



2020 South Dakota Legislature

House Bill 1081

SENATE ENGROSSED

Introduced by: **Representative Reed**

1 **An Act to exempt from alcoholic beverage regulations certain uses of alcohol by**
 2 **postsecondary institutions.**

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

4 **Section 1.** That a NEW SECTION be added:

5 **35-1-14. Production and storage of alcoholic beverages--Postsecondary**
 6 **institutions--Purposes--Exemptions--Prohibitions.**

7 As used in this section, the term, postsecondary institution, includes any
 8 postsecondary institution, technical institute, or private college or university located within
 9 this state.

10 A postsecondary institution may produce up to two hundred gallons of distilled
 11 spirits, up to two hundred gallons of malt beverage, and up to two hundred gallons of wine
 12 each year, and securely store up to two hundred gallons of each at any given time, for
 13 purposes of research and offering bona fide educational courses instructing students in
 14 the production and serving of distilled spirits, malt beverage, or wine. A postsecondary
 15 institution is not deemed a manufacturer or retailer under this title. Only students enrolled
 16 in a course, faculty, researchers, or research participants directly involved in the purposes
 17 of this section may consume alcohol produced under this section.

18 The production and storage of alcohol under this section is exempt from any
 19 licensing required by this title, or any tax or fee imposed by this title. Any distilled spirits,
 20 malt beverage, or wine produced under this section may only be consumed for classroom
 21 instruction or research and may not be donated, sold, or offered for sale.

22 No person under age twenty-one may be a student in a course offered under this
 23 section, nor may any person under the age of twenty-one consume distilled spirits, malt
 24 beverage, or wine produced under this section.