



**Bureau of Administration, Buildings & Grounds  
Facility Use Request**

**State Capitol and Capitol Complex Use Guidelines**

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**A. Purpose**

South Dakota's Capitol building, located at 500 East Capitol Avenue in Pierre, S.D., is the business center for state government and houses the state Legislature, the South Dakota Supreme Court, most Constitutional Officers, and various agencies of executive management. The Capitol complex is comprised of more than 200 acres of state property that includes 21 buildings, including the Capitol building and Governor's residence; Capitol Lake; more than 80 acres of cultured grass, including Hilgers Gulch; and numerous memorials. The Capitol complex also attracts visitors from across the world to see its architecture, artworks, and attend events held annually in the building, for example the Christmas tree display between Thanksgiving and Christmas.

The Capitol complex's primary purpose is to serve the operation and functions of state government, but it is also open for public use and enjoyment. However, no activities will be allowed or permitted which would interfere with the Capitol complex's primary functions or which would harm or destroy the natural, horticultural, or architectural beauty, or harm the physical condition or safety of the Capitol complex, the public, and the employees working therein. The following definitions and provisions govern the use of the buildings, grounds, and facilities within the Capitol complex under the authority of the Bureau of Administration (BOA) pursuant to SDCL 1-14-12 and 5-15-34 and ARSD Article 10:08.

The guidelines and policies set forth below supersede and control any previous BOA policy on use of the Capitol complex. If there is a conflict between this policy and another BOA policy, the terms of this policy will prevail.

**B. Defined Terms**

1. "Capitol complex" includes all state capitol buildings and capitol grounds within the capitol complex in Pierre, South Dakota. This **excludes** the public sidewalks along the perimeter of the Capitol complex which are under the authority of the City of Pierre.
2. "Capitol Building" includes the basement, first and second floor of the Capitol, the front steps leading into the Capitol, the grounds around and including Circle Drive, and the grounds surrounding the Capitol building, as generally located on the attached map as "Location 1."
3. "Visitors Center" refers to the Capitol Lake Visitors Center, located at 650 East Capitol Avenue in Pierre, S.D., which sits on the western shore of Capitol Lake within the Capitol complex and includes the lake peninsula and the first responder and war memorials. The Visitors Center building is a 4,000 square foot facility with a conference room, restrooms, kitchen, public gallery, and rooftop observation deck, as generally located on the attached map as "Location 2."

4. "South Dakota Boulevard North grounds" refers to the section of the Capitol complex that is enclosed by South Dakota Boulevard, Broadway Avenue, Nicollet Avenue, and Church Street, as generally located on the attached map as "Location 3."
5. "Hilgers Gulch" refers to the approximately 65-acre green space within the Capitol complex that contains, in part, walking paths and trails and the Governor's Grove. Hilgers Gulch is located to the north of Capitol building, on the north side of Church Street and west of Governors Drive, as generally located on the attached map as "Location 4."
6. "State Event" includes all functions initiated and controlled by any State agency, board, commission, or elected or appointed state official acting on behalf of or for state related business, including all activities related to the gubernatorial oath of office and inauguration held pursuant to SDCL 3-1-2.
7. "Non-State Event" is any activity or event not encompassed by the definition of State Event.
8. Activity and event include any formal or informal gathering or congregation of one or more persons for any purpose, display or exhibit, show, presentation, performance, demonstration, party, or ceremony.
9. Location refers to areas within the Capitol complex where activities and events may be held with an approved application from BOA.

