

AN ACT

ENTITLED, An Act to provide for uniform jurisdiction in the regulation of certain seed, commercial fertilizer, commercial feed, animal remedies, and pesticide.

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

Section 1. The provisions of South Dakota law and rules preempt any local legislation adopted by any political subdivision of the state that is related to the production, use, advertising, sale, distribution, storage, transportation, formulation, packaging, labeling, certification, registration, application, planting, or disposal of seed as defined in § 38-12A-1, commercial fertilizer as defined in § 38-19-1, commercial feed as defined in § 39-14-39, animal remedies as defined in § 39-18-1, and pesticide as defined in § 38-20A-1. No political subdivision may adopt or continue in effect any such local legislation regardless of whether a statute or a rule adopted by the state specifically preempts the local legislation. Local legislation in violation of this section is void and unenforceable. For purposes of this section, the term, local legislation, means any ordinance, motion, resolution, amendment, regulation, or rule adopted by a political subdivision of the state.

Nothing in this section preempts or otherwise limits the authority of any county or municipality to adopt and enforce zoning regulations, fire codes, building codes, or waste disposal restrictions.

An Act to provide for uniform jurisdiction in the regulation of certain seed, commercial fertilizer, commercial feed, animal remedies, and pesticide.

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I certify that the attached Act originated in the

HOUSE as Bill No. 1082

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1082
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