



2023 South Dakota Legislature

House Bill 1176

Introduced by: **Representative** Jamison

1 **An Act to provide for a unified liquor license for municipal facilities.**

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

3 **Section 1. That chapter 35-4 be amended with a NEW SECTION:**

4 Notwithstanding the provisions of § 35-4-11 and subdivision 35-4-2(4), any
 5 municipality, by resolution, without an election, but subject to referendum, may make
 6 application for the issuance of an on-sale license for use at a municipality-owned
 7 entertainment or event venue, event center, arena, performance hall, theater, outdoor
 8 amphitheater, convention center, stadium, athletic venue, recreation facility provided for
 9 under chapter 9-38. The governing body of any municipality that has obtained an on-sale
 10 license pursuant to this section may contract, with any person or entity for purposes of
 11 providing food and beverage services at the municipality-owned facility and the use of any
 12 license issued pursuant to this section.

13 **Section 2. That § 35-4-14.1 be REPEALED:**

14 ~~Notwithstanding the provisions of § 35-4-11, any municipality may issue an on-~~
 15 ~~sale license pursuant to subdivision 35-4-2(4) to a municipal auditorium operated~~
 16 ~~pursuant to chapter 9-52 or to a public convention hall operated pursuant to chapter 9-~~
 17 ~~53 for use during a convention activity or an entertainment event, including any theatrical~~
 18 ~~or musical performance, rodeo, sporting event, or show. The selling, serving, or dispensing~~
 19 ~~of any alcoholic beverage at the municipal auditorium may not occur more than one hour~~
 20 ~~before the commencement of the event or at any time after the event is concluded. A~~
 21 ~~license issued pursuant to this section may not be transferred.~~

22 **Section 3. Section 2 of this Act shall be repealed effective January 1, 2024.**