

State of South Dakota

NINETY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2016

400X0247

JOINT APPROPRIATIONS ENGROSSED NO. **SB 16** 02/18/2016

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

1 FOR AN ACT ENTITLED, An Act to establish a fee for a nursery license and to increase fees
2 for nursery inspection.

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 license to any nurseryman, operating as a resident nurseryman or dealer, ~~whose nursery stock~~
7 ~~has been officially inspected and found to be viable and free from pests.~~ The ~~biennial~~ annual fee
8 for the ~~inspection and certification~~ license is as follows:

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



1 ten thousand square feet of container-grown plants;

2 (2) Nursery stock dealer with less than five thousand dollars annual gross sales of
3 nursery stock: ~~one hundred twenty-five~~ seventy dollars;

4 (3) Nursery stock dealer with more than five thousand but less than twenty thousand
5 dollars annual gross sales of nursery stock: ~~two hundred~~ one hundred fifteen dollars;
6 or

7 (4) Nursery stock dealer with more than twenty thousand dollars annual gross sales of
8 nursery stock: ~~three hundred fifty~~ two hundred dollars .

9 Section 2. The department may issue a certificate of inspection to any nurseryman or dealer
10 whose nursery stock has been officially inspected and found to be viable and free from pests.
11 The inspection fee shall be two hundred and fifteen dollars per inspection.