

# State of South Dakota

SEVENTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2002

617H0605

## HOUSE BILL NO. 1239

Introduced by: Representatives Nesselhuf, Abdallah, Bartling, Bradford, Hargens, Jensen, McCaulley, Murschel, Solum, and Van Gerpen and Senators Greenfield, Craddock, McIntyre, and Moore

1 FOR AN ACT ENTITLED, An Act to provide a period for the sale and use of fireworks around  
2 New Year's Day.

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

4 Section 1. That chapter 34-37 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 Notwithstanding § 34-37-10, a person, firm, or corporation licensed pursuant to this chapter  
7 to sell fireworks may offer fireworks for sale to individuals at retail for the period beginning at  
8 twelve a.m., December twenty-sixth, and ending twelve a.m., January second. The provisions  
9 of § 34-37-16.1 notwithstanding, fireworks that meet the requirements of § 34-37-5 may be  
10 discharged during the period specified in this section. Such fireworks may not be discharged  
11 during the period in any of the areas specified in § 34-37-11, except as provided in § 34-37-11,  
12 nor in violation of any local government action prohibiting their use.

