

AN ACT

ENTITLED, An Act to authorize the Board of Regents to expend higher education facilities funds to maintain and repair certain facilities occupied under capital leases.

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

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

13-51-2. There is continued an educational facilities fund in the state treasury from which the Board of Regents may make expenditures, relating only to institutions of higher education under its jurisdiction, to:

- (1) Make lease payments to the South Dakota Building Authority for projects authorized to be paid out of that fund by the Legislature;
- (2) Maintain and repair existing facilities in amounts as may from time to time be authorized by the Legislature;
- (3) Maintain and repair the Sanford School of Medicine building occupied under capital lease located on Lot 9 except the North 14 Feet, Lots 10 through 14, the East 7.7 Feet of Lots 15, 18 and 19, and the East 7.7 Feet except the North 14 Feet of Lot 20, Block 2, Hayward Investment Company Subdivision of Block A of Hayward's Addition, and the West one-half of the vacated portion of Euclid Avenue adjacent to Lot 9 except the North 14 Feet and Lots 10, 11 and 12, Block 2, Hayward Investment Company Subdivision of Block A of Hayward's Addition to the City of Sioux Falls, Minnehaha County, South Dakota;
- (4) Make rent payments from higher education facilities funds, appropriated through the general appropriation act for such purposes, to other private or public parties for educational facilities in accordance with § 13-51-1 as necessary to the proper and efficient delivery of instruction; and
- (5) Build and equip new facilities as may from time to time be authorized by the Legislature.

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

