

State of South Dakota

NINETIETH SESSION
LEGISLATIVE ASSEMBLY, 2015

616W0343

SENATE BILL NO. 72

Introduced by: Senators Lederman, Curd, Greenfield (Brock), Peterson (Jim), and Sutton and Representatives Wollmann, Harrison, Hawley, Kirschman, Rounds, and Wiik

1 FOR AN ACT ENTITLED, An Act to provide an exemption from certain excavation
2 requirements in an emergency.

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

4 Section 1. For the purposes of chapter 49-7A, a response to an emergency, by an operator,
5 involving damage to any facility that necessitates the immediate repair of the facilities to prevent
6 loss of life, health, property, or essential public services, is not considered excavation. This
7 exemption does not exempt the operator from first giving notice to the one-call notification
8 center pursuant to § 49-7A-5 or providing notice of damage pursuant to § 49-7A-12. Once the
9 emergency response is complete, subsequent excavation involving the facility is subject to the
10 requirements of § 49-7A-5.

