

South Dakota Codified Laws
Title 36. Professions and Occupations
Chapter 36-16. Electricians and Electrical Contractors

SDCL T. 36, Ch. 36-16, Refs & Annos
Currentness

© 2019 by the State of South Dakota

SDCL T. 36, Ch. 36-16, Refs & Annos, SD ST T. 36, Ch. 36-16, Refs & Annos
Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-1

36-16-1. License required to engage in electrical contracting--
Purpose of regulation--Noncompliance as misdemeanor

Currentness

Any person, firm, partnership, limited liability company, or corporation engaged, or offering to engage, in business as an electrical contractor as defined in [§ 36-16-2](#) or any person performing the work as defined in this chapter, shall obtain a license from the State Electrical Commission before any person may undertake and perform such work to the end that any such work will be safely and properly installed in accordance with approved standards for such work. It is a Class 2 misdemeanor for any person, firm, partnership, limited liability company, or corporation to engage in such business or such work unless the provisions of this chapter are complied with.

Credits

Source: SL 1963, ch 216, § 1; SL 1977, ch 190, § 183; SL 1986, ch 315, § 1; [SL 1991, ch 308, § 1](#); [SL 1993, ch 281, § 1](#); [SL 1994, ch 351, § 77](#).

© 2019 by the State of South Dakota

SDCL § 36-16-1, SD ST § 36-16-1

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-2

36-16-2. Definition of terms

Currentness

Terms used in this chapter mean:

- (1) "Apprentice electrician," a person learning the trade under the supervision and employment of an electrical contractor, journeyman electrician or Class B electrician, or a person learning the trade under the supervision of a 501(d) electrician, or a person employed by a public entity or private corporation, firm or partnership who is learning the trade under the supervision of an electrical contractor or Class B electrician who is employed by the same public entity or private corporation, limited liability company, firm, or partnership;
- (2) "Class B electrician," a person having the necessary qualifications, training, technical knowledge and at least thirty-six months' experience in wiring, installing and repairing electrical apparatus and equipment in accordance with the standard rules established by the State Electrical Commission;
- (3) "Electrical contractor," a person having the necessary qualifications, training, experience, and technical knowledge to plan, lay out, and supervise the installation and repair of electrical wiring, apparatus, and equipment for electric light, heat and power in accordance with the standard rules governing such work; and who undertakes or offers to undertake with another to plan for, lay out, supervise and install or to make additions, alterations and repairs in the installation of such work;
- (4) "Electrical inspector," a person experienced in all classes of electrical work and either
 - (a) shall be a graduate of a recognized electrical school as approved by State Electrical Commission rules and shall have had a total of four years' experience, which may not include school experience, in electrical work, or
 - (b) shall have had at least six years of practical experience in electrical wiring.Any qualified inspector may be issued an electrical contractor's license, provided however, he pay the necessary fees as set forth in this chapter;
- (5) "Journeyman electrician," a person having the necessary qualifications, training, technical knowledge and at least four years' experience in wiring, installing, and repairing electrical apparatus and equipment in accordance with the standard rules established by the State Electrical Commission;

- (6) “Maintenance electrician,” a person working under a maintenance electrician's license of a public entity, firm, partnership, limited liability company, or corporation;
- (7) “501(d) electrician,” a person having the necessary qualifications, training and technical knowledge in wiring, installing, and repairing electrical apparatus and equipment in accordance with the administrative rules promulgated by the State Electrical Commission. A 501(d) licensee is restricted to wiring on 501(d) properties within the State of South Dakota. 501(d) is the reference to the federal internal revenue code that provides the exemption for a religious or apostolic association or corporation.

Credits

Source: SL 1963, ch 216, § 2; SL 1967, ch 128, § 1; SL 1986, ch 315, § 3; SL 1987, ch 273, § 1; [SL 1991, ch 308, § 6](#); [SL 1994, ch 351, § 78](#); [SL 2009, ch 183, § 1](#).

© 2019 by the State of South Dakota

S D C L § 36-16-2, SD ST § 36-16-2

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-3

36-16-3. State Electrical Commission--Number and terms of members

Currentness

The State Electrical Commission shall perform all functions exercised by the former State Electrical Board. The State Electrical Commission consists of seven members to be appointed by the Governor for a term of three years. No member may serve more than three consecutive full terms. However, appointment to fill an unexpired term is not considered a complete term for this purpose. Not all of the members shall be of the same political party. The Governor may stagger the terms to enable the commission to have different terms expire each year. Any member appointed to the commission prior to July 1, 2005, shall serve the four-year term to which the member was originally appointed. Any member appointed to the commission after July 1, 2005, shall serve a three-year term. One member shall represent an electric utility, one member shall be a licensed electrical contractor, one member shall be a licensed electrician with at least a journeyman level license and one member shall have fire safety expertise.

