

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

400B0362

SENATE BILL NO. 16

Introduced by: The Committee on Commerce and Energy at the request of the Public Utilities Commission

1 FOR AN ACT ENTITLED, An Act to establish certain provisions regarding financial security
2 for the decommissioning of wind turbines.

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

4 Section 1. That chapter 49-41B be amended by adding a NEW SECTION to read:

5 All right and title in any financial security required by the commission for the
6 decommissioning of wind turbines shall be controlled by the commission until the commission
7 by order releases the security. The financial security does not constitute an asset of the person
8 required to provide it, and may not be cancelled, assigned, revoked, disbursed, replaced, or
9 allowed to terminate without commission approval. The financial security shall be in a form and
10 a reasonable and proper amount approved by the commission, and may include a surety bond,
11 escrow account, letter of credit, trust, guarantee, or cash deposit.

