

AN ACT

ENTITLED, An Act to protect the normal operation and use of sport shooting ranges.

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

Section 1. The use or operation of a sport shooting range may not be enjoined as a nuisance if the range is in compliance with those statutes, regulations, and ordinances that applied to the range and its operation at the time when the initial operation of the range commenced. The use or operation of a sport shooting range may not be enjoined as a nuisance due to any subsequent change in any statute, regulation, or ordinance pertaining to the normal operation and use of sport shooting ranges.

Section 2. The use or operation of a sport shooting range may not be enjoined as a nuisance by a person who acquires title to real property adversely affected by the normal operation and use of a sport shooting range which commenced operation prior to the time the person acquired title.

Section 3. The provisions of this Act do not apply to any recovery for any act or omission relating to the operation or use of any sport shooting range based on negligence or willful or wanton misconduct.

Section 4. The provisions of this Act do not apply if there has been a substantial change in the primary use of a sport shooting range.

Section 5. This Act does not prohibit a local government from regulating the location and construction of sport shooting ranges after the effective date of this Act.

Section 6. For the purposes of this Act, a sport shooting range is an area designed and operated for the use of rifles, shotguns, or pistols as a means of silhouette, skeet, trap, black powder, or other sport shooting. A sport shooting range includes a law enforcement shooting range.

Section 7. The provisions of this Act apply prospectively and do not apply to any action filed before the effective date of this Act.

An Act to protect the normal operation and use of sport shooting ranges.

=====

I certify that the attached Act
originated in the

HOUSE as Bill No. 1213

Chief Clerk

=====

Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1213
File No. _____
Chapter No. _____

=====

Received at this Executive Office
this ____ day of _____ ,

19__ at _____ M.

By _____
for the Governor

=====

The attached Act is hereby
approved this _____ day of
_____, A.D., 19__

Governor

=====

STATE OF SOUTH DAKOTA,
SS.
Office of the Secretary of State

Filed _____, 19__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State