

AN ACT

ENTITLED, An Act to revise certain alcoholic beverage sampling provisions.

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

Section 1. That § 35-4-10.2 be amended to read:

35-4-10.2. A licensee holding a license pursuant to subdivision 35-4-2(3) or (5) may provide samples of malt beverages, wine, distilled spirits, liqueurs, and cordials to the general public without obtaining an additional license. The licensee may only offer as samples the malt beverages, wine, distilled spirits, liqueurs, and cordials that the licensee currently has in stock and is offering for sale to the general public. The malt beverage, wine, distilled spirits, liqueur, and cordial samples shall be dispensed at no charge and shall be consumed on the licensed premises during the permitted hours of off-sale. No sample of malt beverage may be larger than three fluid ounces. No sample of wine may be larger than fifty milliliters and no sample of distilled spirits, liqueur, or cordial may be larger than twenty-five milliliters. A violation of this section is a Class 1 misdemeanor.

Section 2. That chapter 35-4 be amended by adding a NEW SECTION to read:

A solicitor licensed pursuant to subdivision 35-4-2(7) may provide samples of malt beverages, wine, distilled spirits, liqueurs, and cordials to the general public. The samples shall be provided on the premises of a retailer licensed to sell the malt beverages, wine, distilled spirits, liqueurs, or cordials being offered and are subject to the limitations established pursuant to § 35-4-10.2. The provisions of this section do not apply to any solicitor of a wholesaler licensed pursuant to subdivision 35-4-2(2) or (15).

An Act to revise certain alcoholic beverage sampling provisions.

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I certify that the attached Act  
originated in the

SENATE as Bill No. 68

\_\_\_\_\_  
Secretary of the Senate

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\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 68

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

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Received at this Executive Office  
this \_\_\_\_ day of \_\_\_\_\_ ,

20\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_

\_\_\_\_\_  
Governor

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STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State