



2026 South Dakota Legislature  
**House Bill 1064**  
**ENROLLED**

AN ACT

**ENTITLED 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 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) Another 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

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

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

\_\_\_\_\_  
I certify that the attached Act originated in  
the:  
House as Bill No. 1064

\_\_\_\_\_  
Received at this Executive Office  
this \_\_\_\_ day of \_\_\_\_\_,  
2026 at \_\_\_\_\_ M.

\_\_\_\_\_  
Chief Clerk of the House  
\_\_\_\_\_

By \_\_\_\_\_  
for the Governor  
\_\_\_\_\_

\_\_\_\_\_  
Speaker of the House

The attached Act is hereby  
approved this \_\_\_\_ day of  
\_\_\_\_\_, A.D., 2026

Attest:

\_\_\_\_\_  
Chief Clerk of the House

\_\_\_\_\_  
Governor  
\_\_\_\_\_

**STATE OF SOUTH DAKOTA,**

ss.

Office of the Secretary of State

\_\_\_\_\_  
President of the Senate

Attest:

Filed \_\_\_\_\_, 2026  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Secretary of State

House Bill No. 1064  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

By \_\_\_\_\_  
Asst. Secretary of State