



2023 South Dakota Legislature

Senate Bill 36

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

1 **An Act to require quarterly reporting of alleged crimes and civil proceedings**
 2 **involving grain transactions and to provide a penalty therefor.**

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

4 **Section 1. That chapter 49-26 be amended with a NEW SECTION:**

5 A grain buyer holding a Class A license shall provide written notification to the
 6 commission, at the time of submitting the quarterly balance sheet pursuant to § 49-45-
 7 22, if the grain buyer:

8 (1) Becomes aware of:

9 (a) Embezzlement in excess of fifty thousand dollars;

10 (b) Theft in excess of fifty thousand dollars; or

11 (c) Fraud in excess of fifty thousand dollars, allegedly perpetrated upon the
 12 grain buyer;

13 (2) Becomes a creditor in a bankruptcy proceeding and has a claim in excess of fifty
 14 thousand dollars; or

15 (3) Becomes a party to a civil proceeding, in which there is a claim in excess of fifty
 16 thousand dollars.

17 If a willful violation of this section results in a financial loss to a grain supplier, the
 18 violation is punishable as theft under chapter 22-30A.