



2024 South Dakota Legislature  
**Senate Bill 49**  
**ENROLLED**

AN ACT

**ENTITLED An Act to make an appropriation for the site preparation of a prison facility for offenders committed to the Department of Corrections, to transfer moneys to the incarceration construction fund, and to declare an emergency.**

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

**Section 1. That section 2 of chapter 195 of the 2023 Session Laws be AMENDED:**

The Department of Corrections is hereby authorized to contract for the planning and site preparation of a prison facility for offenders committed to the Department of Corrections, including architectural services, engineering services, utilities, and other services as may be required to accomplish the project.

**Section 2.** There is hereby appropriated the sum of \$10,000,000 in federal fund expenditure authority, for the expenditure of State Fiscal Recovery Fund moneys authorized by the American Rescue Plan Act, for installing the water and sewer infrastructure of a prison facility for offenders committed to the Department of Corrections as established by 2023 Session Laws, chapter 195, § 2.

**Section 3.** The state treasurer shall transfer the sum of \$132,449,532 from the general fund and the sum of \$93,629,262 from the budget reserve fund to the incarceration construction fund created in § 1-15-37 for the future construction of the prison facility described in this Act.

**Section 4.** The administration of the design and construction of the project authorized in this Act shall be under the general charge and supervision of the Bureau of Administration as provided in chapter 5-14.

**Section 5.** The secretary of the Department of Corrections shall approve vouchers and the state auditor shall draw warrants to pay expenditures authorized by this Act.

**Section 6.** Any amounts appropriated in this Act not lawfully expended or obligated by June 30, 2027, shall revert in accordance with the procedures prescribed in chapter 4-8.

**Section 7.** Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.

An Act to make an appropriation for the site preparation of a prison facility for offenders committed to the Department of Corrections, to transfer moneys to the incarceration construction fund, and to declare an emergency.

\_\_\_\_\_

I certify that the attached Act originated in the:

Senate as Bill No. 49

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 49  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

\_\_\_\_\_

Received at this Executive Office  
this \_\_\_\_ day of \_\_\_\_\_,  
2024 at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 2024

\_\_\_\_\_  
Governor

**STATE OF SOUTH DAKOTA,**

ss.

Office of the Secretary of State

Filed \_\_\_\_\_, 2024  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State