### **C. Application for Use**

1. No activity or event may occur on the Capitol complex without an approved Application for Use of the State Capitol and Capitol Complex (application).
2. All applications are subject to review by Capitol Protective Services.
3. Upon approval, Non-State events may occur in any of the following designated locations within the Capitol complex: the Capitol building, the Visitors Center, Hilgers Gulch, or the South Dakota Boulevard North grounds. An applicant should numerically rank these locations in the application form according to their level of preference.
4. Applications and locations will be approved on a first-come/first-serve basis subject to this policy. No application will be approved if the requested use would interfere with governmental functions, the conduct of state business, or if the State does not have an appropriate level of resources to accommodate the request.
5. An applicant may not be approved for more than one location for one event. Two or more locations for one event may be approved subject to availability, demand, and required state resources for the event.
6. State Events may occur anywhere within the Capitol complex and will be given preference for the locations listed in section C.3., above. If a Non-State Event will be impacted by a State Event, BOA will notify the contact person as soon as possible and will make every effort to reasonably accommodate, relocate, or reschedule the Non-State event.
7. A Non-State Event may not exceed three consecutive days.
8. Only one Non-State Event per day per location will be approved.

9. An applicant using the Capitol complex may be required to pay for additional costs (staff and other incidental costs) associated with the approval of an application.
10. A completed and signed application form must be submitted at least one week prior to the requested date of use. Note: availability of the Capitol building during the annual Legislative Session (mid-January to mid-March) fills quickly and often far in advance of the Legislative Session's start.
11. An application form may not be submitted more than one year in advance of the requested date of use.
12. Based on the demand and availability for use of the Capitol Complex, an applicant requesting use for Non-State Events may receive the top preferred location for the first three approved applications per calendar year and any subsequent application may be approved with a lower preferred location. Any approved Non-State Event may be relocated, altered, or denied under this provision.
13. Completed and signed application forms and fees must be submitted to:  
Buildings & Grounds  
Room B01  
500 East Capitol Avenue  
Pierre, SD 57501-5070
14. Use of the Visitors Center must be requested using a separate application form and has an additional set of guidelines that apply specifically to its use. Contact Buildings & Grounds for more information by calling 605-773-3344 weekdays between 8:00 a.m. – 5:00 p.m. (CT) or visit <http://www.state.sd.us/boa/>.
15. Any denied application will contain a stated reason for the denial and will be issued by the Commissioner of BOA or his authorized designee.
16. No application will be approved or denied based on the content.
17. BOA reserves the right to relocate, alter, or cancel any activity or event at the discretion of the Commissioner.
18. Contact Buildings & Grounds with questions regarding use of complex by calling 605-773-3344 weekdays between 8:00 a.m. - 5:00 p.m. (CT).

#### **D. Areas and Hours of Availability**

1. In general, the Capitol complex, with the exception of the Capitol Building, is available for activities and events during normal operating hours.
2. The Capitol building is generally open from 8:00 a.m. to 5:00 p.m. (CT) on weekdays and from 8:00 a.m. to 5:00 p.m. (CT) on weekends and holidays. Extended hours occur during the annual Christmas tree display and Legislative Session. It is available for activities and events during normal operating hours.
3. Visitors will enter the Capitol building through the north entrance and proceed through the security screening area. Signs are present to assist visitors and inform them about prohibited items in the Capitol building, also listed in Section N below.

4. Within the Capitol building Non-State Events may be located in the following spaces: the Rotunda area and grand staircase on the second floor; the Rotunda area on the first floor; the front steps of the Capitol building; Circle Drive; and the cafeteria in the basement.
5. Use of the third and fourth floor of the Capitol building is at the discretion of the Legislative Research Council, not BOA. Special conditions and fees may apply. Contact the Legislative Research Council at 605-773-3251 for more information and to submit a request.
6. During the annual Christmas tree display (Thanksgiving week through New Year's Day) the public areas in the Capitol building are used for activities and events related to the display and special scheduling and space considerations apply typically beginning on the 10<sup>th</sup> day of November. Please contact BOA, 605-773-3688, for more information about scheduling a Christmas tree display-related activity or event.
7. Any approved application for use of the Capitol complex will not prevent any use by the general public.

