

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

400E0330

HOUSE COMMERCE COMMITTEE ENGROSSED NO.

**HB 1043** - 01/25/2001

Introduced by: The Committee on Commerce at the request of the Department of  
Commerce and Regulation

1 FOR AN ACT ENTITLED, An Act to authorize the state fire marshal to prohibit open burning.

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

3 Section 1. That chapter 34-29B be amended by adding thereto a NEW SECTION to read  
4 as follows:

5 The state fire marshal, after consultation with the Governor and the appropriate county  
6 commission, may prohibit or restrict open burning within a county in order to protect the public  
7 health and safety. This section does not limit or affect the laws of this state relating to the  
8 authority of counties or other local entities to prohibit or restrict open burning.