



2024 South Dakota Legislature

House Bill 1135

Introduced by: **Representative** Peterson (Drew)

1 **An Act to expand definitions pertaining to the purchasing of grain.**

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

3 **Section 1. That § 49-45-1.1 be AMENDED:**

4 **49-45-1.1.** Terms used in this chapter mean:

5 (1) "Business of a grain buyer," contracting to purchase grain or purchasing grain,
6 regardless of:

7 (a) Where the grain is to be delivered; or

8 (b) Where title to the grain transfers;

9 (2) "Commission," the Public Utilities Commission;

10 (3) "Contract," except as referenced in § 49-45-21, a written or oral agreement to
11 purchase grain, regardless of the:

12 (a) Timeline;

13 (b) Pricing structure; and

14 (c) Place of delivery;

15 ~~(2)(4)~~ "Grain," grain, grain sorghums, beans, pulse crops, and oil seeds. The term does
16 not include grain but not:

17 (a) Grain that has been cleaned, processed, and specifically identified for an
18 intended use of planting for reproduction, grain;

19 (b) Grain that is received for consignment that and which will be processed by
20 the consignee for an intended use of planting for reproduction, or grain

21 (c) Grain purchased to feed livestock;

22 ~~(3)(5)~~ "Grain broker," a person who is involved in the negotiation of a grain transaction
23 in this state and:

24 (a) Is compensated for that involvement by at least one party to the
25 transaction; and

26 (b) Does not take title to the grain that is subject to the transaction;