#### **E. Tables, Chairs, & Staging**

1. Buildings & Grounds will make available for use inside the Capitol building the items listed below, for the fee set forth in Section P. No additional or other furniture may be brought into or used in the Capitol building.
  - a. 12 (3' x 6') tables;
  - b. 50 chairs;
  - c. A floor-standing podium;
  - d. 4 sections of 4' x 8' x 16" staging;
  - e. 10 (32-gallon) garbage cans; and
2. Buildings & Grounds staff will deliver the requested items to the location prior to the activity or event. The applicant is responsible for setup, arrangement, and teardown unless Buildings & Grounds assistance is requested (please note there is an additional fee for this service).
3. Tables, chairs, staging, and podium will not be provided for use outdoors. Any equipment requirements for an outdoor event must be provided by the applicant.
4. Up to ten garbage cans are available for use on the Capitol complex.
5. No other item or equipment is available for use from the State and the applicant is responsible for any other item or equipment needed for the activity or event.

#### **F. Technology**

1. Public wireless internet access is available in the Capitol building. (Signal availability and strength will vary depending on location.) State agencies are responsible for any necessary arrangements with the Bureau of Information & Telecommunications for access to the secure state network in the Capitol building. All state government technology use guidelines must be followed.
2. No other technology or electronic device or service is available for use in the Capitol building or on the Capitol complex. The applicant is responsible for providing any other audio, video or

computer device, network or service; projector or projector screen; phone; or any cabling and power cords.

#### **G. Electricity**

1. Any use of electricity (anything that plugs in) must be noted on the application form to ensure there is sufficient electrical capacity at the event or activity location.
2. Requests to use more electricity than can be provided with existing capacity may be considered but will only be fulfilled if the actual cost in time and materials for providing additional electricity is reimbursed.

#### **H. Decorations, Displays, & Signage**

1. Displays or exhibits must be self-supporting and may not be leaned against or attached to any part of any building.
2. No decoration, signage, or banner may be attached to interior walls, support columns, ceilings, railings, or windows by tape, nails, sticky-tack, staples, glue, paste, rope, twine, fishing line, pins, or tacks.
3. No decorations, signage, or banner may be attached to the exterior walls, columns, railings, light posts, or signs.
4. Only after requesting permission in the application and receiving BOA approval to do so, ground-staked or self-supporting signage or other items may be placed on the Capitol complex. Prior BOA approval of signage type and location is required to avoid damage to irrigation and other infrastructure systems.
5. Flyers may be posted only to public bulletin boards in the cafeteria area.
6. The applicant is responsible for providing any equipment or item needed for display, exhibit, decoration, or signage for the event or activity (except as otherwise provided in these use guidelines).

#### **I. Sound Systems & Performances**

1. No sound system is available for use in the Capitol building or on the Capitol complex, except for State Events and as approved by the Commissioner of BOA.
2. An approved sound system must be provided by the applicant and may only be used from 12:00 p.m. to 1:00 p.m. and after 5:00 p.m. (CT) on weekdays and within normal building operating hours on weekends and holidays.
3. Music, dance, drum, vocal, and choral performances or ceremonies may only be held in the Capitol building from 12:00 p.m. to 1:00 p.m. and after 5:00 p.m. (CT) on weekdays and within normal building operating hours on weekends and holidays. Exceptions may be made for State events.

#### **J. Serving Food**

1. No food preparation, cooking, or warming is allowed in public areas of the Capitol building.

2. Food must be prepared elsewhere and delivered to the event by the applicant.
3. Any electrical device related to the preparation or serving of food is prohibited, including crockpots, hot plates, coffee pots, heat lamps, steam tables, and sterno-like devices.
4. Applicants are responsible for explaining and enforcing food service rules to caterers.

#### **K. Café Use**

1. The café in the basement of the Capitol building is available for use except for when the Legislature is in session or during any special session of the Legislature.
2. The café may only be used from 8:00 a.m. – 5:00 p.m. on weekdays.
3. The café kitchen equipment may not be used for the cooking, preparation, or warming of food. Catered food is recommended.
4. The café tables are arranged in banquet style and can seat 50.

