

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

490H0533

SENATE BILL NO. 137

Introduced by: Senators Daugaard, Brown (Arnold), Diedtrich (Elmer), Duxbury, McIntyre, Reedy, and Whiting and Representatives Hunhoff, Brown (Richard), Glenski, Holbeck, Peterson (Bill), Pitts, Smidt, and Sutton (Duane)

1 FOR AN ACT ENTITLED, An Act to allow local units of government to regulate tobacco
2 products.

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

4 Section 1. That § 10-50-64 be repealed.

5 ~~10-50-64. The Legislature is the exclusive regulator of all matters relating to the use of~~
6 ~~tobacco products. Nothing prohibits a person or a public entity from voluntarily regulating the~~
7 ~~use of tobacco products on the person's or entity's property.~~

8 Section 2. That § 34-46-6 be repealed.

9 ~~34-46-6. Enforcement of this chapter shall be implemented in an equitable and uniform~~
10 ~~manner throughout the state so as to ensure the eligibility for and receipt of any federal funds or~~
11 ~~grants that the state now receives or may receive relating to the provisions of this chapter. For~~
12 ~~the purposes of equitable and uniform regulation and implementation, the Legislature through~~
13 ~~this chapter is the exclusive regulator of all matters relating to the distribution, marketing,~~
14 ~~promotion, and sale of tobacco products.~~

