

AN ACT

ENTITLED, An Act to revise the boundaries of the Black Hills Forest Fire Protection District, to authorize the continuation of activities by certain business affected by the boundary change, and to prohibit the discharge of fireworks within a zone adjacent to the district.

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

Section 1. That § 34-35-15 be amended to read as follows:

34-35-15. To protect the timber on areas subject to unusual fire dangers, there is hereby created the Black Hills Forest Fire Protection District, consisting of all that part of the state described by metes and bounds as follows: Commencing at a point on the Wyoming-South Dakota state line at the junction of Interstate Highway 90 at the state line; thence east and southeast along Interstate Highway 90 via Rapid City to the intersection of U.S. Highway 16B; thence south and southwest along U.S. Highway 16B to the intersection of State Highway 79; thence south along State Highway 79 to the intersection of U.S. Highway 18; thence south along U.S. Highway 18 to the Cheyenne River; thence west and northwest along the Cheyenne River to the Wyoming-South Dakota state line; thence north along said state line to the place of beginning. The Black Hills Forest Fire Protection District does not include any area within the limits of any municipality.

Section 2. That chapter 34-35 be amended by adding thereto a NEW SECTION to read as follows:

Any person or commercial entity that, before July 1, 2007, was legally engaged in the retail sale, wholesale sale, storage, or transport of fireworks or pyrotechnics, or any successor to any such person or commercial entity, may continue to engage in any such sales, storage, or transport activity, notwithstanding any changes made to the boundaries of the Black Hills Forest Fire Protection District that take effect on July 1, 2007.

Section 3. That § 34-37-11 be amended to read as follows:

34-37-11. No person may sell or cause to be sold, discharge, or cause to be discharged, any pyrotechnics of any description or any consumer fireworks within the exterior boundaries of the Black Hills Forest Fire Protection District, and no person may discharge or cause to be discharged any pyrotechnics or consumer fireworks within a zone that extends three hundred feet beyond the exterior boundaries of the Black Hills Forest Fire Protection District in this state. No person may sell or cause to be sold, discharge, or cause to be discharged, any pyrotechnics of any description or any consumer fireworks within any national forest, national park, state forest, or any land owned or leased by the Department of Game, Fish and Parks. However, the Department of Game, Fish and Parks may, by written authorization, permit the discharge of pyrotechnics or consumer fireworks, pyrotechnic displays, sales, or exhibits on land owned or leased by the department unless otherwise prohibited by statute. Any violation of this section which occurs on any land owned or leased by the Department of Game, Fish and Parks is a Class 2 misdemeanor. Any subsequent violation of this Section is a Class 1 misdemeanor.

An Act to revise the boundaries of the Black Hills Forest Fire Protection District, to authorize the continuation of activities by certain business affected by the boundary change, and to prohibit the discharge of fireworks within a zone adjacent to the district.

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I certify that the attached Act originated in the

SENATE as Bill No. 79

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Secretary of the Senate

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President of the Senate

Attest:

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Secretary of the Senate

\_\_\_\_\_

Speaker of the House

Attest:

\_\_\_\_\_

Chief Clerk

Senate Bill No. 79  
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\_\_

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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