee shall serve for the balance of the unexpired term. However, if If the Senate,~~
22 ~~at the next legislative session, fails to confirm the appointee, the appointee shall only serve~~
23 ~~until the last day of March. Then June. Thereafter, a new appointee shall be named by the~~
24 ~~Governor. The subsequent appointee is subject to the same conditions as set forth in this~~
25 ~~section.~~

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27 **Section 5. That § 13-49-6.1 be REPEALED.**

- 1 ~~13-49-6.1. Student regent appointed by Governor--Term of appointment--Voting member.~~

AMENDMENT