

# State of South Dakota

EIGHTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2013

762U0480

## SENATE BILL NO. 92

Introduced by: Senators Kirkeby, Johnston, Lederman, Lucas, Maher, Monroe, Novstrup (Al), Otten (Ernie), Rave, Rhoden, and Welke and Representatives Solum, Conzet, Cronin, Dryden, Feickert, Feinstein, Greenfield, Heinert, Hoffman, Hunhoff (Bernie), Johns, Magstadt, Miller, Munsterman, Novstrup (David), Olson (Betty), Otten (Herman), Rozum, Schaefer, Schrempp, Stalzer, Tyler, Verchio, and Wink

1 FOR AN ACT ENTITLED, An Act to provide for the repair of property that has sustained  
2 damage when the materials are no longer available in the marketplace.

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

4 Section 1. That chapter 58-12 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 If a building or structure has sustained damage, the property casualty insurer shall attempt  
7 to match the material in any repair. If the material is no longer available in the marketplace, the  
8 insurer shall match the damaged material with material that has a similar quality, type, texture,  
9 and color.

