



2022 South Dakota Legislature

House Bill 1024

Introduced by: The House Committee on Appropriations at the request of the Board of Regents

1 **An Act to revise and repeal certain provisions regarding self-support tuition rates**
 2 **at off-campus locations governed by the Board of Regents.**

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

4 **Section 1. That § 13-51-1.3 be AMENDED:**

5 **13-51-1.3.** The expenditures authorized by chapter 106 of the 2006 Session Laws
 6 ~~shall~~ must be solely for the purposes of providing a site for the operation of instructional,
 7 research, and service programs delivered through institutions established by the
 8 Legislature and governed by the Board of Regents. The Board of Regents may only use
 9 the property for the primary purpose of education or research. It is the intent of the Board
 10 of Regents and the Eighty-first Legislature that the Board of Regents may not without
 11 express legislative authorization:

- 12 (1) Organize the programs delivered at this site into a separate degree-granting
 13 institution;
- 14 (2) Erect student residence facilities on the site;
- 15 (3) Construct facilities on the site for use as intercollegiate athletic practice or
 16 competition;
- 17 (4) Establish intercollegiate athletic teams at the site;
- 18 (5) Sell any portion of the property acquired pursuant to chapter 106 of the 2006
 19 Session Laws unless the property is appraised and advertised and offered for sale
 20 at public auction. No portion of the property may be sold except at public sale and
 21 for an amount less than the appraised value;
- 22 (6) ~~Offer courses taught on the property at any rate other than the self-support tuition~~
 23 ~~rate;~~
- 24 (7) ~~Lease for nonagricultural purposes more than ten percent of the surface area of the~~
 25 ~~property to third parties;~~

- 1 ~~(8)~~(7) Lease to third parties more than ten percent of the useable space within any
2 building constructed with state funds appropriated by the Legislature; or
3 ~~(9)~~(8) Permit any free-standing commercial facility to be constructed on the property or
4 any commercial facility to be located within any building constructed with state
5 funds unless the commercial facility is reasonably needed to meet the convenience
6 and needs of the students and instructors using the building.

7 **Section 2. That § 13-28-37.1 be AMENDED:**

8 **13-28-37.1.** A state subsidized high school dual credit program ~~shall~~ must be
9 established for any student in grades eleven or twelve. The public institution of higher
10 education or technical college offering the credit shall set the admission standards. A
11 participating institution shall regularly submit course availability, enrollment, and
12 completion data to the Department of Education.

13 If a student receives a failing grade in any course or withdraws from a course after
14 the deadline and does not receive credit for the course, the student may no longer
15 participate in the program. The Board of Regents or Board of Technical Education may
16 reinstate a student who is prohibited from participating in the dual credit program if the
17 student demonstrates good cause for failing a course or withdrawing from a course, or if
18 at the student's expense the student retakes and passes the course that the student
19 withdrew from or failed.

20 The dual credit program may not be used for remedial courses.

21 The Board of Regents shall set a high school dual credit tuition rate equivalent to
22 forty-three percent of the undergraduate ~~off-campus~~ tuition rate. The student taking the
23 course shall pay an amount equal to thirty-three and three ~~—~~ tenths percent of the total
24 high school dual credit tuition rate and a school district may pay any portion of the
25 student's share. The state shall pay an amount equal to sixty-six and seven ~~—~~ tenths
26 percent of the total high school dual credit tuition rate. No public institution of higher
27 education or technical college offering the credit may require any additional fees.

28 The student is responsible for any other costs involved with attending a
29 postsecondary institution. For the purposes of this section, the term, undergraduate ~~off-~~
30 ~~campus~~ tuition rate, means the per-credit rate, as set by the Board of Regents, that was
31 in effect on January first of the previous fiscal year.

32 **Section 3. That § 13-51-1.2 be REPEALED:**

1 ~~All courses offered at off-campus locations, which does not include online or other~~
2 ~~remote technology course offerings, will be at self-support tuition rates established by the~~
3 ~~Board of Regents, with the exception of nursing courses offered at the Pierre site through~~
4 ~~the University of South Dakota and South Dakota State University, which can be offered~~
5 ~~at state support rates if authorized by the board.~~

6 **Section 4. That § 13-55-2.1 be REPEALED:**

7 ~~Any veteran who is eligible for free tuition pursuant to § 13-55-2 who is enrolled,~~
8 ~~at a self-supporting off-campus institution, in any undergraduate course under the control~~
9 ~~and management of the Board of Regents not subsidized by the general fund is entitled~~
10 ~~to a benefit of one hundred percent of the in-state resident tuition to be paid to the~~
11 ~~institution by the Board of Regents. The veteran shall pay to the institution any self-~~
12 ~~support off-campus tuition charge in excess of the in-state resident tuition.~~