

2021 South Dakota Legislature

Senate Bill 110**AMENDMENT 110A FOR THE INTRODUCED BILL**

1 **An Act to revise certain provisions for authorizing wholesalers to purchase alcoholic**
2 **beverages.**

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

4 **Section 1.** That § 35-4-60.1 be AMENDED.

5 **35-4-60.1. Wholesalers to purchase only from brand owner or brand**
6 **owner's agent or licensed wholesaler.**

7 No licensed wholesaler may purchase or accept delivery of any brand of alcoholic
8 beverages, unless those alcoholic beverages are purchased from the brand owner or the
9 brand owner's authorized agent, ~~and the brand owner or the brand owner's authorized~~
10 ~~agent has one of its employees visit wholesaler visits~~ each place of business licensed under
11 § 35-4-2 at least once per month, or from another licensed wholesaler operating solely
12 within this state. Alcoholic beverages imported into this state shall come to rest at the
13 warehouse of the licensed wholesaler before sale and delivery to a retail licensee. Alcoholic
14 beverages obtained from any licensed manufacturer located in this state do not need to
15 come to rest at the warehouse of the licensed wholesaler before sale and delivery to a
16 retail licensee if the wholesaler takes physical possession of the alcoholic beverages.
17 Failure to comply with the provisions of this section shall result in the forfeiture of the
18 brand name by the wholesaler in this state.