Credits

Source: SL 1963, ch 216, § 3; SL 1980, ch 380, §§ 17 to 20; [SL 2005, ch 199, § 47](#).

© 2019 by the State of South Dakota

SDCL § 36-16-3, SD ST § 36-16-3

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-4

36-16-4. Commission member involved in education of electrical engineers or electricians

Currentness

The Governor shall appoint one member of the State Electrical Commission who shall be involved in the education of electrical engineers or electricians. This member shall serve without compensation.

Credits

Source: SL 1963, ch 216, § 3; SL 1980, ch 380, § 19; SL 2004, ch 17, § 235; SL 2004, ch 250, § 1; SL 2005, ch 199, § 48; SL 2011, ch 179, § 1.

© 2019 by the State of South Dakota

SDCL § 36-16-4, SD ST § 36-16-4

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-4.1

36-16-4.1. Lay members of commission--Appointment and term of office

Currentness

The membership of the State Electrical Commission shall include two lay members who are users of the services regulated by the commission. The term lay member who is a user refers to a person who is not licensed by the commission but where practical uses the service licensed, and the meaning shall be liberally construed to implement the purpose of this section. The lay members shall be appointed by the Governor and, after the initial appointments, both such lay members shall have the same term of office as members of the commission appointed under § 36-16-3.

Credits

Source: SL 1973, ch 2, § 58.

© 2019 by the State of South Dakota

SDCL § 36-16-4.1, SD ST § 36-16-4.1

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-5

36-16-5. Oath of office--Tenure

Currentness

A member of the State Electrical Commission shall qualify by taking and subscribing the oath of office required by other state officers, which shall be filed in the Office of the Secretary of State. Each member shall hold his office until his successor is appointed and qualified.

Credits

Source: SL 1963, ch 216, § 3.

© 2019 by the State of South Dakota

SDCL § 36-16-5, SD ST § 36-16-5

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-6

36-16-6. Quorum of commission

Currentness

A majority of the members of the State Electrical Commission shall constitute a quorum for transaction of business.

Credits

Source: SL 1963, ch 216, § 4 (2).

© 2019 by the State of South Dakota

SDCL § 36-16-6, SD ST § 36-16-6

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-7

36-16-7. Officers of commission--Expenses of members

Currentness

The members of the State Electrical Commission shall select from their members a president and a secretary/treasurer. Each member of the commission except as provided in § 36-16-4 shall receive travel expenses pursuant to § 3-9-2 when actively engaged in the discharge of the member's duties.

Credits

Source: SL 1963, ch 216, § 4 (1); SL 1986, ch 27, § 29; [SL 1994, ch 301, § 1](#).

© 2019 by the State of South Dakota

SDCL § 36-16-7, SD ST § 36-16-7

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-8

36-16-8. Meetings of commission--Notice

Currentness

The State Electrical Commission shall hold a meeting in the month of July of each year in Pierre and may hold such other meetings as are necessary to review qualifications and perform the other duties coming before it. Special meetings shall be held at the time and place determined by the president, and upon ten days' notice given by the president to each member of the commission.

Credits

Source: SL 1963, ch 216, § 4 (3); [SL 1994, ch 301, § 2](#).

© 2019 by the State of South Dakota

SDCL § 36-16-8, SD ST § 36-16-8

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-8.1

36-16-8.1. Commission continued within Department of Labor and Regulation--Records and reports

Currentness

The State Electrical Commission shall continue within the Department of Labor and Regulation, and shall retain all its prescribed functions, including administrative functions. The commission shall submit such records, information, and reports in the form and at such times as required by the secretary of labor and regulation, except that the commission shall report at least annually.

Credits

Source: SL 1973, ch 2 (Ex. Ord. 73-1), §§ 3(d), 56(i); SL 2003, ch 272 (Ex. Ord. 03-1), § 48; SL 2011, ch 1 (Ex. Ord. 11-1), § 33, eff. Apr. 12, 2011.

