

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

543B0598

HOUSE BILL NO. 1185

Introduced by: Representatives Mills, Chaffee, Deutsch, Duvall, and Frye-Mueller and
Senator Wiik

1 FOR AN ACT ENTITLED, An Act to revise provisions regarding farm wineries.

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

3 Section 1. That § 35-12-13 be amended to read:

4 35-12-13. For the purposes of this chapter, the term, farm winery, means any manufacturer
5 located in this state producing wine, as defined in § 35-1-1, in a total quantity not in excess of
6 ~~one~~ three hundred fifty thousand gallons within a calendar year, where at least fifty percent of
7 the raw materials used in the finished product are grown or produced in this state, and without
8 the use of wine imported from outside this state.

9 Section 2. That § 35-12-21 be amended to read:

10 35-12-21. The holder of any license issued under this chapter shall register labels for each
11 type or brand produced with the department in the same manner as prescribed for alcoholic
12 beverages in chapter 39-13, before sale. If the label or brand states or implies in a false or
13 misleading manner a connection with an actual living or dead Native American leader, the
14 department shall reject the registration of the label. The department shall reject the registration
15 of the label unless the name and address section of the label states estate bottled, pursuant to 27



- 1 CFR 4.26 as of January 1, 2019, or produced and bottled, or made and bottled, pursuant to 27
- 2 CFR 4.35 as of January 1, 2019.