

2023 South Dakota Legislature

Senate Bill 174**AMENDMENT 174A
FOR THE INTRODUCED BILL**

1 An Act to prohibit ~~counties or municipalities from enacting or implementing the~~
2 enactment or implementation of an ordinance, resolution, or policy that
3 prohibits the ~~connection or reconnection~~ use of an energy or 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 the use of
8 electric, natural gas, propane, or any other energy or utility service provided by a public
9 utility, municipality, or cooperative utility or propane service as a type or class of energy
10 service. This section does not apply to a generally applicable zoning ordinance, building
11 regulation, or fire code if the ordinance, regulation, or code is not used to ~~prohibit an~~
12 affect a prohibition on the use of electric, natural gas, propane, or any other energy or
13 utility service as a type or class.

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

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