

2026 South Dakota Legislature

Senate Bill 124**AMENDMENT 124C
FOR THE SENATE AGRICULTURE AND NATURAL
RESOURCES ENGROSSED BILL**

1 **An Act to temporarily prohibit the manufacture, sale, and distribution of any product**
2 **containing cell-cultured protein, and to provide a penalty therefor.**

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

4 **Section 1. That a NEW SECTION be added to chapter 34-18:**

5 During the period beginning July 1, 2026, and ending June 30, ~~2031~~ 2036, a person
6 may not sell, offer for sale, hold for sale, or distribute in this state any product containing
7 cell-cultured protein.

8 Upon receipt of a complaint, the department must inspect any food service
9 establishment, mobile food service establishment, or temporary food service
10 establishment and, if a violation is found, issue a stop-sale order. Following a conviction
11 under this section, the department must proceed in accordance with chapter 1-26 to
12 suspend, revoke, or deny renewal of the establishment's license, as provided under §§ 34-
13 18-27.1 and 34-18-27.3.

14 A violation of this section is a Class 2 misdemeanor.

15 For purposes of this section, "cell-cultured protein" means a product that is
16 produced for use as human food, made wholly or in part from any cell culture or DNA of
17 a host animal, and grown or cultivated outside a live animal. Cell-cultured protein does
18 not include proteins produced through microbial fermentation, enzymatic processing,
19 traditional food cultures, or biotechnology processes used in the manufacturing of
20 pharmaceuticals, biologics, vaccines, dietary supplements, enzymes, or medical products,
21 provided those products are not intended to replicate meat or animal tissue for human
22 consumption.

23 **Section 2. That a NEW SECTION be added to chapter 39-5:**

1 During the period beginning July 1, 2026, and ending June 30, ~~2031~~ 2036, a person
2 may not sell, manufacture, offer for sale, hold for sale, or distribute in this state any
3 product containing cell-cultured protein.

4 The Animal Industry Board shall enforce this section using its existing authority,
5 including by seizure and condemnation of products, as provided in § 39-5-38.

6 A violation of this section is a Class 2 misdemeanor

7 For purposes of this section, "cell-cultured protein" means a product that is
8 produced for use as human food, made wholly or in part from any cell culture or DNA of
9 a host animal, and grown or cultivated outside a live animal. Cell-cultured protein does
10 not include proteins produced through microbial fermentation, enzymatic processing,
11 traditional food cultures, or biotechnology processes used in the manufacture of
12 pharmaceuticals, biologics, vaccines, dietary supplements, enzymes, or medical products,
13 provided those products are not intended to replicate meat or animal tissue for human
14 consumption.