

# State of South Dakota

EIGHTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2014

435V0160

## HOUSE BILL NO. 1222

Introduced by: Representatives Tyler, Feickert, Gibson, Hawley, Heinert, Hickey, Killer, Kirschman, Nelson, Parsley, Ring, Schrempp, and Tulson and Senators Buhl O'Donnell, Jensen, and Otten (Ernie)

1 FOR AN ACT ENTITLED, An Act to specify penalties for the use of fraudulent information  
2 in certain applications relating to federal water pollution control requirements.

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

4 Section 1. That § 34A-2-34 be amended to read as follows:

5 34A-2-34. The board shall promulgate rules pursuant to chapter 1-26 establishing  
6 procedures which the secretary shall follow in granting or denying certification under § 34A-2-  
7 33. The rules may not exceed minimum federal regulations. The rules shall require adequate  
8 public notice of an application for certification within an area no smaller than the county where  
9 the activity is located, opportunity for public participation in the decision-making process on  
10 an application for certification, and opportunity and procedures for contested case hearings on  
11 applications for certification in conformity with chapter 1-26. Any application that contains  
12 fraudulent information shall be summarily denied, and all principals involved shall lose the right  
13 to apply for any permit for one year from the date of denial.