© 2019 by the State of South Dakota

SDCL § 36-16-8.1, SD ST § 36-16-8.1

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-9

36-16-9. Electrical commission fund--Collections and disbursements

Currentness

All money coming into the custody of the commission shall be paid by the commission to the state treasurer on or before the tenth day after receipt of the money. The state treasurer shall credit the money to the South Dakota electrical commission fund. The money in the South Dakota electrical commission fund is continuously appropriated to the commission for the purpose of paying the expense of administering and enforcing the provisions of this chapter. However, the total expense incurred may not exceed the total money collected by the commission under the provisions of this chapter.

Credits

Source: SL 1963, ch 216, § 4 (5); SL 1994, ch 301, § 3; SL 2011, ch 179, § 2.

© 2019 by the State of South Dakota

SDCL § 36-16-9, SD ST § 36-16-9

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-10

36-16-10. Expense of commission

Currentness

All reasonable and necessary expenses incurred in conducting the business of the State Electrical Commission shall be allowed and paid by the commission.

Credits

Source: SL 1963, ch 216, § 4 (4).

© 2019 by the State of South Dakota

SDCL § 36-16-10, SD ST § 36-16-10

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-11

36-16-11. Repealed by SL 1982, ch 16, § 32

[Currentness](#)

© 2019 by the State of South Dakota

SDCL § 36-16-11, SD ST § 36-16-11

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-12

36-16-12. Seal of commission--Scope of rules

Currentness

The State Electrical Commission shall adopt a seal. The commission shall promulgate rules, pursuant to chapter 1-26, pertaining to: license applications, examinations, continuing education, qualifications, wiring permits, electrical installation, inspection fees and procedures; local inspection systems; modular homes and structures; carnivals and seasonal dwellings and supplementary power and cogeneration systems.

Credits

Source: SL 1963, ch 216, § 5 (1); SL 1972, ch 15, § 4; SL 1986, ch 302, § 22; [SL 1994, ch 302, § 1](#); [SL 1995, ch 221, § 1](#).

© 2019 by the State of South Dakota

S D C L § 36-16-12, SD ST § 36-16-12

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-13

36-16-13. Application for license--Requirements and examination--Fees--Notice of certain occurrences

Effective: [See Text Amendments] to June 30, 2019

[Currentness](#)

Any person, partnership, company, corporation or association that for a fixed sum, price, fee, percentage or other consideration, undertakes or offers to undertake with another to plan, lay out, supervise, install, make additions, make alterations, or make repairs, in the installation of wiring, apparatus or equipment for electric lights, heat or power, shall apply to the State Electrical Commission for a license. A license shall be issued in the class specified in [§ 36-16-2](#) for which application has been made upon qualifying under this chapter and the rules of the commission and satisfactorily passing such examinations as shall be required by the commission.

The commission shall promulgate rules, pursuant to chapter 1-26, establishing fees for the examination and the application. The commission may charge, or may authorize a third party that administers the examination, to charge each participant an examination fee not to exceed one hundred fifty dollars per occurrence of examination or reexamination. The application fee may not exceed fifty dollars per occurrence.

Each holder of or applicant for a license under this chapter shall notify the commission in writing, within thirty days after its occurrence, of any issuance, denial, revocation, or suspension of a certificate, license, or permit by another state, change of address or employment, or any conviction of a felony.

Credits

Source: SL 1963, ch 216, § 6 (1); SL 1967, ch 128, § 3; SL 1978, ch 272, § 1; SL 1986, ch 302, § 23; [SL 2009, ch 184, § 1](#); [SL 2011, ch 179, § 3](#).

© 2019 by the State of South Dakota

SDCL § 36-16-13, SD ST § 36-16-13

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-13.1

36-16-13.1. Use of license by others prohibited--Violation as misdemeanor

Effective: [See Text Amendments] to June 30, 2019

[Currentness](#)

An electrical contractor, Class B electrician, 501(d) electrician, or journeyman electrician may not permit the use of his license by any other person or knowingly permit the use thereof by another. A violation of this section is a Class 2 misdemeanor.

Credits

Source: SL 1986, ch 315, § 2; [SL 2009, ch 183, § 2](#).

