

SOUTH DAKOTA BOARD OF REGENTS

AGENDA ITEM: 4 – I
DATE: March 29-30, 2022

SUBJECT

2022 Legislative Overview

CONTROLLING STATUTE, RULE, OR POLICY

[BOR Policy 1:5, Section C.2 \(2.9\)](#)

BACKGROUND / DISCUSSION

The 2022 South Dakota Legislature ended with Veto Day on March 28, 2022. This agenda item provides a brief, high-level review of major legislative activity in the session just concluded.

IMPACT AND RECOMMENDATIONS

The 2022 legislative session will be remembered for its historic support of the public higher education system (roughly \$288 million from all fund sources), the addition of base general funds to support all Board of Regents employees’ salaries, and elimination of the self-support tuition rate.

ATTACHMENTS

Attachment I – 2022 Legislative Summary

INFORMATIONAL ITEM

2022 Legislative Summary

✓ 94 bills tracked (54 priority and 40 other bills of interest)

Session Highlights

- ❖ **Historic support for public higher education** – Action by the South Dakota Legislature and Gov. Kristi Noem resulted in significant investments in the public universities and special schools. State employee salary policy was set at a 6.0% increase, effective July 1, 2022. The regents' system also stands to benefit from special appropriations bills that increased funding support in these broad categories:
 - General funds: \$61,626,285
 - Federal (American Rescue Plan Act) funds: \$60,150,000
 (*includes \$22,650,000 for BOR's share of water, wastewater and storm water projects)
 - Other funds authority: \$166,429,644
- **Salary policy base general funds** – The state historically covers less than half of the salary and benefit package for employees in the public university system. That means tuition, fees, and student charges are raised internally to cover the rest of the obligation. This year the Legislature agreed to an additional \$8.7 million in base general funds to support all BOR salaries.
- **Self-support tuition rates** – Self-support tuition originated as special rates charged to non-traditional students who did not attend classes on campus. As student course-taking preferences evolved, the off-campus centers in Sioux Falls and Rapid City were no longer market competitive. Action taken in the 2021 (*Senate Bill 27*) and 2022 legislative sessions (*House Bill 1024*) now gives the Board of Regents flexibility to set rates off-campus and online. This will increase the Board of Regents' ability to utilize the off-campus locations more fully. It also supports initiatives to produce more graduates for high-demand health care fields in the Rapid City and Sioux Falls areas.

2022 LEGISLATIVE SUMMARY

94 bills tracked (54 priority and 40 other bills of interest)

Bills Passed - Introduced on behalf of the Board of Regents

- HB1021 – DSU athletics event center (\$28,047,000 other fund expenditure authority)
- HB1022 – SDSU basketball arena remodel (\$53,168,000 other fund expenditure authority)
- HB1023 – SDSU demolition of Wecota Annex (\$800,000 other fund expenditure authority)
- HB1024 – Repeal self-support tuition rates
- SB42 – USD wellness center addition (\$25M other fund expenditure authority)
- SB43 – Health sciences addition at BHSU-Rapid City (\$8M in American Rescue Plan Act Capital Projects funds, \$7,114,644 other fund expenditure authority)
- SB44 – NSU Lincoln Hall (\$29.5M in American Rescue Plan Act Capital Projects funds)

Bills Passed - Board Priority or Supported Initiatives

- SB54 – DSU cyber program expansion (\$30M general funds)
- SB130 – DSU Applied Research Lab (\$50M other fund expenditure authority)
- HB1210 – USD Discovery District biomedical facility (\$15M general funds)
- SB97 – South Dakota Mines incubator building acquisition (\$5.25M general funds, \$2M other fund expenditure authority)
- HB1137 – SDSU high performance computing and data storage for system use (\$1,935,993 general funds)
- HB1092 – SDSU & DSU CyberAg partnership initiative (\$1.25M general funds)
- SB50 – Water, wastewater, and storm water projects (BOR's share is \$22.65M in American Rescue Plan Act funds)

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Bills Passed - Other Appropriated Projects

- SB84 – SDSU Cottonwood Field Station multi-purpose facility (\$6M general funds)
- HB1209 – USD National Music Museum (\$2M general funds)
- SB132 – BHSU multi-media lab equipment (\$112,500 general funds)
- SB133 – BHSU education lab upgrade (\$77,792 general funds)
- SB161 – Matching funds for NASA grant to tribal institutions (\$300,000 other fund expenditure authority)

Bills Passed – Other Topics

- SB154 – Revise South Dakota Freedom Scholarship criteria
- HB1012 – Protect students and employees at higher education institutions from divisive concepts
- SB46 – Protect fairness in women’s sports

Bills Passed – General Budget Bills

- HB1340 – General Bill for Fiscal Year 2023
- SB60 – Revise General Appropriations Act for Fiscal Year 2022