

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

903I0057

SENATE BILL NO. 219

Introduced by: Senator Vitter

1 FOR AN ACT ENTITLED, An Act to require the clearing and thinning of undergrowth and
2 hazardous fuels in certain wooded areas and to provide a penalty for violation thereof.

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

4 Section 1. The owner of any forested or wooded land, private or public, that lies within one-
5 fourth mile of the boundary of any municipality shall take such actions as are necessary to clear
6 and thin undergrowth and to reduce any overabundance of floor fuels or other hazardous fuels
7 that may contribute to the danger of fire or increase the negative impacts of fire. The Department
8 of Agriculture shall promulgate rules pursuant to chapter 1-26 to specify criteria for determining
9 the types of wooded areas that are subject to this Act, the extent and duration of clearing and
10 thinning activity that is required, time deadlines by which such activity shall be conducted,
11 methods for clearing and thinning of wooded areas, and other requirements to implement the
12 provisions of this Act. The Department of Agriculture shall attempt to coordinate with the
13 United States Forest Service to develop programs and activities to promote the implementation
14 of the requirements of this Act. Failure to conduct clearing and thinning activities and other
15 activity for the reduction of hazardous fuels in violation of this Act is a Class 1 misdemeanor.