© 2019 by the State of South Dakota

SDCL § 36-16-13.1, SD ST § 36-16-13.1

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-13.2

36-16-13.2. Issuance of license to public entities

Currentness

The State Electrical Commission may issue a maintenance electrician's license to a public entity, firm, partnership or corporation. The maintenance electrician license shall be limited to electrical maintenance work, as defined by electrical commission rules, performed at the public entity, firm, partnership or corporation property. The license shall be issued according to rules adopted by the State Electrical Commission.

Credits

Source: SL 1986, ch 315, § 6.

© 2019 by the State of South Dakota

SDCL § 36-16-13.2, SD ST § 36-16-13.2

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-13.3

36-16-13.3. Inactive license--Performance of job requiring
license prohibited--Exemption--Change of inactive license

Currentness

The State Electrical Commission may issue an inactive Class B electrician license, inactive electrical contractor license, an inactive 501(d) electrician license, and an inactive journeyman electrician license. No person holding an inactive license may perform any job requiring a Class B electrician or electrical contractor's license. The person holding any inactive license is exempt from the requirements of § 36-16-20. The commission may promulgate rules to determine the requirements a person holding an inactive license shall meet if the person applies to change his inactive license to a license allowing him to perform work for which a license is required.

Credits

Source: SL 1987, ch 279, § 1; SL 1991, ch 308, § 2; SL 2009, ch 183, § 3.

© 2019 by the State of South Dakota

SDCL § 36-16-13.3, SD ST § 36-16-13.3

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-14

36-16-14. Contractor license required for installation of wiring
or parts--Farm and residential wiring by Class B electrician

Currentness

No contract, agreement, or understanding with another for the installation of electrical wiring or the installation of electrical parts of other apparatus shall be entered into by anyone not an electrical contractor. Provided, however, that a Class B electrician, as defined in § 36-16-2, is authorized to enter into a contract, undertaking, or agreement for the installation of electrical wiring and his authority under the contract, undertaking or agreement is limited to the installation of farm electrical wiring, residential electrical wiring, the installation of electrical equipment, appliances and apparatus, in relation to said farm and residential wiring.

Credits

Source: SL 1963, ch 216, § 15; SL 1978, ch 272, § 2.

© 2019 by the State of South Dakota

SDCL § 36-16-14, SD ST § 36-16-14

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-15

36-16-15. License not required for wiring on own residence or farmstead--Inspection and fee--Failure to report as misdemeanor

Currentness

No license is required of an individual installing electric wiring in his own residence or farmstead. Entrance installations in excess of sixty amperes capacity, circuits or the installation of electrical parts of other apparatus shall be subject to inspection and payment of an inspection fee as provided by §§ 36-16-29 and 36-16-30. Failure to report this work as required by law is a Class 2 misdemeanor.

Credits

Source: SL 1963, ch 216, § 6 (3) as added by SL 1967, ch 128, § 3; SL 1986, ch 315, § 4.

© 2019 by the State of South Dakota

SDCL § 36-16-15, SD ST § 36-16-15

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-16

36-16-16. Persons exempt from license requirement

Currentness

The following persons are not required to hold an electrician's license:

- (1) Employees of utilities engaged in the manufacture and distribution of electrical energy, when engaged in work directly pertaining to the manufacture and distribution of electrical energy or persons or companies when engaged in work pertaining directly to such services, if the work is designed, supervised, or installed by a person qualified in the work being done. This exemption shall terminate at the first point of service attachment, except for the installing or testing of electric meters and measuring devices and the maintenance of their service;
- (2) Employees of telephone, telegraph, radio and television communication services and pipelines or persons or companies when engaged in work pertaining directly to such services, if the work is designed, supervised or installed by a person qualified in the work being done;
- (3) Electrical work and equipment in mines, ships, railways, rolling stock or automotive equipment, and in packing plants supervised and regulated by the Department of Agriculture;
- (4) Replacement of lamps and connection of portable electrical devices to suitable receptacles which have been permanently installed;
- (5) Radio and appliance service repair departments;
- (6) Maintenance on oil burners and space heaters where installation of same has been effected by a Class B or journeyman electrician in accordance with this chapter;
- (7) Architects, designers, and engineers engaged in the planning and laying out of electrical work;
- (8) Employees of electrical utilities engaged in the installation and maintenance of utility street lighting, traffic signal devices or electric utility-owned security lights or persons or companies when engaged in work pertaining directly to such services, if the work is designed, supervised, or installed by a person qualified in the work being done; or
- (9) Employees of alarm and communications companies or services when wiring an alarm or communications system when the system is classified as power limited class 2 or class 3 signaling circuits, power limited fire

protective signaling circuits, class 2 or class 3 alarm circuits, or communications circuits or systems, as covered by articles 725, 760, 770, 800, 810, 820 of the National Electrical Code as it was approved by the American National Standards Institute and in effect on January 1, 1989, or persons or companies when engaged in work pertaining directly to such services, if the work is designed, supervised, or installed by a person qualified in the work being done.

