

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

400S0671

SENATE BILL NO. 189

Introduced by: The Committee on Appropriations at the request of the Office of the
Governor

1 FOR AN ACT ENTITLED, An Act to revise certain budgetary provisions relating to certain
2 funds received from the federal government.

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

4 Section 1. That § 4-8A-14 be amended to read as follows:

5 4-8A-14. The provisions of §§ 4-7-32, 4-7-39, 4-8A-8, 4-8-17.1, and 31-2-14 do not apply
6 to any funds received by the State of South Dakota from the federal government through the
7 American Recovery and Reinvestment Act of 2009, P.L. 111-5 or the FAA Air Transportation
8 Modernization and Safety Improvement Act, P.L. 111-226.

9 Section 2. That § 4-8A-15 be repealed.

10 ~~4-8A-15. The Bureau of Finance and Management shall provide a report on the same~~
11 ~~schedule required for federal purposes, to the special committee created in § 4-8A-2 detailing~~
12 ~~all receipts, expenditures, transfers, encumbrances, carryovers and any other information as~~
13 ~~required for federal reporting on funds received by the State of South Dakota from the federal~~
14 ~~government through the American Recovery and Reinvestment Act of 2009, P.L. 111-5. The~~
15 ~~report shall be posted on the South Dakota government information website, OPEN SD.~~



1 Section 3. That section 3 of chapter 23 of the 2009 Session Laws be amended to read as
2 follows:

3 Section 3. This Act is effective June 29, 2009, and expires on June 30, ~~2011~~ 2016.

4 Section 4. That chapter 4-8 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Notwithstanding the prohibition by § 4-8-19 of funds being carried forward, funds received
7 by the state from the federal government through the American Recovery and Reinvestment Act
8 of 2009, P.L. 111-5 or the FAA Air Transportation Modernization and Safety Improvement Act,
9 P.L. 111-226 may be carried forward.

10 Section 5. That chapter 4-8 be amended by adding thereto a NEW SECTION to read as
11 follows:

12 Notwithstanding the prohibition by § 4-8-19 of funds being carried forward, the sums of ten
13 million six hundred twenty-three thousand four hundred twenty-three dollars (\$10,623,423), or
14 so much thereof as may be necessary, in general funds within the Board of Regents and twenty-
15 six million two hundred ninety-two thousand two hundred sixty-one dollars (\$26,292,261), or
16 so much thereof as may be necessary, in general funds within the Department of Education as
17 appropriated in the general appropriations act for fiscal year 2011 shall be carried forward to
18 fiscal year 2012. This section shall expire on June 30, 2012.

19 Section 6. This Act is effective June 28, 2011.