



2020 South Dakota Legislature

Senate Bill 40

CONFERENCE COMMITTEE ENGROSSED

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

1 **An Act to authorize the Board of Regents to contract for the construction of an Allied**
 2 **Health Facility and the demolition of Julian Hall and the Julian Hall Addition**
 3 **to the University of South Dakota, to make an appropriation therefor, and to**
 4 **declare an emergency.**

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

6 **Section 1.** The Board of Regents is hereby authorized to contract for the planning, site
 7 preparation, construction, furnishing, and equipping of a forty-five thousand square foot Allied
 8 Health Facility at the University of South Dakota, including any heating, air conditioning,
 9 plumbing, water, sewer, electric facilities, sidewalks, parking, landscaping, architectural and
 10 engineering services, asbestos abatement, and any other services or actions required to
 11 accomplish the project, for an estimated cost of twenty-two million dollars, subject to any
 12 adjustments authorized in section 3 of this Act.

13 **Section 2.** There is hereby appropriated to the Board of Regents from the higher education
 14 facilities fund allocable to the University of South Dakota, the sum of five million dollars
 15 (\$5,000,000), or so much thereof as may be necessary; the sum of seven million five hundred
 16 thousand dollars (\$7,500,000), or so much thereof as may be necessary, from revenue bonds
 17 authorized by subdivision (7) of section 2 of chapter 107 of the 2012 Session Laws; the
 18 general fund sum of five million dollars (\$5,000,000), or so much thereof as may be
 19 necessary; and the sum of four million five hundred thousand dollars (\$4,500,000), or so
 20 much thereof as may be necessary, in other fund expenditure authority, together with any
 21 additional sums received pursuant to section 5 of this Act to cover any adjustments authorized
 22 in section 3 of this Act.

23 **Section 3.** The cost estimates contained in this Act are stated in terms of 2019 values. The
 24 Board of Regents may adjust the cost estimates to reflect the inflation as measured by the
 25 Building Cost Index, reported by the Engineering News Record and additional expenditures
 26 required to comply with regulations adopted after the effective date of this Act, or additional

1 sums received pursuant to section 5 of this Act. Any adjustments to construction cost
2 estimates for the project may not exceed one hundred twenty-five percent of the estimated
3 project construction cost stated in section 1 of this Act.

4 **Section 4.** The acquisition, construction, completion, maintenance and equipping of the Allied
5 Health Facility by the Building Authority being in the public interest, the South Dakota Building
6 Authority may finance up to twelve million five hundred thousand dollars of the design and
7 construction costs of the Allied Health Facility through the issuance of revenue bonds, in
8 accordance with this Act and chapter 5-12.

9 **Section 5.** The Board of Regents may accept, transfer, and expend any funds obtained for
10 the projects authorized in this Act from federal sources, donations, or any other external
11 sources, all of which comprise a special fund for the benefitted project. All moneys deposited
12 into that fund are hereby appropriated to the projects authorized by this Act, subject to
13 limitations stated in sections 1 to 3, inclusive, of this Act.

14 **Section 6.** The Board of Regents may demolish, remove, and dispose of the structures known
15 as Julian Hall, consisting of approximately fifty thousand one hundred and seventy-three
16 square feet, and the Julian Hall Addition, consisting of approximately forty-three thousand
17 three hundred eighty-three square feet, at the University of South Dakota. This project
18 includes demolition, abatement of asbestos or any other hazardous materials, lawful disposal
19 of the fixtures or rubble, and any other action reasonably necessary to prepare the lot for the
20 construction of a parking lot for the Allied Health Facility authorized in section 1 of this Act.

21 **Section 7.** The administration of the design and construction of the project authorized in this
22 Act shall be under the general charge and supervision of the Bureau of Administration as
23 provided in chapter 5-14.

24 **Section 8.** The executive director of the Board of Regents shall approve vouchers and the
25 state auditor shall draw warrants to pay expenditures authorized by this Act.

26 **Section 9.** Any amounts appropriated in this Act not lawfully expended or obligated shall
27 revert in accordance with the procedures prescribed in chapter 4-8.

28 **Section 10.** No indebtedness, bond, or obligation incurred or created under the authority of
29 this Act may be or may become a lien, charge, or liability against the State of South Dakota,
30 nor against the property or funds of the State of South Dakota within the meaning of the
31 Constitution or laws of the state.

1 **Section 11.** The Board of Regents may make and enter into a lease agreement with the
2 Building Authority and make rental payments under the terms thereof, pursuant to chapter
3 5-12, from the higher education facilities fund or any other available funds authorized
4 pursuant to this Act or any other law.

5 **Section 12.** The general fund appropriation provided by section 2 of this Act is contingent
6 upon the university obtaining matching funds of four million five hundred thousand dollars
7 (\$4,500,000).

8 **Section 13.** Whereas, this Act is necessary for the support of the state government and its
9 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in
10 full force and effect from and after its passage and approval.