

# State of South Dakota

EIGHTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2011

822S0682

SENATE AGRICULTURE AND NATURAL RESOURCES

ENGROSSED NO. **SB 153** - 2/8/2011

Introduced by: Senators Begalka, Kraus, Novstrup (Al), Sutton, and Vehle and  
Representatives Hoffman, Fargen, Hickey, Street, Van Gerpen, and Willadsen

1 FOR AN ACT ENTITLED, An Act to revise fees for resident nurserymen and nursery stock  
2 dealers.

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

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

5 38-24B-7. The Department of Agriculture may issue a certificate of inspection to any  
6 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 fee for the  
8 inspection and certification is as follows:

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



- 1       (2)   Resident nurseryman with at least five thousand but less than twenty thousand dollars  
2       in gross sales on nursery stock: one hundred eighty-five dollars plus ten dollars for  
3       each acre over one of field-grown inspected plants and ten dollars for each ten  
4       thousand square feet of container-grown plants;
- 5       (3)   Resident nurseryman with twenty thousand dollars or greater in gross sales on  
6       nursery stock: three hundred fifty dollars plus ten dollars for each acre over one of  
7       field-grown inspected plants and ten dollars for each ten thousand square feet of  
8       container-grown plants;
- 9       (4)   Nursery stock dealer with less than five thousand dollars in annual gross sales of  
10       nursery stock: one hundred twenty-five dollars;
- 11       ~~(3)~~(5) Nursery stock dealer with ~~more than~~ at least five thousand but less than twenty  
12       thousand dollars in annual gross sales of nursery stock: two hundred twenty-five  
13       dollars; or
- 14       ~~(4)~~(6) Nursery stock dealer with ~~more than~~ twenty thousand dollars or greater in annual  
15       gross sales of nursery stock: three hundred ~~thirty~~ seventy-five dollars.