Credits

Source: SL 1963, ch 216, § 12; SL 1965, ch 152, § 1; SL 1986, ch 315, § 5; SL 1988, ch 302; SL 1989, ch 327; [SL 1991, ch 308, § 6](#); [SL 2011, ch 179, § 4](#).

© 2019 by the State of South Dakota

S D C L § 36-16-16, SD ST § 36-16-16

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-17

36-16-17. Biennial fees for licenses

Currentness

The State Electrical Commission shall promulgate rules, pursuant to chapter 1-26, to establish and collect biennial fees for licenses. The class of electricians who may be licensed under this chapter, and biennial fees required to be paid for the license, may not exceed the following:

- (1) Electrical contractor: biennial license fee, one hundred dollars;
- (2) Journeyman electrician: biennial license fee, forty dollars;
- (3) Class B electrician: biennial license fee, forty dollars;
- (4) Electrical inspector: biennial license fee, forty dollars;
- (5) Inactive Class B electrician, inactive electrical contractor, inactive 501(d) electrician, or inactive journeyman electrician: biennial license fee, forty dollars;
- (6) Maintenance electrician: biennial license fee, forty dollars;
- (7) 501(d) electrician; biennial license fee, forty dollars.

Before a license is granted to any applicant and for the biennial renewal of such license the applicant shall pay to the treasurer the fee required for the class of license applied for.

Credits

Source: SL 1963, ch 216, §§ 7, 13; SL 1986, ch 302, § 26; SL 1986, ch 315, § 7; SL 1987, ch 279, § 2; SL 1991, ch 308, §§ 3, 6; SL 1997, ch 219, § 1; SL 2009, ch 183, § 4.

© 2019 by the State of South Dakota

SDCL § 36-16-17, SD ST § 36-16-17

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-18

36-16-18. Temporary journeyman electrician's license--Fee

Currentness

The secretary of the State Electrical Commission, upon the recommendation of one electrical contractor and one journeyman electrician, may issue a temporary license to an individual to engage in the trade of a journeyman electrician until the next meeting of the electrical commission. The State Electrical Commission may promulgate rules, pursuant to chapter 1-26, to establish and collect a fee not to exceed ten dollars to be charged for a temporary journeyman electrician's license.

Credits

Source: SL 1963, ch 216, § 9; SL 1986, ch 302, § 27.

© 2019 by the State of South Dakota

SDCL § 36-16-18, SD ST § 36-16-18

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-19

36-16-19. Experience required for contractor's license

Currentness

A person must have had at least two years' experience as a journeyman electrician or at least four years' experience as a Class B electrician before making application for an electrical contractor's license.

Credits

Source: SL 1963, ch 216, § 2 (4); SL 1978, ch 272, § 3.

© 2019 by the State of South Dakota

SDCL § 36-16-19, SD ST § 36-16-19

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-20

36-16-20. Undertaking and insurance required of contractor or Class B electrician--Initial and renewal deposit--Disbursement from fund--Waiver

Currentness

Before receiving a license as an electrical contractor or as a Class B electrician, an applicant shall execute and deposit with the State Electrical Commission an undertaking in the sum of ten thousand dollars, and a public liability insurance policy in a sum of not less than one hundred thousand dollars per occurrence and three hundred thousand dollars aggregate limit for bodily injury and property damage insurance with limits of not less than twenty-five thousand dollars per occurrence or a combined single limit of three hundred thousand dollars, or security approved by the commission in a sum equal to that amount, conditioned for the faithful performance of all electrical work undertaken by the electrician and the strict compliance with all the provisions of this chapter and the requirements of the commission. The required undertaking and liability insurance shall be in force at all times with certificates of insurance on file in the commission office. No electrical contractor or Class B electrician licensed under the provisions of this chapter need furnish any additional undertaking for municipal license as such contractor or electrician. In the case of a partnership or corporation, the licensed person is exempt from insurance or undertaking requirements if the employer satisfies the requirements. In addition, a deposit shall be made with the commission in the amount of fifty dollars at the time of the execution of the undertaking and biennially at the time of renewal of the applicant's license. Deposits shall be accumulated by the commission in a special fund to be used for the correction or completion of installations which the contractor or Class B electrician refuses or is unable to correct or complete, for uncollectable inspection fees or administrative fees, administrative costs of maintaining the fund and costs of enforcing provisions of this section. Disbursement from the fund may not exceed ten thousand dollars per occurrence. The commission shall waive the deposit at the time of renewal of the license for electricians who have made an initial deposit under this section if at the time of renewal the fund exceeds fifty thousand dollars. The commission may prescribe forms for the undertaking and may promulgate rules in accordance with chapter 1-26 as necessary to carry out the intent of this section.

