

# State of South Dakota

NINETY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2018

804Z0779

## HOUSE BILL NO. 1185

Introduced by: Representatives Conzet, Duvall, Frye-Mueller, Johnson, Marty, Mickelson, Otten (Herman), Peterson (Kent), Rounds, Rozum, Schoenfish, Turbiville, and Willadsen and Senators Maher, Cronin, Curd, Solano, and Sutton

1 FOR AN ACT ENTITLED, An Act to establish provisions regarding the storage of wine at  
2 certain licensed premises.

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

4 Section 1. That § 35-1-5.7 be amended to read:

5 35-1-5.7. Notwithstanding the provisions of § 35-1-5.6, a licensee that is licensed to sell  
6 wine on-sale may permit a customer to bring a sealed and unopened bottle of wine onto the  
7 licensed premises for consumption by the customer while eating a meal that was prepared by  
8 the licensee and that was served at a table on the licensed premises. The licensee may charge  
9 a corkage fee for serving wine supplied by a customer. The customer may carry out the  
10 unconsumed portion of the bottle of wine if it is securely resealed by the licensee with a cork  
11 or other similar cap and placed in a sealed bag or other container. The licensee shall also attach  
12 the receipt for the meal and any corkage fee to the bag or container. The customer may store  
13 unconsumed bottles of wine on the licensed premises. The licensee may charge a storage fee for  
14 storing wine supplied by the customer.

