

AN ACT

ENTITLED, An Act to revise certain provisions regarding confections that contain alcohol and to declare an emergency.

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

Section 1. That chapter 39-4 be amended by adding a NEW SECTION to read:

A person may sell or offer for sale any confection or candy that contains less than one-half of one percent alcohol by weight. If the confection or candy contains more than one-half of one percent alcohol by weight, the confection or candy is deemed adulterated for the purposes of this title.

Section 2. That chapter 39-4 be amended by adding a NEW SECTION to read:

A licensee pursuant to subdivision 35-4-2(4), (6), (11), (12), or (16) may sell or offer for sale any confection or candy made on the licensed premises containing one half of one percent alcohol by weight or more.

Section 3. That chapter 39-4 be amended by adding a NEW SECTION to read:

Any licensee pursuant to subdivision 35-4-2(23) may deliver any confection or candy containing one half of one percent alcohol by weight or more, pursuant to section 2 of this Act.

Section 4. That § 39-4-3 be amended to read:

39-4-3. For the purposes of this title a confectionery is deemed adulterated if it contains:

- (1) Terra alba, barytes, talc, paraffin, chrome yellow, or other mineral substance or poisonous color or flavor, or other ingredient deleterious or detrimental to health; or
- (2) Any narcotic drug.

Section 5. Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.

An Act to revise certain provisions regarding confections that contain alcohol and to declare an emergency.

=====

I certify that the attached Act originated in the

SENATE as Bill No. 169

Secretary of the Senate

=====

President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 169
File No. _____
Chapter No. _____

=====

Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

=====

The attached Act is hereby approved this _____ day of _____ , A.D., 20____

Governor

=====

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