

State of South Dakota

NINETIETH SESSION
LEGISLATIVE ASSEMBLY, 2015

732W0629

HOUSE BILL NO. 1199

Introduced by: Representatives Bordeaux, Bartling, Feickert, Gibson, Hawks, Killer, Kirschman, McCleerey, Ring, Schoenfish, Schrempp, and Soli and Senators Heinert, Bradford, Hunhoff (Bernie), Parsley, and Sutton

1 FOR AN ACT ENTITLED, An Act to authorize funding for tribal colleges to defray certain
2 costs associated with educating nonbeneficiary students and to make an appropriation
3 therefor.

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

5 Section 1. The Board of Regents shall provide financial assistance to tribally controlled
6 colleges and community colleges to defray a portion of the costs incurred by the college or
7 community college in providing educational services for enrolled resident nonbeneficiary
8 students. For purposes of this Act, a nonbeneficiary student is a student who is enrolled in a
9 tribally controlled college or community college, but is not an enrolled member of a federally
10 recognized Indian tribe.

11 Section 2. To receive assistance under this Act, a tribal college or community college shall
12 apply to the Board of Regents. The money shall be distributed on a prorated basis according to
13 the eligible resident nonbeneficiary student enrollment in each tribal college or community
14 college during the previous year. The nonbeneficiary student enrollment includes each



1 nonbeneficiary student who is enrolled at the college or community college, who meets the
2 South Dakota residency requirements prescribed for institutions controlled by the Board of
3 Regents, and who is enrolled in courses for which credit is transferable to an institution
4 controlled by the Board of Regents. However, the requirement for enrollment in courses for
5 which credit is transferable to an institution controlled by the Board of Regents does not apply
6 to a nonbeneficiary student enrolled in a course directly related to a vocational degree program
7 or to a two-year to four-year degree program or certificate program. Funding under this Act is
8 limited to a maximum of four thousand dollars each year for each full-time equivalent
9 nonbeneficiary student.

10 Section 3. Any tribal college or community college located in this state is eligible to receive
11 supplemental grant assistance for nonbeneficiary students.

12 Section 4. Any funding that is available pursuant to this Act is in addition to the budget
13 approved for the Board of Regents in the general appropriations act.

14 Section 5. There is hereby appropriated from the general fund the sum of seven hundred
15 thousand dollars (\$700,000), or so much thereof as may be necessary, to the Board of Regents
16 to provide funding in accordance with sections 1 to 4, inclusive, of this Act, to tribally
17 controlled colleges and community colleges to defray a portion of the costs incurred by such
18 institutions in providing educational services to non-Indian students.

19 Section 6. The executive director of the Board of Regents shall approve vouchers and the
20 state auditor shall draw warrants to pay expenditures authorized by this Act.

21 Section 7. Any amounts appropriated in this Act not lawfully expended or obligated by
22 June 30, 2016, shall revert in accordance with § 4-8-21.