Credits

Source: SL 1963, ch 216, § 10; SL 1964, ch 105, § 1; SL 1978, ch 272, § 4; SL 1986, ch 315, § 9; SL 1987, ch 274, § 1; SL 1991, ch 308, §§ 4, 6; SL 1992, ch 60, § 2.

© 2019 by the State of South Dakota

SDCL § 36-16-20, SD ST § 36-16-20

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-21

36-16-21. Apprentice registration--Fee--Supervision of work

Currentness

An apprentice shall register with the State Electrical Commission. The State Electrical Commission may promulgate rules, pursuant to chapter 1-26, to establish and collect a biennial registration fee not to exceed twenty dollars. Biennial fee requirements shall commence on July 1, 1986. He shall not be allowed to work on installations without personal supervision.

Credits

Source: SL 1963, ch 216, § 8; SL 1978, ch 272, § 5; SL 1986, ch 302, § 28.

© 2019 by the State of South Dakota

S D C L § 36-16-21, SD ST § 36-16-21

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-22

36-16-22. Evidence of experience required for license--Partnership or corporate license

Currentness

Each person applying for a license under this chapter shall pay a fee and shall take an oath and submit written evidence that he has had the required experience. If a partnership, company, corporation, or association applies for a license, an officer or manager thereof shall make the application and take the oath and submit evidence as to experience.

Credits

Source: SL 1963, ch 216, § 6 (2); SL 1967, ch 128, § 3; SL 1978, ch 272, § 6.

© 2019 by the State of South Dakota

SDCL § 36-16-22, SD ST § 36-16-22

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-23

36-16-23. Reciprocal licenses to electricians from other states

Currentness

To the extent that other states which provide for the licensing or registering of electricians provide for similar action, the State Electrical Commission may grant a license of the same grade or class to electricians registered or licensed by other states, upon payment by the applicant of the required fee, after being furnished with proof that the qualifications of the applicant are equal to the qualifications of the holders of a similar license in South Dakota.

Credits

Source: SL 1963, ch 216, § 19; SL 1986, ch 302, § 24.

© 2019 by the State of South Dakota

SDCL § 36-16-23, SD ST § 36-16-23

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-24

36-16-24. Repealed by SL 1986, ch 315, § 10

[Currentness](#)

© 2019 by the State of South Dakota

SDCL § 36-16-24, SD ST § 36-16-24

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-25

36-16-25. Approval of license--Emergency farm and
residential repairs exempt--Expiration and renewal of licenses

Currentness

A license issued under this chapter shall be approved by the State Electrical Commission. However, this chapter does not apply to emergency repairs to farmstead and residential wiring. Each license shall be for a term of two years and shall expire at midnight on June thirtieth following the date of issuance of each even-numbered year commencing in 1986, and may be renewed by the commission upon application of the holder of the license, payment of the fee, filing a valid liability insurance policy and payment of the required deposit to the special fund at any time within thirty days from the date of such expiration.

Credits

Source: SL 1963, ch 216, §§ 6(1), 13; SL 1967, ch 128, § 3; SL 1986, ch 302, § 29; SL 1987, ch 273, § 2; SL 1987, ch 274, § 2; [SL 1991, ch 308, § 6](#).

© 2019 by the State of South Dakota

SDCL § 36-16-25, SD ST § 36-16-25

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-26

36-16-26. Contractor's license terminated on death--Continuation of business

Currentness

An electrical contractor's license shall terminate upon death of said contractor; however, the State Electrical Commission may authorize the carrying on of said business until arrangements can be made to complete work under contract or to otherwise comply with the provisions of this chapter.

Credits

Source: SL 1963, ch 216, § 11 (2).

