

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

400B0364

SENATE BILL NO. 17

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

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding certain indemnity
2 bonds that the Public Utilities Commission may require.

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

4 Section 1. That § 49-41B-38 be amended to read:

5 49-41B-38. In the case of any ~~trans-state transmission facility or transmission~~ facility as
6 defined in this chapter, the ~~Public Utilities Commission shall~~ commission may require any
7 person performing any construction or survey work to furnish an indemnity bond in a reasonable
8 amount, which shall be in lieu of any county or township indemnity bond pursuant to §§ 31-12-
9 43 and 31-13-55. ~~Such~~ The bond shall run in favor of, and for the benefit of, ~~such~~ the townships,
10 counties, or other governmental entities whose property is crossed by ~~such trans-state~~
11 ~~transmission facility or transmission~~ the facility to insure that any damage beyond normal wear
12 to public roads, highways, bridges, or other related facilities shall be adequately compensated.
13 ~~The form, terms, and conditions of such bond shall be subject to the approval of the Public~~
14 ~~Utilities Commission~~ commission shall approve the form, terms, and conditions of any
15 indemnity bond required under this section.

