



2023 South Dakota Legislature

Senate Bill 174

Introduced by: **Senator Herman Otten**

1 **An Act to prohibit counties or municipalities from enacting or implementing an**
2 **ordinance, resolution, or policy that prohibits the connection or reconnection**
3 **of an energy utility service.**

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

5 **Section 1. That chapter 9-35 be amended with a NEW SECTION:**

6 No municipality may enact or implement any ordinance, resolution, or policy that
7 prohibits, or has the effect of prohibiting, the connection or reconnection of an electric,
8 natural gas, propane, or other energy utility service provided by a public utility,
9 municipality, or cooperative utility or propane service. This section does not apply to a
10 generally applicable zoning ordinance, building regulation, or fire code if the ordinance,
11 regulation, or code is not used to prohibit an electric, natural gas, propane, or any other
12 energy utility service.

13 **Section 2. That chapter 7-18 be amended with a NEW SECTION:**

14 No county may enact or implement any ordinance, resolution, or policy that
15 prohibits, or has the effect of prohibiting, the connection or reconnection of an electric,
16 natural gas, propane, or other energy utility service provided by a public utility,
17 municipality, or cooperative utility or propane service. This section does not apply to a
18 generally applicable zoning ordinance, building regulation, or fire code if the ordinance,
19 regulation, or code is not used to prohibit an electric, natural gas, propane, or any other
20 energy utility service.