

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

400B0364

SENATE COMMERCE AND ENERGY ENGROSSED NO. **SB 17** - 1/15/2019

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~~ the trans-state
11 transmission facility or transmission facility to insure that any damage beyond normal wear to
12 public roads, highways, bridges, or other related facilities shall be adequately compensated. The
13 ~~form, terms, and conditions of such bond shall be subject to the approval of the Public Utilities~~
14 ~~Commission~~ commission shall approve the form, terms, and conditions of any indemnity bond



1 required under this section.