

# State of South Dakota

NINETY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2019

378B0044

## HOUSE BILL NO. 1062

Introduced by: Representatives Reed, Anderson, Bartels, Diedrich, Duba, Finck, Gross, Hunhoff, Post, and Rounds and Senators Smith (VJ), Novstrup, Soholt, and Youngberg

1 FOR AN ACT ENTITLED, An Act to exempt from alcoholic beverage regulations certain uses  
2 of alcohol by postsecondary institutions.

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

4 Section 1. That chapter 35-1 be amended by adding a NEW SECTION to read:

5 Under this section, the term, postsecondary institution, means any post secondary institution,  
6 technical institute, or private college or university located within the state.

7 A postsecondary institution may produce and store up to two hundred gallons or less of  
8 distilled spirits, malt beverage, or wine each year for the purposes of research and offering bona  
9 fide educational courses instructing students in the production of distilled spirits, malt beverage,  
10 or wine products. A postsecondary institution is not deemed a manufacturer or a retailer under  
11 this title.

12 The production and storage of alcohol under this section is exempt from any license required  
13 by this title or any tax or fee imposed by this title. Any distilled spirits, malt beverage or wine  
14 product produced under this section may not be sold or offered for sale.



1       No person under age twenty-one may be a student in a course offered under this section nor  
2       may any person under age twenty-one consume distilled spirits, malt beverage, or wine  
3       produced under this section.