

# State of South Dakota

NINETY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2018

400Z0486

## HOUSE BILL NO. 1024

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 South Dakota One  
2 Call.

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

4 Section 1. That § 49-7A-2 be amended to read:

5 49-7A-2. The Statewide One-Call Notification Board is established as an agency of state  
6 government ~~administered by the Public Utilities Commission~~ and funded ~~solely~~ by revenue  
7 generated by the one-call notification center. The board is attached to the Public Utilities  
8 Commission for reporting and budgetary purposes. Any interest earned on money in the state  
9 one-call fund shall be deposited in the fund. The money is continuously appropriated to the  
10 board to implement and administer the provisions of this chapter. The one-call notification  
11 center may be organized as a nonprofit corporation. The one-call notification center shall  
12 provide a service through which a person can notify the operators of underground facilities of  
13 plans to excavate and to request the marking of the facilities. All operators are subject to this  
14 chapter and the rules promulgated thereto. Any operator who fails to become a member of the  
15 one-call notification center or who fails to submit the locations of the operator's underground



1 facilities to the center, as required by this chapter and rules of the board, is subject to applicable  
2 penalties under §§ 49-7A-18 and 49-7A-19 and is subject to civil liability for any damages  
3 caused by noncompliance with this chapter. Any penalties which may be assessed by the board  
4 under this chapter shall be collected as provided by law and deposited into the one-call fund.