



## 2023 South Dakota Legislature

# House Bill 1239

SENATE COMMERCE AND ENERGY ENGROSSED

Introduced by: **Representative** Krohmer

1 **An Act to prohibit a ban of gas services and appliances used by consumers.**

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

3 **Section 1. That chapter 34-39 be amended with a NEW SECTION:**

4 No local ordinance or regulation may prohibit the use, production, manufacture, or  
 5 transport of fuel gas or fuel gas appliances within the state. This section does not apply  
 6 to a generally applicable zoning ordinance, building regulation, or fire code if the  
 7 ordinance, regulation, or code is not used to prohibit the use, production, manufacture,  
 8 or transport of fuel gas or fuel gas appliances within the state.

9 For the purposes of section 1 and 2 of this Act, the term, fuel gas, means natural  
 10 gas or propane.

11 **Section 2. That chapter 49-34A be amended with a NEW SECTION:**

12 No local ordinance or regulation may prohibit fuel gas utility service within the  
 13 state. This section does not apply to a generally applicable zoning ordinance, building  
 14 regulation, or fire code if the ordinance, regulation, or code is not used to prohibit a fuel  
 15 gas utility service within the state.