



2022 South Dakota Legislature

Senate Bill 97

Introduced by: **Senator V. J. Smith**

1 **An Act to authorize the Board of Regents to acquire the incubator building located**
2 **on the campus of South Dakota School of Mines and Technology, to contract**
3 **for the design and renovation thereof, to make an appropriation thereof, and**
4 **to declare an emergency.**

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

6 **Section 1.** The Board of Regents may acquire, on behalf of South Dakota School of Mines
7 and Technology, the incubator building located on the campus of South Dakota School of
8 Mines and Technology, at the purchase price of up to \$5,250,000, but not to exceed the
9 appraised value of the building.

10 **Section 2.** The Board of Regents is hereby authorized to contract for the planning, design,
11 renovation, furnishing and equipping of the building identified in section 1 of this act, together
12 with heating, air conditioning, plumbing, water, sewer, electric facilities, offices, laboratories,
13 sidewalks, parking, landscaping, architectural, and engineering service, and such other
14 facilities, services or actions as may be required to accomplish the project, for an estimated
15 cost of \$2,000,000, subject to any permitted adjustments pursuant to section 4 of this Act.

16 **Section 3.** There is hereby appropriated to the Board of Regents, for the purpose authorized
17 in section 1 of this Act, the sum of \$5,250,000 from the general fund, and appropriated
18 \$2,000,000 in other fund expenditure authority, for the purpose authorized in section 2 of
19 this Act, together with any additional sums received pursuant to section 5 of this Act and
20 permitted adjustments pursuant to section 4 of this Act.

21 **Section 4.** The construction cost estimates contained in section 2 of this Act are stated in
22 terms of 2021 values. The Board of Regents may adjust such cost estimates to reflect project
23 inflation as measured by the Building Cost Index, reported by the Engineering News Record,
24 and additional expenditures required to comply with regulations adopted after the effective
25 date of this Act, or additional sums received pursuant to section 5 of this Act. However, any

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

3 **Section 5.** The Board of Regents may accept, transfer, and expend any funds obtained for
4 the projects authorized in this Act from federal sources, donations, or any other external
5 sources, all of which comprise a special fund for the benefitted project. All moneys deposited
6 into that fund are hereby appropriated to the projects authorized by this Act, subject to the
7 limitations stated in sections 2 to 4, inclusive, of this Act.

8 **Section 6.** The administration of the design and construction of the project authorized in this
9 Act shall be under the general charge and supervision of the Bureau of Administration as
10 provided in chapter 5-14.

11 **Section 7.** The executive director of the Board of Regents shall approve vouchers and the
12 state auditor shall draw warrants to pay expenditures authorized by this Act.

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

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