



2025 South Dakota Legislature

House Bill 1012

Introduced by: The Chair of the Committee on Commerce and Energy at the request of the Department of Public Safety

1 **An Act to clarify the status of the Statewide One-Call Notification Board as an agency**
2 **administered by the Department of Public Safety and the duties of the Board.**

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

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

5 **49-7A-2.** The Statewide One-Call Notification Board is ~~established as an agency~~
6 ~~of state government~~ administered by the Department of Public Safety and funded by
7 revenue generated by the one-call notification center. ~~The board is solely responsible for~~
8 ~~all contractors and employment of any personnel working for the board and retains~~
9 ~~responsibility for all funds of the board and all expenditures thereof. The board is solely~~
10 ~~responsible for all functions and duties vested in the board. The department shall assist~~
11 ~~the board and coordinate the development of the statewide one-call notification system.~~
12 The board may hire employees within the department and contractors to assist with the
13 coordination of the statewide one-call notification system. The board is responsible for
14 duties, functions, and funds of the board. The department shall assist with the expenditure
15 of funds pursuant to applicable state laws.

16 There is created in the state treasury the state one-call fund. Any interest earned
17 on money in the state one-call fund shall must be deposited in the fund. The money is
18 continuously appropriated to the board to implement and administer the provisions of this
19 chapter.

20 The one-call notification center may be organized as a nonprofit corporation. The
21 one-call notification center shall provide a service through which a person can notify the
22 operators of underground facilities of plans to excavate and to request the marking of the
23 facilities.

24 All operators are subject to this chapter and the rules promulgated thereto. Any
25 operator who fails to become a member of the one-call notification center or who fails to
26 submit the locations of the operator's underground facilities to the center, as required by

1 this chapter and rules of the board, is subject to applicable penalties under §§ 49-7A-18
2 and 49-7A-19 and is subject to civil liability for any damages caused by noncompliance
3 with this chapter.

4 Any penalties~~—which~~ that may be assessed by the board under this chapter must
5 be collected as provided by law and deposited into the one-call fund.