



2023 South Dakota Legislature

Senate Bill 174

HOUSE COMMERCE AND ENERGY ENGROSSED

Introduced by: **Senator Herman Otten**

1 **An Act to prohibit the enactment or implementation of an ordinance, resolution, or**
2 **policy that prohibits the use of an energy utility service.**

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

4 **Section 1. That chapter 6-1 be amended with a NEW SECTION:**

5 No local governmental unit, as defined in § 6-1-12, may enact or implement any
6 ordinance, resolution, or policy that prohibits or has the effect of prohibiting the use,
7 production, or transportation of natural gas, propane, or any other fuel gas service as a
8 type or class of service. This section does not apply to a generally applicable zoning
9 ordinance, building regulation, or fire code if the ordinance, regulation, or code is not used
10 to affect a prohibition on the use, production, or transportation of natural gas, propane,
11 or any other fuel gas service as a type or class of service.