

2023 South Dakota Legislature

House Bill 1239**AMENDMENT 1239F
FOR THE SENATE COMMERCE AND ENERGY ENGROSSED
BILL**

1 **An Act to prohibit a ban of fuel gas~~services and~~ appliances used by consumers.**

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

3 **Section 1. That chapter ~~34-39-6-1~~ be amended with a NEW SECTION:**

4 No local ordinance or regulation may prohibit the use, production, manufacture, or
5 transport of ~~fuel gas or~~ fuel gas appliances within the state. This section does not apply
6 to a generally applicable zoning ordinance, building regulation, or fire code if the
7 ordinance, regulation, or code is not used to prohibit the use, production, manufacture,
8 or transport of ~~fuel gas or~~ fuel gas appliances within the state.

9 For the purposes of ~~section 1 and 2 of~~ this Act, the term, fuel gas, means natural
10 gas or propane.

11 **~~Section 2. That chapter 49-34A be amended with a NEW SECTION:~~**

12 ~~No local ordinance or regulation may prohibit fuel gas utility service within the state. This~~
13 ~~section does not apply to a generally applicable zoning ordinance, building regulation, or fire~~
14 ~~code if the ordinance, regulation, or code is not used to prohibit a fuel gas utility service within~~
15 ~~the state.~~