



## 2021 South Dakota Legislature

# House Bill 1074

Introduced by: **Representative Willadsen**

1 **An Act to limit the liability regarding authorized boiler inspections.**

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

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

4 **34-29A-8.1. Inspection--Liability.**

5 Any boiler inspection required by § 34-29A-7 that is performed by a special  
6 inspector authorized pursuant to § 34-29A-6 and conducted incidental to the issuance or  
7 renewal of boiler and machinery insurance, may not subject an insurer, its agents, or its  
8 employees to any liability for damages for any act or omission in the course of performing  
9 the inspection. This section does not apply if the gross negligence of the insurer, its agent,  
10 or its employee created the condition that was the proximate cause of the injury, death,  
11 or loss.