

# FORM 5, BFM 50.10

## ADMINISTRATIVE PROCEDURES ACT FISCAL NOTE Prepared by Department of Agriculture

	CODE	NAME
DEPARTMENT	03	Agriculture
DIVISION	0310	Division of Agriculture Services
PROGRAM		

PROPOSED RULE: 12:82:01 through 12:82:05

Hearing Date: 10:00am, November 13, 2020, Matthews Training Center, Pierre SD

### **FISCAL IMPACT STATEMENT:**

These rules will impact the Department of Agriculture by generating fees necessary to regulate the growth, storage, processing, and transportation of industrial hemp in South Dakota

**FISCAL NOTE SUMMARY:** See Attached Calculations Sheet

### **COST INCREASES (DECREASES)**

State Agencies:	First-Year Impact	Continuous-Yearly Impact
TOTAL		
Local Subdivisions:		
TOTAL		
Small Business Increases (Decreases)		
TOTAL		

### **REVENUE INCREASES (DECREASES)**

Revenue Increases (Decreases) State, Local & Small Business :		
Agriculture	\$78,450	\$78,450
TOTAL	\$78,450	\$78,450

APPROVED   
Hunter Roberts, Interim Secretary of Agriculture

DATE 10-22-2020

**ATTACH:** Copy of proposed rules; separate sections for: 1) explanation of effect (i.e., procedures, schedules, activities, etc. that will change with adoption), 2) source and use of any statistics, 3) assumptions for fiscal impact, 4) computations, and 5) Small Business Impact Statement

A copy of this form may be obtained from the Bureau of Finance and Management. If proposed rules have a negative fiscal impact on a local government, the Bureau of Finance and Management must send a copy of its fiscal note to the organizations listed in SDCL 1-26-4.2.

<b>SD Department of Agriculture and Department of Public Safety</b>						
<b>Fiscal Note Calculations</b>						
<b>Industrial Hemp Program Rule Proposals</b>						
	<b>Fee Amount</b>	<b>Estimate Volume</b>	<b>Fiscal Impact</b>			
Grower License Application Fee	\$ 50.00	65	\$ 3,250.00			
Grower License Fee	\$ 500.00	65	\$ 32,500.00			
Processor License Applications Fee	\$ 50.00	4	\$ 200.00			
Processor License Fee	\$ 2,000.00	4	\$ 8,000.00			
Grower Inspection Fee	\$ 250.00	130	\$ 32,500.00			
Processor Inspection Fee	\$ 500.00	4	\$ 2,000.00			
<b>SD Department of Ag Fiscal Impact</b>			<b>\$ 78,450.00</b>			
Industrial Hemp Grower Licensee Transportation Permit	\$ 25.00	65	\$ 1,625.00			
Industrial Hemp General Transportation Permit	\$ 25.00	400	\$ 10,000.00 *			
<b>SD Department of Public Safety Fiscal Impact</b>			<b>\$ 11,625.00</b>			
<p>*This includes anyone traveling through the state with hemp. They may be coming from another state and taking their product to other states as well.</p>						



# FORM 5, BFM 50.10

## ADMINISTRATIVE PROCEDURES ACT FISCAL NOTE Prepared by Department of Public Safety

	CODE	NAME
<b>DEPARTMENT</b>	14	Public Safety
<b>DIVISION</b>	1421	Division of Highway Patrol
<b>PROGRAM</b>		

PROPOSED RULE: 12:82:06 through 12:82:09

Hearing Date: 10:00am, November 13, 2020, Matthews Training Center, Pierre SD

### **FISCAL IMPACT STATEMENT:**

These rules will impact the Department of Public Safety by generating fees necessary to regulate the transportation of industrial hemp in South Dakota

**FISCAL NOTE SUMMARY:** See Calculations Sheet

### **COST INCREASES (DECREASES)**

State Agencies:	First-Year Impact	Continuous-Yearly Impact
Permitting System		
TOTAL		
<b>Local Subdivisions:</b>		
TOTAL		
<b>Small Business Increases (Decreases)</b>		
TOTAL		

### **REVENUE INCREASES (DECREASES)**

Revenue Increases (Decreases) State, Local & Small Business :		
Public Safety	\$11,625	\$11,625
TOTAL	\$11,625	\$11,625

APPROVED

*Dan J. Lusk*  
Dan J. Lusk, Deputy Secretary of Public Safety

DATE *10/24/20*

**ATTACH:** Copy of proposed rules; separate sections for: 1) explanation of effect (i.e., procedures, schedules, activities, etc. that will change with adoption), 2) source and use of any statistics, 3) assumptions for fiscal impact, 4) computations, and 5) Small Business Impact Statement

A copy of this form may be obtained from the Bureau of Finance and Management. If proposed rules have a negative fiscal impact on a local government, the Bureau of Finance and Management must send a copy of its fiscal note to the organizations listed in SDCL 1-26-4.2.

<b>SD Department of Agriculture and Department of Public Safety</b>							
<b>Fiscal Note Calculations</b>							
<b>Industrial Hemp Program Rule Proposals</b>							
	<b>Fee Amount</b>	<b>Estimate Volume</b>	<b>Fiscal Impact</b>				
Grower License Application Fee	\$ 50.00	65	\$ 3,250.00				
Grower License Fee	\$ 500.00	65	\$ 32,500.00				
Processor License Applications Fee	\$ 50.00	4	\$ 200.00				
Processor License Fee	\$ 2,000.00	4	\$ 8,000.00				
Grower Inspection Fee	\$ 250.00	130	\$ 32,500.00				
Processor Inspection Fee	\$ 500.00	4	\$ 2,000.00				
<b>SD Department of Ag Fiscal Impact</b>			<b>\$ 78,450.00</b>				
Industrial Hemp Grower Licensee Transportation Permit	\$ 25.00	65	\$ 1,625.00				
Industrial Hemp General Transportation Permit	\$ 25.00	400	\$ 10,000.00 *				
<b>SD Department of Public Safety Fiscal Impact</b>			<b>\$ 11,625.00</b>				

\*This includes anyone traveling through the state with hemp. They may be coming from another state and taking their product to other states as well.