

State of South Dakota

EIGHTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2014

366V0484

HOUSE BILL NO. 1148

Introduced by: Representatives Magstadt, Ecklund, Langer, and Solum and Senator Holien

1 FOR AN ACT ENTITLED, An Act to provide a license for certain businesses to allow patrons
2 to manufacture malt beverages and wines on the licensed premises for personal use.

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

4 Section 1. That § 35-4-2 be amended by adding thereto a NEW SUBDIVISION to read as
5 follows:

6 Retail on premises manufacturer -- two hundred fifty dollars;

7 Section 2. That § 35-1-5.4 be amended to read as follows:

8 35-1-5.4. Any person who produces for personal, family, or similar use two hundred gallons
9 or less of malt beverage each year or any person who produces for personal, family, or similar
10 use two hundred gallons or less of wine each year is exempt from any license required by this
11 title and is exempt from any tax or fee imposed by this title. The malt beverage or wine
12 produced pursuant to this section may not be sold or offered for sale.

13 No malt beverage or wine produced pursuant to this section may be manufactured in a public
14 place or place of business, and stored during the manufacturing process in a public place or
15 place of business, unless the business holds a retail on premises manufacturer license. No malt



1 beverage or wine produced pursuant to this section may be consumed on the licensed premises.