

# State of South Dakota

EIGHTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2009

645Q0737

## HOUSE LOCAL GOVERNMENT ENGROSSED NO. **SB 184** - 3/5/2009

Introduced by: Senators Hanson (Gary), Fryslie, Garnos, Maher, Peterson, and Schmidt and  
Representatives Vanneman, Brunner, Hunhoff (Bernie), Jensen, Juhnke,  
Lucas, and Turbiville

1 FOR AN ACT ENTITLED, An Act to require the terms of certain easements or options to  
2 accommodate other easements for wind or essential services.

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

4 Section 1. That chapter 43-13 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 The holder of any wind easement, wind lease, or easement for essential services shall  
7 accommodate the reasonable development of another holder of any wind easement, wind lease,  
8 or easement for essential services except for competing developers of wind energy projects. For  
9 purposes of this section, the term, essential services, includes any electric transmission and  
10 distribution lines and associated facilities, telecommunications facilities, and rural water  
11 systems.

