

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

606A0424

HOUSE BILL NO. 1178

Introduced by: Representatives de Hueck, Brooks, Cerny, Diedrich, Fischer-Clemens,
McNenny, and Sperry and Senators Symens, Drake, Dunn (Jim), and
Hutmacher

1 FOR AN ACT ENTITLED, An Act to make persons who fail to develop certain erosion and
2 sediment control plans ineligible for certain state financial assistance.

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

4 Section 1. That § 38-8A-21 be amended to read as follows:

5 38-8A-21. Either a permit-issuing authority, or a district may, upon petition or its own
6 volition, in the enforcement of its orders, commence an action in circuit court for an injunction
7 or other appropriate relief to enforce the provisions of this chapter. Any person engaged in land-
8 disturbing activities who intentionally refuses or fails to develop and implement the erosion and
9 sediment control plan as required in §§ 38-8A-18 to 38-8A-20, inclusive, may lose eligibility for
10 financial assistance from any state agency or political subdivision of the state involved in natural
11 resources, at the discretion of the agency or political subdivision.