

# State of South Dakota

NINETY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2018

418Z0839

## HOUSE BILL NO. 1235

Introduced by: Representative Gosch and Senator Cronin

1 FOR AN ACT ENTITLED, An Act to provide that counties shall require certain requirements  
2 for wind energy facility decommissioning.

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

4 Section 1. That chapter 11-2 be amended by adding a NEW SECTION to read:

5 A county that adopts an ordinance under § 11-2-17.3 for a wind energy facility as defined  
6 under § 49-41B-2 shall require in addition to any other process under § 11-2-17.5, a bond,  
7 guarantee, insurance, or other requirement to provide funding for the decommissioning and  
8 removal of the wind energy facility with a combined megawatt capability of the facility's  
9 turbines of less than one hundred megawatts of electricity, and for the restoration and reversion  
10 of the land on which the facility is located to its previous use.

