



2026 South Dakota Legislature

House Bill 1064

HOUSE AGRICULTURE AND NATURAL RESOURCES ENGROSSED

Introduced by: **Representative Shubeck**

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 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) Another 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.