



2026 South Dakota Legislature
Senate Bill 124
ENROLLED

AN ACT

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

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

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

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

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

A violation of this section is a Class 2 misdemeanor.

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

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

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

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

A violation of this section is a Class 2 misdemeanor

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

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

I certify that the attached Act originated in
the:
Senate as Bill No. 124

Received at this Executive Office
this ____ day of _____,
2026 at _____ M.

Secretary of the Senate

By _____
for the Governor

President of the Senate

The attached Act is hereby
approved this ____ day of
_____, A.D., 2026

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Speaker of the House

Attest:

Filed _____, 2026
at _____ o'clock __ M.

Chief Clerk of the House

Secretary of State

Senate Bill No. 124
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State