

Proposed Meeting Agenda
SOUTH DAKOTA ELECTRICAL COMMISSION

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Tuesday, October 28, 2025, at 1:30 p.m. CDT

- A. Call to Order
- B. Approval of Agenda
- C. Public Comment
- D. Class B Electrician Bill
- E. Executive Session pursuant to SDCL 1-25-2(3), as necessary
- F. Next Meeting January 8, 2026
- G. Adjournment

2026 Bill Draft: DLR 1

Most recent version as of: **9:00AM 08/28/2025**

FOR AN ACT ENTITLED, An act to discontinue Class B electricians licenses after July 1, 2026.

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

Section 1. That § 36-16-2 be AMENDED:

Nothing in this chapter shall in any way prohibit, interfere, or affect Class B Electricians licensed prior to July 1, 2026, from practicing their respective profession that their respective licenses permitted at the time said licenses were granted.

36-16-2. Definition of terms.

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)~~⁽²⁾ "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)~~(3) "Electrical inspector," a person experienced in all classes of electrical work and either:

(a) Is a graduate of a recognized electrical school as approved by State Electrical Commission rules and has a total of four years of experience in electrical work, excluding school experience, or

(b) Has at least six years of practical experience in electrical wiring.

A qualified inspector may be issued an electrical contractor's license if the qualified inspector pays the necessary fees as set forth in this chapter;

~~(5)~~(4) "Journeyman electrician," a person having the necessary qualifications, training, technical knowledge and at least four years of experience in wiring, installing, and repairing electrical apparatus and equipment in accordance with the standard rules established by the State Electrical Commission;

~~(6)~~(5) "Maintenance electrician," a person working under a maintenance electrician's license of a public entity, firm, partnership, limited liability company, or corporation;

~~(7)~~(6) "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, pursuant to chapter 1-26.

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.

Section 2. That § 36-16-13.3 be AMENDED:

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

Nothing in this chapter shall in any way prohibit, interfere, or affect Class B Electricians licensed prior to July 1, 2026, from practicing their profession as the Class B license permitted at the time the license was granted.

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 an~~ 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.

Section 3. That § 36-16-14 be AMENDED:

Nothing in this chapter shall in any way prohibit, interfere, or affect Class B Electricians licensed prior to July 1, 2026, from practicing their profession as the Class B license permitted at the time the license was granted.

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

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.~~

Section 4. That § 36-16-16 be AMENDED:

Nothing in this chapter shall in any way prohibit, interfere, or affect Class B Electricians licensed prior to July 1, 2026, from practicing their profession as the Class B license permitted at the time the license was granted.

36-16-16. Persons exempt from license requirement.

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

(1) An employee of a utility engaged in the manufacture and distribution of electrical energy if engaged in work directly pertaining to the manufacture and distribution of electrical energy, or a person that is 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 terminates 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) An employee of telephone, telegraph, radio and television communication services and pipelines, or a person that is 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) A person doing electrical work on automotive equipment, on equipment in a mine, ship, railway, or rolling stock, or on equipment in a packing plant supervised and regulated by the Department of Agriculture and Natural Resources;

(4) A person replacing a lamp and connection of a portable electrical device to a suitable receptacle that has been permanently installed;

(5) A radio and appliance service repair department;

(6) A person doing maintenance on an oil burner and on a space heater where installation of same has been effected by a ~~Class B~~ or journeyman electrician in accordance with this chapter;

(7) An architect, designer, or engineer engaged in the planning and laying out of electrical work;

(8) An employee of an electrical utility 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) An employee of an alarm and communications company or service when wiring an alarm or communications system where 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; or a person or a company when engaged in work pertaining directly to such wiring, if the work is designed, supervised, or installed by a person qualified in the work being done.

Section 5. That § 36-16-17 be AMENDED:

36-16-17. Licenses--Biennial fees.

Nothing in this chapter shall in any way prohibit, interfere, or affect Class B Electricians licensed prior to July 1, 2026, from practicing their profession as the Class B license permitted at the time the license was granted.

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, two hundred dollars;
- (2) Journeyman electrician: biennial license fee, eighty dollars;
- ~~(3) Class B electrician: biennial license fee, two hundred dollars;~~
- (4) Electrical inspector: biennial license fee, one hundred twenty dollars;
- (5) ~~Inactive Class B electrician, inactive~~ electrical contractor, inactive 501(d) electrician, or inactive journeyman electrician: biennial license fee, eighty dollars;

(6) Maintenance electrician: biennial license fee, one hundred twenty dollars;

(7) 501(d) electrician; biennial license fee, one hundred twenty 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.

Section 6. That § 36-16-19 be AMENDED:

Nothing in this chapter shall in any way prohibit, interfere, or affect Class B Electricians licensed prior to July 1, 2026, from practicing their profession as the Class B license permitted at the time the license was granted.

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

A person shall have at least two years of experience as a journeyman electrician ~~or at least one year of commercial experience as a Class B electrician~~ before making application for an electrical contractor's license.

Section 7. That § 36-16-20 be AMENDED:

Nothing in this chapter shall in any way prohibit, interfere, or affect Class B Electricians licensed prior to July 1, 2026, from practicing their profession as the Class B license permitted at the time the license was granted.

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

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.