

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

826A0740

HOUSE BILL NO. 1207

Introduced by: Representatives de Hueck and Monroe and Senator Rounds

1 FOR AN ACT ENTITLED, An Act to allow certain malt beverage manufacturers to serve wine
2 for consumption on their premises.

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

4 Section 1. That § 35-5-3.2 be amended to read as follows:

5 35-5-3.2. In addition to the provisions of § 35-4-49, a malt beverage manufacturer may sell
6 the malt beverage such manufacturer manufactures to the public for consumption on the licensed
7 premises. A malt beverage manufacturer who manufactures less than five thousand barrels of
8 malt beverage a year may hold on the premises where the malt beverage is manufactured an
9 on-sale license issued pursuant to subdivision 35-4-2(4) and subject to the quota established in
10 § 35-4-11 or a malt beverage retailer's license issued pursuant to subdivision 35-4-2(16) or an
11 on-sale wine license issued pursuant to subdivision 35-4-2(12). The manufacturer shall pay the
12 tax imposed under subdivision 35-5-3(1) on all malt beverages so sold. Any manufacturer who
13 holds a malt beverage retailer's license as provided in this section may also hold a malt beverage
14 retailer's license at other locations but may sell the malt beverages it manufactures only at the
15 location where the beverages are manufactured or to wholesalers licensed pursuant to this title.