



Legislative Update – Week 3

January 30, 2026

With 12 legislative days completed and 26 days remaining, the 2026 session is almost one-third complete. South Dakota Farm Bureau is watching a total of 106 bills – almost 40% more bills than last year at the same time. As of Thursday evening, there are 246 House bills and resolutions and 211 Senate bills for a total of 457 bills. The last day for bill drafts to be turned into LRC is Monday, February 2, and they must be introduced on the chamber of origin floor by Wednesday, February 4.

Cell-Cultured Meat Fight Round Two

Similar to last year's debates, cell-cultured meat bans have resurfaced in the Legislature. On Tuesday, South Dakota Farm Bureau, SD Cattlemen's Association, and SD Retailers Association opposed [HB 1077](#), which would change the definition of "adulterated food."

While SDFB **does not** support or endorse cell-cultured meat, we strongly oppose HB 1077 because it improperly changes the legal definition of "adulterated food" in state law. Under current law, an adulterated product is already prohibited from being sold in South Dakota. Additionally, HB 1077 misuses the term "adulterated" by disregarding its plain meaning, which is a product that is filthy, poisonous, diseased, produced under unsanitary conditions – or one that has had something harmful added or removed. Cell-cultured meat, if approved by the FDA and other appropriate regulatory bodies, would not be adulterated by its mere existence.

SDFB also opposed HB 1077 because it represents a California-style prohibition that could ultimately harm farmers and ranchers. If HB 1077 were enacted and upheld by the courts, it would open the door for states to ban federally approved products based solely on subjective beliefs. For example, nothing would prevent another state from banning corn-fed beef simply because their legislature or public believe it is unhealthy, despite federal approval. This bill would set a dangerous precedent and invite a state-by-state fight that would disrupt commerce and hurt farmers and ranchers.

Lastly, instead of an upfront ban that is clear and honest about its intent, the bill attempts to stretch the meaning of "adulterated" beyond recognition. In doing so, it creates confusion in food law and risks unintended consequences well beyond this single issue.

Unfortunately, HB 1077 did pass the House Agriculture and Natural Resources Committee as well as the House of Representatives. It will now travel to the Senate for further debate.

This issue would be a good topic to talk to your legislator about at a Cracker Barrel in your area this weekend. Following are three brief talking points to use:

1. **I don't support cell-cultured meat, but HB 1077 rewrites the definition of "adulterated" just to ban something. That's not how food law is supposed to work.**

2. If South Dakota can ban a federally-approved product because we don't like it, other states could turn around and ban our products – like corn-fed beef. California has made similar bans.

3. Agriculture depends on clear, consistent rules. This bill opens the door to retaliation and market disruption that ultimately hurts farmers and ranchers.

CAFO and Brand Inspection Fee Increases Both Move Forward

SB 38, the Department of Agriculture and Natural Resources (DANR) bill that would increase fees for Concentrated Animal Feeding Operations (CAFOs), passed the House Agriculture and Natural Resources Committee unanimously this week. The agency's goal is to have fees cover approximately a third of the cost of running the program, with state general funds and federal funds each contributing approximately a third of the cost of the program. SDFB, Pork, Dairy, Cattlemen's, and Conservation Districts all supported the bill.

Earlier in the week, the Brand Inspection Fee bill – **HB 1020** – passed the House of Representatives on a 48-19 vote. The threshold to increase a fee is 47 votes. HB 1020 is a product of an ad-hoc work group made up of SDFB, Cattlemen's, Stockgrowers, Department of Agriculture and Natural Resources, and Livestock Marketing Association. The bill would increase the brand inspection fee cap from \$1 to \$1.65 per head inspected. It is also important to note that the increase is only associated with the fee cap. The actual fee must be increased by the Rules Review Committee and may be set at a different rate below \$1.65.

Property Tax “Solutions” Continue to Appear

As predicted our first legislative update, property taxes being the “big issue” of the 101st Session is becoming true. To date, there are almost 30 bills pertaining to property taxes. These range from valuation caps to freezing taxes paid on owner-occupied to using sales tax dollars to offset property taxes.

