



2021 South Dakota Legislature

House Bill 1136

Introduced by: **Representative Phil Jensen**

1 **An Act to revise the authority of the Department of Health as it relates to counties**
 2 **and municipalities.**

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

4 **Section 1.** That a NEW SECTION be added:

5 **7-8-42. Authority--Preemption--Department of Health.**

6 Nothing within this chapter grants authority to a board of county commissioners to
 7 supersede or preempt the authority of the Department of Health under chapter 34-22.

8 **Section 2.** That § 9-32-1 be AMENDED.

9 **9-32-1. Promotion of health and suppression of disease.**

10 Every~~Each~~ municipality ~~shall have power to~~ may do what ~~may be~~ is necessary or
 11 expedient for the promotion of health or the suppression of disease. Nothing within this
 12 chapter grants authority to a municipality to supersede or preempt the authority of the
 13 Department of Health under chapter 34-22.