



## 2022 South Dakota Legislature

# Senate Bill 130

Introduced by: **Senator Crabtree**

1 **An Act to authorize the Board of Regents to acquire property, contract for the design**  
 2 **and construction of the Dakota State University Applied Research Lab, to**  
 3 **make an appropriation therefor, and to declare an emergency.**

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

5 **Section 1.** The Board of Regents is hereby authorized to contract for the planning, site  
 6 preparation, construction, furnishing, and equipping of the Dakota State University Applied  
 7 Research Lab, together with furnishings and equipment, on the real property acquired  
 8 pursuant to section 5 of this Act, including heating, air conditioning, plumbing, water, sewer,  
 9 electric facilities, technology infrastructure, sidewalks, parking, landscaping, architectural and  
 10 engineering services, and such other facilities, services or actions as may be required to  
 11 accomplish the project, for an estimated cost of \$50,000,000, subject to permitted  
 12 adjustments pursuant to section 3 of this Act.

13 **Section 2.** There is hereby appropriated to the Board of Regents for the purposes authorized  
 14 in section 1 of this Act the sum of \$50,000,000 in other fund expenditure authority to expend  
 15 donations for the purposes of this Act, together with any additional sums received pursuant  
 16 to section 4 of this Act, and permitted adjustments pursuant to section 3 of this Act.

17 **Section 3.** The cost estimates contained in this Act have been stated in terms of 2021 values.  
 18 The Board of Regents may adjust such cost estimates to reflect project inflation as measured  
 19 by the Building Cost Index, reported by the Engineering News Record, and additional  
 20 expenditures required to comply with regulations adopted after the effective date of this Act,  
 21 or additional sums received pursuant to section 4 of this Act. Any adjustments to construction  
 22 cost estimates for the project authorized in section 1 of this Act may not exceed one hundred  
 23 twenty-five percent of the estimated project construction cost stated in section 1 of this Act.

24 **Section 4.** The Board of Regents may accept, transfer, and expend any funds obtained for  
 25 the projects authorized in section 1 of this Act from federal sources, donations, or any other

1 external sources, all of which comprise a special fund for the benefitted project; and all  
2 moneys deposited into that fund are hereby appropriated to the project authorized by section  
3 1 of this Act, subject to the limitations stated in sections 1 to 3, inclusive, of this Act.

4 **Section 5.** The Board of Regents may accept, on behalf of Dakota State University, for the  
5 purposes authorized in sections 1 and 6 of this Act, the donation of up to sixteen acres of real  
6 property from Sanford Heath, located within the following described parcel:

7 THE NORTHWEST QUARTER (NW1/4) OF SECTION 6, TOWNSHIP 101 NORTH, RANGE 49  
8 WEST OF THE 5TH P.M., MINNEHAHA COUNTY, SOUTH DAKOTA, ACCORDING TO THE  
9 GOVERNMENT SURVEY THEREOF, INCLUDING LOTS FE1 AND FE3 AND EXCEPT LOTS H1, H2,  
10 H3 AND H4 AND EXCEPT SANFORD SPORTS COMPLEX SOUTH ADDITION TO THE CITY OF  
11 SIOUX FALLS CONTAINED THEREIN.

12 **Section 6.** Any transfer of real property pursuant to section 5 of this Act is contingent upon  
13 the land and any improvements constructed thereon being used for the operation of  
14 technology research and educational programs and related contracted technology service  
15 programs in furtherance of Dakota State University's mission and purpose, or related business  
16 activity that compliments Dakota State University's technology focus.

17 **Section 7.** Notwithstanding any other provision of law, should any real property transferred  
18 pursuant to section 5 of this Act cease to be used for the purposes stated in section 6 of this  
19 Act, or in the event the Board of Regents, on behalf of Dakota State University, desires to sell  
20 any real property transferred pursuant to section 5 of this Act, Sanford Health shall have the  
21 option to purchase the real property and any improvements constructed thereon at the then-  
22 appraised value.

23 **Section 8.** Any deed transferring title pursuant to section 5 of this Act must contain the  
24 restrictions necessary to effectuate the requirements of sections 6 and 7 of this Act.

25 **Section 9.** The administration of the design and construction of the project authorized in  
26 section 1 of this Act shall be under the general charge and supervision of the Bureau of  
27 Administration as provided in chapter 5-14.

28 **Section 10.** Any amounts appropriated in this Act not lawfully expended or obligated shall  
29 revert in accordance with the procedures prescribed in chapter 4-8.

1 **Section 11.** The executive director of the Board of Regents shall approve vouchers and the  
2 state auditor shall draw warrants to pay expenditures authorized by this Act.

3 **Section 12.** Whereas, this Act is necessary for the support of the state government and its  
4 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in  
5 full force and effect from and after its passage and approval.