This past week, SDFB opposed **SB 99**, which would have raised the state sales tax rate from the existing 4.2% to 6.5%, eliminate the sales tax on food, and zero out the levies for general education and special education. SDFB opposed the bill for reasons driven by our grassroots policy, past actions by SD voters, and local control. Following are the top points of SDFB's opposition to the bill:

1. The bill would have substantially increased sales tax.
2. The bill would have narrowed the sales tax base by removing the sales tax on food. Farm Bureau has a longstanding position of being opposed to removing the sales tax on food. It is also a concept that voters during the 2024 election soundly opposed by defeating IM 28.
3. The main reason for opposition is the decoupling of education funding and property taxes. While individuals may not like paying property taxes, completely removing them from education funding takes away the seat at the table and moves more power to Pierre.

SDFB Bill Tracker

The SDFB bill tracking list is up and running. Check it out on the [SDFB website](#). As in past years, it gives you a quick look at the bills we are supporting, opposing, or just watching.

If you have any questions or comments, please contact the South Dakota Farm Bureau policy team.

Matthew Bogue
SDFB State Public Policy Director
(605) 377-8833
matthew@sdfbf.org

Krystil Smit
SDFB Chief Executive Officer
(605) 261-2960
k.smit@sdfbf.org

Helpful Links:

[The SDFB Bill Tracker](#)
[The SD Legislature full list of bills](#)
[2026 SD Legislators Contact Information](#)

Upcoming Cracker Barrels

Aberdeen:

In the Kessler's Champions Club in the Barnett Center on the NSU campus from 10 a.m. to 12 p.m.

- Saturday, February 7
- Saturday, February 21
- Saturday, March 7

Belle Fourche:

At Venue 519 from 1 to 3 p.m.

- Saturday, January 31

Brandon:

At Bethany Meadows Brandon Community Room from 9:30 to 10:30 a.m.

- Saturday, January 31

Clear Lake:

At the Community Center beginning at 9 a.m.

- Saturday, January 31

Deadwood:

In the Deadwood Gulch Convention Center beginning at 10 a.m.

- Saturday, February 28

Dimock:

At Leut Services Office (713 S. Main Street) beginning at 10 a.m.

- Saturday, February 21

Highmore

In the Hyde County Auditorium beginning at 10 a.m.

- Saturday, January 24

Lennox

At the Lennox American Legion Hall beginning at 9 a.m.

- Saturday, January 31

Milbank:

In the Visitor Center at the Community Room from 1 to 3 p.m.

- Saturday, February 14

Mitchell:

At the Chamber of Commerce building from 8 to 9 a.m.

- Friday, January 30

Piedmont:

Piedmont Valley American Legion Post from 1:30 to 4:00 p.m.

- Saturday, February 14

Rapid City:

In the Event Center at the Western Dakota Tech Event Center from 9 to 11 a.m.

- Saturday, January 31

Redfield:

At the C&NW Historic RR Museum from 1 to 3 p.m.

- Monday, February 16

Sioux Falls:

At HUB Auditorium on the Southeast Technical College campus from 10 to 11:30 a.m.

- Saturday, January 31
- Saturday, February 21

Spearfish:

In the Joy Center beginning at 10 a.m.

- Saturday, February 7

Sturgis:

At the Erskine Building from 9 to 11 a.m.

- Saturday, January 31
- Saturday, March 7

Vermillion:

At City Hall from 9 to 11 a.m.

- Saturday, January 31
- Saturday, February 28

Watertown:

At the Codington County Extension Complex in the Livestock Show Ring beginning at 8 a.m.

- Saturday, February 14

White Lake:

At White Lake High School beginning at 10 a.m.

- Saturday, February 14

Yankton:

In the City Commission Room at the CMTEA building beginning from 10 to 1 a.m.

- Saturday, January 31
- Saturday, February 21
- Saturday, March 7