

State of South Dakota

NINETY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2016

400X0247

SENATE BILL NO. 16

Introduced by: The Committee on Appropriations at the request of the Department of
Agriculture

1 FOR AN ACT ENTITLED, An Act to increase fees for nursery inspection and to declare an
2 emergency.

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

4 Section 1. That § 38-24B-7 be amended to read:

5 38-24B-7. The ~~Department of Agriculture~~ department may issue a certificate of inspection
6 to any nurseryman, operating as a resident nurseryman or dealer, whose nursery stock has been
7 officially inspected and found to be viable and free from pests. The ~~biennial~~ annual fee for the
8 inspection and certification is as follows:

9 (1) Resident nurseryman: ~~three hundred fifty dollars plus ten~~ three hundred fifteen
10 dollars plus five dollars for each acre over one acre of field-grown inspected plants
11 and ten dollars for each ten thousand square feet of container-grown plants, ~~except.~~
12 However, the fee for a resident nurseryman with less than five thousand dollars in
13 gross sales on nursery stock is ~~seventy-five~~ seventy dollars plus ~~ten~~ five dollars for
14 each acre over one acre of field-grown inspected plants and ten dollars for each ten
15 thousand square feet of container-grown plants;



- 1 (2) Nursery stock dealer with less than five thousand dollars annual gross sales of
2 nursery stock: ~~one hundred twenty-five~~ one hundred fifteen dollars;
- 3 (3) Nursery stock dealer with more than five thousand but less than twenty thousand
4 dollars annual gross sales of nursery stock: ~~two hundred~~ one hundred eighty dollars;
5 or
- 6 (4) Nursery stock dealer with more than twenty thousand dollars annual gross sales of
7 nursery stock: ~~three hundred fifty~~ three hundred fifteen dollars .

8 Section 2. That § 38-24B-12 be amended to read:

9 38-24B-12. Any grower or dealer of decorative plants, annual plants, sod, or related plant
10 products may apply to the department for a certificate of inspection. The ~~Department of~~
11 ~~Agriculture~~ department may issue a certificate of inspection to the person whose decorative
12 plants, annual plants, sod, or related plant products have been officially inspected and found free
13 from pests. The fee for inspection and certification is ~~two hundred fifty~~ two hundred twenty-five
14 dollars plus five dollars for each acre of growing field and five dollars for each ten thousand
15 square feet of growing greenhouse.

16 Section 3. Whereas, this Act is necessary for the support of the state government and its
17 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in
18 full force and effect from and after its passage and approval.