

2026 South Dakota Legislature

House Bill 1064

**AMENDMENT 1064A
FOR THE INTRODUCED BILL**

1 **An Act to provide for the sale of producer-raised meat and meat food products**
2 **directly to consumers pending legalization under federal law.**

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

4 **Section 1. That a NEW SECTION be added to chapter 39-5:**

5 Except as prohibited by federal law and subject to section 2 of this Act, and
6 notwithstanding any other provision of this chapter, a producer may sell meat or meat
7 food products from cattle, sheep, swine, or goats, which were raised by the producer and
8 slaughtered on the premises of the producer or at a custom exempt plant, if:

9 (1) The meat or meat food product is produced from an animal that was raised by the

10 producer for at least ninety days, slaughtered, and processed in this state;

11 (2) The meat or meat food product is sold personally by the seller, directly to an end

12 consumer in this state, at:

13 (a) The seller's primary residence;

14 (b) A farmer's market;

15 (c) A roadside stand; or

16 (d) Other temporary sale venue; and

17 (3) A label is affixed to the meat or meat food product packaging at the time of sale
18 stating that:

19 (a) The meat or meat food product has not been inspected and is not regulated;
20 and

21 (b) The consumer agrees not to sell, donate, or commercially redistribute the
22 meat or meat food product.

23 **Section 2.** Section 1 of this Act is effective on the date that the attorney general certifies to
24 code counsel that the sale of any meat or meat food product, in accordance with section 1 of
25 this Act, is legalized under federal law. Legalization under federal law consists of either the
26 passage of a federal law that allows direct-to-consumer sales of uninspected meat or meat

1 food products or the issuance of a final decision, by a federal court with jurisdiction over this
2 state, which declares that the federal prohibition on direct-to-consumer sales is
3 unconstitutional or otherwise invalid.

AMENDMENT