

AN ACT

ENTITLED, An Act to update certain provisions for the storage of explosive materials.

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

Section 1. That § 49-28A-10 be amended to read as follows:

49-28A-10. No person may store any hazardous materials or class 1.1, 1.2, 1.3, 1.4, or 1.5 explosives, as outlined under 49 CFR 172, as amended through January 1, 2006, in any storage facility unless the storage facility has placards warning of the storage of hazardous or explosive materials. The placards at a storage facility shall be in plain sight, shall be so located that a bullet passing through any of the placards will not strike the storage facility, and may not be more than one hundred feet apart. The owner of any storage facility storing hazardous or explosive material shall maintain shipping records on such hazardous or explosive materials on the premises and shall provide the shipping records to any law enforcement agency or fire department upon demand. A violation of this section is a Class 1 misdemeanor. For the purposes of this section, a storage facility is any enclosed structure where materials are kept or warehoused.

The provisions of this section do not apply to a retail business establishment licensed under the provisions of chapter 10-45, residential property, a storage shed on residential property or any farm building, but only to warehouse facilities whose structure is separated from retail establishments.

An Act to update certain provisions for the storage of explosive materials.

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I certify that the attached Act  
originated in the

SENATE as Bill No. 43

\_\_\_\_\_  
Secretary of the Senate

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\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 43

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

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Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor

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STATE OF SOUTH DAKOTA,  
ss.

Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State