



2024 South Dakota Legislature

House Bill 1196

HOUSE COMMERCE AND ENERGY ENGROSSED

Introduced by: **Representative Jamison**

1 **An Act to streamline the process by which an on-sale retail license holder may**
 2 **acquire a special event license.**

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

4 **Section 1. That § 35-4-124 be AMENDED:**

5 **35-4-124.** Any municipality or county may issue:

- 6 (1) A special malt beverage retailers license in conjunction with a special event within
 7 the municipality or county to any civic, charitable, educational, fraternal, or
 8 veterans organization or any licensee licensed pursuant to § 35-4-111 or
 9 subdivision 35-4-2(4), (6), or (16) in addition to any other licenses held by the
 10 special events license applicant;
- 11 (2) A special on-sale wine retailers license in conjunction with a special event within
 12 the municipality or county to any civic, charitable, educational, fraternal, or
 13 veterans organization or any licensee licensed pursuant to § 35-4-111 or
 14 subdivision 35-4-2(4), (6), or (12) or any farm winery licensee in addition to any
 15 other licenses held by the special events license applicant;
- 16 (3) A special on-sale license in conjunction with a special event within the municipality
 17 or county to any civic, charitable, educational, fraternal, or veterans organization
 18 or any licensee licensed pursuant to § 35-4-111 or subdivision 35-4-2(4) or (6) in
 19 addition to any other licenses held by the special events license applicant;
- 20 (4) A special off-sale package wine dealers license in conjunction with a special event
 21 within the municipality or county to any civic, charitable, educational, fraternal, or
 22 veterans organization or any licensee licensed pursuant to subdivision 35-4-2(3),
 23 (5), or (12) or any farm winery licensee in addition to any other licenses held by
 24 the special events license applicant. A special off-sale package wine dealers
 25 licensee may only sell wine manufactured by a farm winery licensee;

- 1 (5) A special off-sale package wine dealers license in conjunction with a special event,
- 2 conducted pursuant to § 35-4-124.1, within the municipality or county to any civic,
- 3 charitable, educational, fraternal, or veterans organization;
- 4 (6) A special off-sale package malt beverage dealers license in conjunction with a
- 5 special event, conducted pursuant to § 35-4-124.1, within the municipality or
- 6 county to any civic, charitable, educational, fraternal, or veterans organization; or
- 7 (7) A special off-sale package dealers license in conjunction with a special event,
- 8 conducted pursuant to § 35-4-124.1, within the municipality or county to any civic,
- 9 charitable, educational, fraternal, or veterans organization.

10 The municipality or county may issue a license under this section for a time not to
 11 exceed fifteen consecutive days. No public hearing is required for the issuance of a license
 12 pursuant to this section if the person applying for the license holds an on-sale alcoholic
 13 beverage license or a retail malt beverage license in the municipality or county, or holds
 14 an operating agreement for a municipal on-sale alcoholic beverage license, ~~and the license~~
 15 ~~is to be used in a publicly owned facility.~~ The local governing body shall establish rules to
 16 regulate and restrict the operation of the special license, including rules limiting the
 17 number of licenses that may be issued to any person within any calendar year.