

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

168E0680

SENATE BILL NO. 168

Introduced by: Senators Daugaard, Bogue, and de Hueck and Representatives Monroe,
Duenwald, Garnos, and Klautd

1 FOR AN ACT ENTITLED, An Act to revise the provisions for issuing on-sale liquor licenses
2 to resort facilities.

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

4 Section 1. That § 35-4-107 be amended to read as follows:

5 35-4-107. Notwithstanding the provisions of § 35-4-11.1, each county may issue one resort
6 facility on-sale license for a resort facility constructed after July 1, 1997. For the purposes of this
7 section, a resort facility is a facility located in a county with a population of less than two
8 thousand persons and, in a bona fide manner, is used and kept open for hosting guests for
9 compensation which has at least ~~sixty~~ thirty rooms that are suitable for lodging and which has
10 facilities for the preparation and serving of food for consumption on the premises. The resort
11 facility license may be issued only if the project cost for the recreation facilities at the resort
12 facility exceeds two million dollars. The resort facility license may be issued only if the licensee
13 derives less than thirty-three percent of the licensee's gross receipts from the sale of alcoholic
14 beverages on the premises where the license is held. For the purposes of this section, the term
15 premises means one contiguous piece of real property on which sales are generated by the

1 licensee.