

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

400E0330

SENATE COMMERCE COMMITTEE ENGROSSED NO.

HB 1043 - 02/15/2001

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 county commissioners and the state fire
2 marshal to prohibit open burning.

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

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

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

10 Section 2. That § 7-8-20 be amended by adding thereto a NEW SUBDIVISION to read as
11 follows:

12 To prohibit or restrict open burning, after consultation with local fire officials and law
13 enforcement officials, in order to protect the public health and safety.