© 2019 by the State of South Dakota

SDCL § 36-16-26, SD ST § 36-16-26

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-27

36-16-27. Electrical work to comply with rules--Wiring permit required before connection--Fees

Currentness

All electrical wiring, apparatus, or equipment shall comply with the rules promulgated and adopted by the State Electrical Commission. The rules shall conform to approved methods of construction and promote the safety of life and property. No new electrical service entrance except for communication service may be connected for use until a wiring permit has been furnished to the person, firm, or corporation supplying electrical energy certifying that a wiring permit has been obtained in compliance with the rules promulgated by the commission. No rule specifying a wiring permit fee may exceed fifteen dollars each. No rule specifying a late wiring permit procedure fee and failure to renew permit fees may exceed seven hundred fifty dollars. However, a wiring permit for emergency temporary service may be issued by the commission in accordance with its rules promulgated pursuant to chapter 1-26.

Credits

Source: SL 1963, ch 216, § 5 (3); SL 1986, ch 315, § 11; [SL 1994, ch 302, § 2](#); [SL 1995, ch 221, § 2](#); [SL 2009, ch 184, § 2](#).

© 2019 by the State of South Dakota

S D C L § 36-16-27, SD ST § 36-16-27

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-28

36-16-28. Report to commission of electrical work done

Currentness

Every person registered under the provisions of this chapter or doing electrical work described by § 36-16-15 shall report the same to the State Electrical Commission upon forms furnished by the commission for that purpose.

Credits

Source: SL 1963, ch 216, § 14; SL 1986, ch 315, § 12.

© 2019 by the State of South Dakota

SDCL § 36-16-28, SD ST § 36-16-28

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-29

36-16-29. State commission inspectors and inspections--Report of inspection

Currentness

The State Electrical Commission shall approve inspectors qualified in accordance with subdivision 36-16-2(4) and shall, in compliance with chapter 1-26, establish the rules to be followed by the inspectors. An inspector may inspect any wiring installation and approve or condemn it except on work covered in § 36-16-16. A report of such inspections shall be made on forms prescribed by the commission.

Credits

Source: SL 1963, ch 216, § 5 (1), (2); SL 1967, ch 128, § 2; SL 1978, ch 272, § 7; [SL 1993, ch 281, § 2](#).

© 2019 by the State of South Dakota

S D C L § 36-16-29, SD ST § 36-16-29

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-30

36-16-30. Installation inspection fees

Currentness

The State Electrical Commission may promulgate rules, pursuant to chapter 1-26, to establish and collect installation inspection fees for: new residential installations, based on ampere capacity not to exceed three hundred dollars plus circuits; service connections on other installations, based on ampere capacity not to exceed three hundred seventy-five dollars plus circuits; circuit installations or alterations, based on ampere capacity not to exceed fifty dollars; remodeling work for each opening or connection not to exceed three dollars each and one dollar and fifty cents for each additional opening or connection, lighting fixture not to exceed three dollars for the first forty fixtures and not to exceed one dollar and fifty cents for each additional lighting fixture, motor or special equipment not to exceed eighteen dollars; apartment buildings per unit not to exceed fifty dollars; outdoor or area lighting per lighting standard not to exceed sixty dollars; field irrigation systems not to exceed one hundred dollars plus three dollars per motor; mobile home service and feeders not to exceed eighty dollars per unit; recreational vehicle service not to exceed twenty dollars per unit; swimming pools not to exceed two hundred dollars; each late correction order or wiring permit procedure not to exceed one hundred fifty dollars; carnivals and seasonal dwellings for each generator or transformer and reinspection of each unit not to exceed thirty dollars; wiring permits not to exceed fifteen dollars; modular homes and structures manufactured out-of-state not to exceed one hundred fifty dollars per day plus travel and living expenses.

Credits

Source: SL 1963, ch 216, § 5 (2); SL 1967, ch 128, § 2; SL 1986, ch 302, § 25; [SL 1994, ch 303](#); [SL 1995, ch 221, § 3](#); [SL 2009, ch 184, § 3](#); [SL 2011, ch 179, § 5](#).

© 2019 by the State of South Dakota

S D C L § 36-16-30, SD ST § 36-16-30

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-31

36-16-31. Condemnation of hazardous installations--Notice--Appeal to commission and circuit court

[Currentness](#)

Inspectors authorized by the State Electrical Commission to conduct inspections may condemn installations hazardous to life and property and may order service thereto discontinued. Such action may not be taken except after notice to the owner of the property and shall be subject to the owner's right of appeal to the commission. The commission shall comply with chapter 1-26, and its decision may be appealed as provided by chapter 1-26.

