

State of South Dakota

EIGHTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2010

930R0574

HOUSE BILL NO. 1274

Introduced by: Representatives Frerichs, Feickert, Kirkeby, Kopp, Lucas, Noem, Peters, Schrempp, Van Gerpen, and Verchio and Senators Hanson (Gary), Ahlers, Bradford, and Schmidt

1 FOR AN ACT ENTITLED, An Act to repeal certain restrictions relating to the location of
2 apiaries.

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

4 Section 1. That § 38-18-3.1 be repealed.

5 ~~—38-18-3.1. Unless permitted by the secretary, no apiary may be located within three miles~~
6 ~~of any other apiary. However, any beekeeper who owns property may locate an apiary anywhere~~
7 ~~on that property.~~

8 Section 2. That § 38-18-28 be amended to read as follows:

9 38-18-28. The secretary, pursuant to the provisions of chapter 1-26, may promulgate rules
10 consistent with the following:

11 (1) To provide application forms and guidelines for location and colony registration and
12 entrance permits;

13 (2) ~~To provide standards to allow apiaries to be located within three miles of each other~~
14 ~~on a temporary or permanent basis;~~



- 1 (3) To provide for denial or revocation of locations or permits;
- 2 (4) To provide standards and procedures for handling diseased bees and bee equipment;
- 3 (5) To provide standards and procedures for an apiary inspection program;
- 4 (6) To provide standards and procedures for quarantine of bees, equipment and premises
5 and areas and for lifting of quarantines;
- 6 (7) To provide standards and inspection procedures for honey houses;
- 7 (8) To provide standards and procedures for the seizure of unlawfully imported bees and
8 bee equipment;
- 9 (9) To provide forms and standards to issue certificates of health or inspection for bees;
- 10 (10) To provide a procedure for contested cases;
- 11 (11) To provide standards for identification of apiaries;
- 12 (12) To provide standards and procedures for treatment and control of pests;
- 13 (13) To establish restrictions on the movement of quarantined bees or equipment and
14 standards for the inspection, treatment, disposal, certification, permitting, and
15 assignment of specified travel routes, locations and procedures for quarantined bees
16 or equipment;
- 17 (14) To provide standards for compliance agreements;
- 18 (15) To provide standards for incidental expenses.