



## 2022 South Dakota Legislature

# House Bill 1188

Introduced by: **Representative** Bordeaux

1 **An Act to establish the nonbeneficiary student scholarship program and make an**  
 2 **appropriation therefor.**

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

4 **Section 1. That chapter 13-55 be amended with a NEW SECTION:**

5 There is hereby established the nonbeneficiary student scholarship program to be  
 6 administered by the Department of Tribal Relations. The purpose of the scholarship  
 7 program is to defray a portion of the costs incurred when a nonbeneficiary student is  
 8 enrolled in a tribally controlled institution of higher education. For the purposes of this  
 9 Act, the term, nonbeneficiary student, means a student who is enrolled in Oglala Lakota  
 10 College in Kyle, Sinte Gleska University in Rosebud, Sitting Bull College in Mobridge, or  
 11 Sisseton-Wahpeton Community College in Sisseton; who meets the South Dakota  
 12 residency requirement established in § 13-53-24; and who is not an enrolled member of  
 13 a federally recognized Indian tribe.

14 **Section 2. That chapter 13-55 be amended with a NEW SECTION:**

15 To receive a scholarship under this Act, a nonbeneficiary student shall apply on a  
 16 form prescribed by the Department of Tribal Relations. A student is eligible to participate  
 17 in the scholarship program for up to four consecutive semesters or until the attainment of  
 18 a baccalaureate degree, whichever comes first. The consecutive enrollment requirement  
 19 may be waived for a good cause as determined by rules promulgated pursuant to chapter  
 20 1-26 by the secretary of the Department of Tribal Relations.

21 **Section 3. That chapter 13-55 be amended with a NEW SECTION:**

22 In order to maintain eligibility in the nonbeneficiary student scholarship program,  
 23 a nonbeneficiary student must maintain enrollment at a tribally controlled institution of

1 higher education in this state and make continued progress toward a degree as determined  
2 by the student's program of study.

3 **Section 4. That chapter 13-55 be amended with a NEW SECTION:**

4 Funding for the nonbeneficiary student scholarship is limited to a maximum of one  
5 thousand dollars per year for each full-time-equivalent nonbeneficiary student. One-half  
6 of the scholarship award must be paid to the institution of higher education on behalf of  
7 an eligible nonbeneficiary student at the beginning of the fall semester, and one-half of  
8 the scholarship award must be paid to the institution of higher education on behalf of an  
9 eligible nonbeneficiary student at the beginning of the spring semester. If, in any year,  
10 the moneys available for scholarships are insufficient to permit each eligible  
11 nonbeneficiary student to receive the full amount provided in this section, the available  
12 moneys must be prorated and distributed on behalf of each eligible nonbeneficiary student  
13 in proportion to the entitlement created in this section.

14 **Section 5.** There is hereby appropriated from the general fund the sum of \$49,000 to the  
15 Department of Tribal Relations, for purposes of funding the nonbeneficiary scholarship  
16 program established in section 1 of this Act.

17 **Section 6.** The secretary of the Department of Tribal Relations shall approve vouchers and  
18 the state auditor shall draw warrants to pay expenditures authorized by this Act.