

2024 South Dakota Legislature

Senate Bill 86**AMENDMENT 86B
FOR THE INTRODUCED BILL**

1 **An Act to allow a municipality authorized to allow legal games of chance to issue**
2 **additional ~~convention~~ off-sale liquor licenses to hotel-motel convention**
3 **facilities.**

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

5 **~~Section 1. That § 35-4-2 be AMENDED:~~**

6 ~~35-4-2. The classes of licenses, with the fee of each class, are as follows:~~

7 ~~(1) Repealed by SL 2018, ch 223, § 13;~~

8 ~~(2) Wholesalers of alcoholic beverages—five thousand dollars;~~

9 ~~(3) Off sale—not less than three hundred dollars. The renewal fee for the license may not~~
10 ~~exceed five hundred dollars;~~

11 ~~(4) On sale—not less than one dollar for each person residing within the municipality as~~
12 ~~measured by the last preceding federal census. The renewal fee for the license may not exceed~~
13 ~~fifteen hundred dollars;~~

14 ~~(5) Off sale licenses issued to municipalities under local option—not less than two hundred~~
15 ~~fifty dollars;~~

16 ~~(6) On sale licenses issued outside municipalities—not less than the amount the nearest~~
17 ~~municipality to the applicant is charging for a like license. The renewal fee shall be the same~~
18 ~~as is charged for a like license in the nearest municipality. If the municipality to which the~~
19 ~~applicant is nearest holds an on sale license, pursuant to § 35-3-13 and does not charge a~~
20 ~~specified fee, then the fee shall be the minimum amount that could be charged as if the~~
21 ~~municipality had not been authorized to obtain on sale licenses pursuant to § 35-3-13. The~~
22 ~~renewal fee shall be the same as could be charged for a like license in the nearest municipality;~~

- 1 ~~(7) Repealed by SL 2018, ch 213, § 46;~~
- 2 ~~(8) Transportation companies—twenty-five dollars;~~
- 3 ~~(9) Carrier—one hundred dollars. The fee licenses all conveyances the licensee operates in~~
4 ~~this state;~~
- 5 ~~(10) ————— Repealed by SL 2018, ch 213, § 46;~~
- 6 ~~(11) ————— On-sale dealers at publicly operated airports—two hundred fifty dollars;~~
- 7 ~~(12) ————— Wine and cider retailers, being both package dealers and on-sale~~
8 ~~dealers—five hundred dollars;~~
- 9 ~~(13) ————— Convention facility on sale—not less than one dollar for each person~~
10 ~~residing within the municipality as measured by the last preceding federal census. The renewal~~
11 ~~fee for the license may not exceed fifteen hundred dollars;~~
- 12 ~~(14) ————— Repealed by SL 2018, ch 224, § 11;~~
- 13 ~~(15) ————— Wholesalers of malt beverages—four hundred dollars;~~
- 14 ~~(16) ————— Malt beverage and wine produced by a farm winery licensee, being both~~
15 ~~package dealers and on-sale dealers—three hundred dollars;~~
- 16 ~~(17) ————— Repealed by SL 2018, ch 213, § 46;~~
- 17 ~~(17A) ————— Repealed by SL 2018, ch 213, § 46;~~
- 18 ~~(18) ————— Repealed by SL 2018, ch 213, § 46;~~
- 19 ~~(19) ————— Repealed by SL 2018, ch 213, § 46 and ch 222, § 11;~~
- 20 ~~(20) ————— Repealed by SL 2018, ch 213, § 46;~~
- 21 ~~(21) ————— Retail on-premises manufacturer—two hundred fifty dollars;~~
- 22 ~~(22) ————— Repealed by SL 2018, ch 223, § 13; and~~
- 23 ~~(23) ————— Off-sale delivery—one hundred fifty dollars; and~~

1 ~~(24) Convention facility off sale issued pursuant to § 35-4-11.11 not less~~
2 ~~than three hundred dollars. The renewal fee for the license may not exceed five hundred~~
3 ~~dollars.~~

4 **Section 1. That § 35-4-11.11 be AMENDED:**

5 **35-4-11.11.** In addition to the licenses provided by §§ 35-4-10, 35-4-11 and 35-
6 4-11.2, any municipality that is authorized by chapter 42-7B to allow legal games of
7 chance may issue up to five additional ~~convention facility~~ off-sale licenses to hotel-motel
8 convention facilities and twelve additional convention facility on-sale licenses to hotel-
9 motel convention facilities. A hotel-motel convention facility as used in this section is a
10 facility that, in a bona fide manner, is used and kept open for the hosting of large groups
11 of guests for compensation which has at least fifty rooms which are suitable lodging
12 accommodations and convention facilities with seating for at least one hundred fifty
13 persons. In a locally designated historical district, in a municipality that is authorized to
14 conduct gaming by chapter 42-7B, any license created by this section ~~shall be~~ is available
15 to buildings subject to rehabilitation and restored according to the U.S. Department of the
16 Interior standards for historic preservation projects codified in 36 C.F.R. Part 67 as of
17 January 1, 1994. ~~Such a~~ The rehabilitation project ~~shall~~ must have at least thirty rooms
18 that are suitable lodging accommodations.