

AN ACT

ENTITLED, An Act to preserve the use of public land, to ensure free travel, to enhance emergency response, and to declare an emergency.

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

Section 1. That chapter 5-4 be amended by adding a NEW SECTION to read:

Upon the request of the Governor and the sheriff of the county where the public land is situated, the commissioner of school and public lands may prohibit any group larger than twenty persons from congregating upon any tract of land under the supervision of the commissioner of school and public lands, if the prohibition is necessary to preserve the undisturbed use of the land by the lessee or if the land may be damaged by the activity.

Section 2. That chapter 16-18 be amended by adding a NEW SECTION to read:

The Chief Justice of the South Dakota Supreme Court may waive any requirement of § 16-18-2 and admit any attorney licensed in the another jurisdiction within the United States, for a period not to exceed one year, for the limited purpose of defending any defendant charged in a county that is experiencing a significant increase in criminal cases such that the resources in that area cannot satisfy the needs of criminal defense if the Chief Justice deems that the waiver is necessary in the interest of the sound administration of justice.

Section 3. That § 32-30-2.4 be amended to read:

32-30-2.4. The Department of Transportation with respect to highways under its jurisdiction may promulgate rules pursuant to chapter 1-26 to prohibit or restrict the stopping, standing, or parking of vehicles or the presence of any person standing outside of a motor vehicle, on any highway or highway right-of-way if such stopping, standing, parking, or presence of any person standing is dangerous to those using the highway or if the stopping, standing, or parking of vehicles or the presence of persons outside of a motor vehicle would unduly interfere with the free movement of

traffic on the highway. If such a rule is promulgated, the highway shall be signed to indicate where such stopping, standing, or parking is prohibited. The secretary of transportation may establish a temporary no parking zone, not to exceed ninety days, if the secretary of public safety and the secretary of transportation, after consultation with the director of the highway patrol, agree that a no parking zone is necessary for the protection of life and property. The signs are official signs and no person may stop, stand, or park any vehicle or stand outside a motor vehicle in violation of the restrictions stated on the signs. A violation of this section is a Class 2 misdemeanor.

Section 4. That chapter 22-18 be amended by adding a NEW SECTION to read:

Unless otherwise directed by law enforcement or other emergency personnel or to seek assistance for an emergency or inoperable vehicle, no person may stand upon the paved or improved or main-traveled portion of any highway with intent to impede or stop the flow of traffic. A violation of this section is a Class 1 misdemeanor.

Section 5. That chapter 22-35 be amended by adding a NEW SECTION to read:

If a person defies an order issued pursuant to chapter 34-48A not to enter an area defined in that chapter and a notice not to enter is posted, the person is guilty of criminal trespass. A violation of this section is a Class 1 misdemeanor.

Section 6. Whereas, this Act is necessary for the immediate preservation of the public peace, health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.

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I certify that the attached Act originated in the

SENATE as Bill No. 176

Secretary of the Senate

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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 176
File No. _____
Chapter No. _____

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Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State