



2022 South Dakota Legislature

Senate Bill 39

Introduced by: The Committee on Agriculture and Natural Resources at the request of the South Dakota Public Utilities Commission

1 **An Act to reduce the period for filing claims upon the revocation of a grain buyer**
 2 **license.**

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

4 **Section 1. That § 49-45-19 be AMENDED:**

5 **49-45-19.** Upon the revocation, ~~termination, or cancellation~~ of a grain buyer
 6 license, any claim against the grain buyer arising under this chapter ~~shall~~ must be made
 7 in writing and filed with the commission, within ~~six months~~ ninety days after receiving
 8 notice of the revocation, ~~termination, or cancellation~~.

9 Upon the revocation of a grain buyer license, the commission shall ~~publish notice~~
 10 ~~of the revocation once;~~

11 (1) Once each week for two consecutive weeks, publish notice of the revocation in a:

12 (a) A newspaper of general circulation in each county in which the licensee grain
 13 buyer maintains a business location; ~~and in a~~

14 (b) A newspaper of general circulation within the state;

15 ~~The commission shall also send notice of the revocation by certified mail; and~~

16 (2) Send, by certified mail, to each scale ticket holder named in ~~the an~~ audit prepared
 17 pursuant to § 49-45-18. The, a notice shall state the of revocation that includes:

18 (a) The name and address of the grain buyer, the;

19 (b) The effective date of the revocation, and the;

20 (c) The name and address of the surety on the grain buyer bond. The notice
 21 shall also state; and

22 (d) A statement that any claims against the grain buyer ~~shall~~ must be made in
 23 writing and sent by ordinary mail to the commission, within ~~six months~~
 24 ninety days after receiving notice of the revocation.