Credits

Source: SL 1963, ch 216, § 5 (2); SL 1967, ch 128, § 2; SL 1972, ch 15, § 4.

© 2019 by the State of South Dakota

SDCL § 36-16-31, SD ST § 36-16-31

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-32

36-16-32. Correction of condemned installation required before reconnection

Currentness

No condemned installation shall be reconnected for service until proof has been furnished that the installation has been brought up to the required standards.

Credits

Source: SL 1963, ch 216, § 5 (2); SL 1967, ch 128, § 2.

© 2019 by the State of South Dakota

SDCL § 36-16-32, SD ST § 36-16-32

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-33

36-16-33. Revocation of license

Effective: [See Text Amendments] to June 30, 2019

[Currentness](#)

The State Electrical Commission may, in compliance with chapter 1-26, revoke a license at any time provided such registered person fails to perform the electrical work in accordance with the approved standards provided for in this chapter.

Credits

Source: SL 1963, ch 216, § 13; SL 1972, ch 15, § 4.

© 2019 by the State of South Dakota

SDCL § 36-16-33, SD ST § 36-16-33

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-34

36-16-34. Failure to register, obtain license or report wiring as misdemeanor

Currentness

Any person who fails to register, obtain a license or report wiring described by § 36-16-15 as required by this chapter is guilty of a Class 2 misdemeanor.

Credits

Source: SL 1963, ch 216, § 18; SL 1977, ch 190, § 184; SL 1986, ch 315, § 13.

© 2019 by the State of South Dakota

SDCL § 36-16-34, SD ST § 36-16-34

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-34.1

36-16-34.1. Action for injunction--Election of remedies

Currentness

The State Electrical Commission shall be empowered to commence actions for injunction for violation of this chapter or regulations hereunder as an alternate to criminal proceedings. The commencement of one proceeding by the commission constitutes an election.

Credits

Source: New section created to carry out directions to the Code Commission contained in SL 1972, ch 15, § 4.

© 2019 by the State of South Dakota

SDCL § 36-16-34.1, SD ST § 36-16-34.1

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-35

36-16-35. More stringent local and utility requirements permitted

[Currentness](#)

Nothing in this chapter shall prohibit any municipality, rural electric cooperative, private utility, or political subdivision of the state from making and enforcing more stringent requirements than those set forth in this chapter, and such requirements shall be complied with.

Credits

Source: SL 1963, ch 216, § 5 (4); SL 1967, ch 128, § 2.

© 2019 by the State of South Dakota

SDCL § 36-16-35, SD ST § 36-16-35

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-36

36-16-36. Civil liability for damages and injuries unaffected--Public liability not created

[Currentness](#)

This chapter shall not be construed to relieve from or reduce the responsibility or liability of any party owning, operating, controlling, installing, altering, or repairing any electrical system or equipment for damages or injuries to persons or property nor shall the state nor any of its political subdivisions be held as assuming any liability by reason of any of the provisions of this chapter.

Credits

Source: SL 1963, ch 216, § 16.

© 2019 by the State of South Dakota

SDCL § 36-16-36, SD ST § 36-16-36

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-37

36-16-37. Severability of provisions

Currentness

If any section, subsection, sentence, clause, or phrase of this chapter is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this chapter.

Credits

Source: SL 1963, ch 216, § 17.

© 2019 by the State of South Dakota

SDCL § 36-16-37, SD ST § 36-16-37

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

South Dakota Codified Laws

Title 36. Professions and Occupations (Refs & Annos)

Chapter 36-16. Electricians and Electrical Contractors (Refs & Annos)

SDCL § 36-16-38

36-16-38. Promulgation of rules for reinstatement of expired license

[Currentness](#)

The State Electrical Commission shall promulgate rules, pursuant to chapter 1-26, to provide for the reinstatement of an expired license and for a reinstatement fee not to exceed one hundred dollars.

Credits

Source: [SL 1991, ch 308, § 5.](#)

© 2019 by the State of South Dakota

SDCL § 36-16-38, SD ST § 36-16-38

Current through 2019 Session Laws, Executive Order 19-1 and Supreme Court Rule 19-15

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.