

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

400S0218

HOUSE BILL NO. 1008

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

1 FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to expend higher
2 education facilities funds to maintain and repair facilities occupied under capital leases.

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

4 Section 1. That § 13-51-2 be amended to read as follows:

5 13-51-2. There is continued an educational facilities fund in the state treasury from which
6 ~~on and after July 1, 1984,~~ the Board of Regents may make expenditures, relating only to
7 institutions of higher education under its jurisdiction, to:

- 8 (1) Make lease payments to the South Dakota Building Authority for projects authorized
9 to be paid out of that fund by the Legislature;
- 10 (2) Maintain and repair existing facilities, including facilities occupied under capital
11 leases, in amounts as may from time to time be authorized by the Legislature;
- 12 (3) Make rent payments from higher education facilities funds, appropriated through the
13 general appropriation act for such purposes, to other private or public parties for
14 educational facilities in accordance with § 13-51-1 as necessary to the proper and
15 efficient delivery of instruction; and



1 (4) Build and equip new facilities as may from time to time be authorized by the
2 Legislature.

3 No funding may be provided in any year for subdivision (3) or (4) of this section until the
4 level of annual appropriations reaches three million dollars for subdivision (2) of this section.
5 Authorizations for new lease payments, new construction, reconstruction, and renovation are
6 restricted to and shall not exceed the amount of higher education facilities funds in excess of
7 the sum of existing lease payments to the South Dakota Building Authority plus three million
8 dollars for maintenance and repair.