

AN ACT

ENTITLED, An Act to revise certain provisions concerning the definition and operation of farm wineries.

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

Section 1. That § 35-12-1 be amended to read as follows:

35-12-1. Terms used in this chapter mean:

- (1) "Farm winery," any winery producing table, sparkling, or sacramental wines as defined in subdivision (2) or wine as defined in subdivision (3), with a majority of the ingredients grown or produced in South Dakota;
- (2) "Table, sparkling, and sacramental wines," any beverage made without rectification or fortification and containing not more than twenty-four percent alcohol by volume and made by the fermentation of grapes, grape juice, other fruits, or honey;
- (3) "Wine," any beverage made without rectification, except for the purpose of fortification, from the fermentation of grapes, grape juice, other fruit bases, or honey, with or without adding brandy or alcohol, and containing not less than one-half percent and not more than twenty-four percent alcohol by volume.

Section 2. That § 35-12-5 be amended to read as follows:

35-12-5. A license issued pursuant to § 35-12-2 authorizes the sale on the farm winery premises of table wine, sparkling wines, or sacramental wines, or any wine as defined in subdivision 35-12-1(3), produced by the farm winery at on-sale or off-sale, in retail, or wholesale lots in total quantities not in excess of one hundred fifty thousand gallons in a calendar year, glassware, wine literature and accessories, food products, South Dakota made products, and the dispensing of free samples of wines offered for sale. Sales at on-sale and off-sale may be made at any time during the week except on Sundays when the on-sale and off-sale sales are restricted to between twelve noon and twelve

midnight.

An Act to revise certain provisions concerning the definition and operation of farm wineries.

I certify that the attached Act
originated in the

HOUSE as Bill No. 1114

Chief Clerk

Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1114

File No. _____

Chapter No. _____

Received at this Executive Office
this ____ day of _____ ,

20__ at _____ M.

By _____
for the Governor

The attached Act is hereby
approved this _____ day of
_____, A.D., 20__

Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State