

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

474E0620

## SENATE BILL NO. 199

Introduced by: Senator Kleven and Representatives Pummel and Hansen (Tom)

1 FOR AN ACT ENTITLED, An Act to revise municipal authority to license, tax, and regulate  
2 certain transient merchants.

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

4 Section 1. That § 9-34-7 be amended to read as follows:

5 9-34-7. ~~Every~~ Each municipality ~~shall have power to~~ may license, tax, and regulate transient  
6 merchants, auctioneers, transient, bankrupt, and auction stores, and stores of like nature, gift  
7 enterprises, and ~~every~~ any business or vocation of like character, ~~except when~~ unless carried on  
8 by a person retailing merchandise or products of ~~his~~ the person's own manufacture or production;  
9 ~~and except.~~ However, a municipality may license, tax, and regulate a transient merchant retailing  
10 merchandise or products of the person's own manufacture or production at any event where  
11 there are two hundred fifty or more transient merchants. This section does not apply to the  
12 distribution of any commodity from a railroad car by a cooperative association purchased in car  
13 lot for the personal use of its members.