

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

750E0076

SENATE ENGROSSED NO. **SB 98** - 02/02/2001

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Senator Hutmacher and Representatives Nachtigal and Bartling

1 FOR AN ACT ENTITLED, An Act to establish certain penalties for failure to control weeds and
2 pests.

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

4 Section 1. That chapter 38-22 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Any owner, occupant, or other person who maintains or exercises control or management
7 over land who is issued notice pursuant to § 38-22-17 or 38-22-18 for two consecutive years is
8 guilty of a Class 2 misdemeanor. Any owner, occupant, or other person who maintains or
9 exercises control or management over land on which the secretary of agriculture has conducted
10 protective operations pursuant to §§ 38-22-17 and 38-22-21 for two consecutive years is guilty
11 of a Class 1 misdemeanor.

12 Section 2. That chapter 38-22 be amended by adding thereto a NEW SECTION to read as
13 follows:

14 Any owner, occupant, or other person who maintains or exercises control or management
15 over land who is issued a resolution by the county weed and pest board pursuant to § 38-22-

1 23.13 for two consecutive years is guilty of a Class 2 misdemeanor. Any owner, occupant, or
2 other person who maintains or exercises control or management over land on which the county
3 weed and pest board has performed remedial requirements pursuant to § 38-22-23.14 for two
4 consecutive years is guilty of a Class 1 misdemeanor.