

## 2024 South Dakota Legislature

**House Bill 1135****AMENDMENT 1135A  
FOR THE INTRODUCED BILL**

1 **An Act to expand definitions pertaining to the purchasing of grain.**

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

3 **Section 1. That § 49-45-1.1 be AMENDED:**

4 **49-45-1.1.** Terms used in this chapter mean:

5 (1) "Business of a grain buyer," contracting to purchase grain or purchasing grain,  
6 regardless of:

7 (a) Where the grain is to be delivered; or

8 (b) Where title to the grain transfers;

9 (2) "Commission," the Public Utilities Commission;

10 (3) "Contract," except as referenced in § 49-45-21, a written or oral agreement to  
11 purchase grain, regardless of the:

12 (a) Timeline;

13 (b) Pricing structure; and

14 (c) Place of delivery;

15 ~~(2)(4)~~ "Grain," grain, grain sorghums, beans, pulse crops, and oil seeds. ~~The term does~~  
16 ~~not include grain but not:~~

17 (a) Grain that has been cleaned, processed, and ~~specifically~~ identified for an  
18 intended use of planting for reproduction, ~~grain;~~

19 (b) Grain that is received for consignment that and which will be processed by  
20 the consignee for an intended use of planting for reproduction, ~~or grain~~

21 (c) Grain purchased to feed livestock;

22 ~~(3)(5)~~ "Grain broker," a person who is involved in the negotiation of a grain transaction  
23 in this state and:

24 (a) Is compensated for that involvement by at least one party to the  
25 transaction; and

26 (b) Does not take title to the grain that is subject to the transaction;

