

2026 South Dakota Legislature

House Bill 1064**AMENDMENT 1064B
FOR THE INTRODUCED BILL**

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

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

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

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

(1) The meat or meat food product is produced from an animal that was raised ~~by the producer for at least ninety days~~, slaughtered, and processed in this state;

(2) The meat or meat food product is sold ~~personally by the seller~~, directly to an end consumer in this state, at:

(a) The seller's primary residence;

(b) A farmer's market;

(c) A roadside stand; or

(d) Other temporary sale venue; and

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

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

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

Section 2. Section 1 of this Act is effective on the date that the attorney general certifies to code counsel that the sale of any meat or meat food product, in accordance with section 1 of this Act, is legalized under federal law. Legalization under federal law consists of either the 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.

AMENDED