



2023 South Dakota Legislature

House Bill 1184

Introduced by: **Representative** Krohmer

1 **An Act to revise provisions related to the One-Call Notification Board.**

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

3 **Section 1. That § 49-7A-2 be AMENDED:**

4 **49-7A-2.** The Statewide One-Call Notification Board is established as an agency
 5 of state government and funded by revenue generated by the one-call notification center.
 6 ~~The board is attached to the Public Utilities Commission only for budgetary purposes. The~~
 7 board is solely responsible for all contractors and employment of any personnel working
 8 for the board and retains responsibility for all funds of the board and all expenditures
 9 thereof. The board is solely responsible for all functions and duties vested in the board
 10 ~~and the board shall exercise those functions and duties independent of the Public Utilities~~
 11 ~~Commission.~~ Any interest earned on money in the state one-call fund shall be deposited
 12 in the fund. The money is continuously appropriated to the board to implement and
 13 administer the provisions of this chapter. The one-call notification center may be organized
 14 as a nonprofit corporation. The one-call notification center shall provide a service through
 15 which a person can notify the operators of underground facilities of plans to excavate and
 16 to request the marking of the facilities. All operators are subject to this chapter and the
 17 rules promulgated thereto. Any operator who fails to become a member of the one-call
 18 notification center or who fails to submit the locations of the operator's underground
 19 facilities to the center, as required by this chapter and rules of the board, is subject to
 20 applicable penalties under §§ 49-7A-18 and 49-7A-19 and is subject to civil liability for
 21 any damages caused by noncompliance with this chapter. Any penalties which may be
 22 assessed by the board under this chapter ~~shall~~ must be collected as provided by law and
 23 deposited into the one-call fund.