



2020 South Dakota Legislature

House Bill 1171

Introduced by: **Representative** Rasmussen

1 **An Act to require commercial pesticide applicators to maintain proof of financial**
 2 **responsibility.**

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

4 **Section 1.** That a NEW SECTION be added:

5 **38-21-17.1. Commercial pesticide applicator--Proof of financial**
 6 **responsibility.**

7 Each commercial pesticide applicator licensed under § 38-21-17 shall maintain
 8 proof of financial responsibility consisting of a surety bond, certificate of insurance, or a
 9 notarized letter from a financial institution or a certified public accountant attesting to net
 10 assets of at least one hundred thousand dollars. The proof of financial responsibility must
 11 be provided on demand to the secretary or an inspector from the Department of
 12 Agriculture. The surety bond shall be in an amount of at least one hundred thousand
 13 dollars. The liability insurance shall be in an amount of at least one hundred thousand
 14 dollars for bodily injury or death, for each person; and in an amount of at least one
 15 hundred thousand dollars for each aggregate occurrence; and one hundred thousand
 16 dollars for property damage for each occurrence.

17 The provisions of this section do not apply to any employee of a commercial
 18 pesticide applicator business or any government employee.