#### **L. General Rules of Conduct**

1. Activities or events may not interfere with or disrupt the normal functions of state government or other activities in the Capitol building or on the Capitol complex.
2. Noise created by activities or events may not be disruptive to state government or the neighborhood.
3. No solicitation is allowed. No admission fees may be charged for events or activities held in or on the Capitol complex. Sales of any goods, services, food, or beverages or any fundraising activities are also prohibited.
4. Candles, open flames, flammable or combustible materials, or hazardous, corrosive or toxic liquids or gasses that could cause danger or discomfort to people or damage public property are prohibited.
5. Fire exits must remain open and unlocked at all times. At least four feet must be available between tables, easels, display structures, and exhibits. Doors and hallways must not be blocked.
6. Swimming or fishing in Capitol Lake is prohibited.
7. Pets, livestock, and other animals are prohibited on the Capitol complex, with the exception of service animals and animals used in approved educational events or activities. Any request for the presence of any animal must be included in the application.
8. The applicant is required to pickup/cleanup at the conclusion of the activity or event.
9. All areas of the Capitol complex must remain open to the public during the activity or event.

#### **M. Weddings**

Wedding ceremonies may be held on the Capitol complex, commonly within the Capitol Rotunda or at the Visitors Center. A special set of guidelines and application form must be used to request use of the Capitol building or Capitol complex for a wedding ceremony. Contact Buildings & Grounds, 605-773-3344 to request the wedding ceremony guidelines and application form.

## **N. Alcohol, Tobacco, Marijuana or Cannabis, & Firearms**

1. Serving and consumption of alcohol is prohibited;
2. Use of tobacco products (including e-cigarettes and vape products) is prohibited;
3. Use of marijuana or cannabis is prohibited, except as may be allowed by state law; and
4. Firearms and dangerous weapons are prohibited except as allowed under state law.

## **O. Security & Responsibility**

1. Applicants are liable for any and all damage to the building or grounds, or for personal injury caused by the activity or event held on the Capitol complex.
2. Applicants agree to hold harmless and indemnify the State of South Dakota by understanding and agreeing to the terms contained in the application form.
3. Appropriate insurance coverage and a certificate of proof of such coverage may be required based on the nature of the activity or event and may be required prior to application approval.
4. The State of South Dakota is not responsible for the theft, destruction, damage, or loss of materials related to activities or events held at the Capitol complex.
5. Applicants must provide supervision of displays or exhibits which are part of their activity or event at all times during the approved permit period.
6. Applicants must immediately report any security problems or loss to Capitol Protective Services by calling 605-773-3154.
7. Cleanliness and service issues should be reported to Buildings & Grounds during normal weekday business hours at 605-773-3344 and to Capitol Protective Services at any other time at 605-773-3154.

## **P. Fees**

1. Fees are charged for use of equipment to cover expenses of maintenance, cleaning, equipment, and facility wear.
2. The fees charged for equipment use for each activity or event:
  - \$5.00 per table;
  - \$0.50 per chair;
  - \$25.00 per staging section; and
  - \$5.00 podium use.
3. The fees charged for services for each activity or event:
  - \$100.00 Setup and teardown assistance from Buildings & Grounds.
  - Actual Cost Time and material for any additional electrical capacity.
4. No date reservation will be complete or held until the submission of the completed application form. Fees must be paid in full and received within one week of application approval, or the reservation is subject to cancellation by a new application.

5. Checks or money orders shall be made payable to the "State of South Dakota" and sent to:  
Buildings & Grounds  
Room B01  
500 East Capitol Avenue  
Pierre, SD 57501-5070  
No other method of payment is accepted.
6. Fees will be refunded if the activity or event is cancelled more than 48 hours in advance.

**Q. Use Discretion**

The Commissioner of BOA has discretion to cancel or waive any of the above guidelines, fees, or any condition for use. Pursuant to ARSD 10:08:01:04, the Commissioner of BOA has discretion to prohibit, cancel, or put to an end any activity or event or request a person to leave the Capitol complex based upon their actions, disruptive behavior, the risk to the health, safety, or general welfare of the public. Before acting upon this discretion, the Commissioner of BOA will consult with Capitol Protective Services.