



2023 South Dakota Legislature

House Bill 1176

SENATE ENGROSSED

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: **Representative Jamison**

1 **An Act to revise certain provisions regarding on-sale alcoholic beverage licenses for**
2 **use at municipality-owned facilities.**

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

4 **Section 1. That § 35-4-14.1 be AMENDED:**

5 **35-4-14.1.** Notwithstanding the provisions of § 35-4-11, any municipality may by
6 resolution, without an election but subject to referendum, issue an on-sale license
7 pursuant to subdivision 35-4-2(4) to a for use at any municipality-owned entertainment
8 venue, event venue, event center, arena, performance hall, theater, outdoor
9 amphitheater, convention center, stadium, athletic venue, recreation facility, municipal
10 auditorium operated pursuant to chapter 9-52, or to a public convention hall operated
11 pursuant to chapter 9-53 for use during a convention activity or an entertainment event,
12 including any theatrical or musical performance, rodeo, sporting event, or show. The
13 selling, serving, or dispensing of any alcoholic beverage at the municipal auditorium may
14 not occur more than one hour before the commencement of the event or at any time after
15 the event is concluded. An on-sale license issued pursuant to this section must be used to
16 support the primary public purpose of the municipality-owned facility during the hours the
17 municipality-owned facility is open for its primary purpose. A license issued pursuant to
18 this section must not be used at any municipality-owned facility for the primary purpose
19 of only providing food and beverage services to the public. There is no fee for a license
20 under this section. The governing body of any municipality that has obtained an on-sale
21 license pursuant to this section may contract with any person or entity for purposes of
22 providing food and beverage services at the municipality-owned facility and the use of any
23 license issued pursuant to this section. A license issued pursuant to this section may not
24 be transferred.

25 **Section 2. That chapter 42-7A be amended with a NEW SECTION:**

1 No video lottery machines may be placed in a facility with an on-sale license issued
2 pursuant to section 1 of this Act.