

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

681E0186

SENATE BILL NO. 219

Introduced by: Senators Kleven, Apa, Bogue, de Hueck, Dennert, Drake, Madden, McCracken, Putnam, and Vitter and Representatives Pummel, Brown (Richard), Duenwald, Duniphan, Heineman, Madsen, Napoli, Rhoden, and Richter

1 FOR AN ACT ENTITLED, An Act to permit municipalities to issue a temporary on-sale license
2 during certain large events.

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

4 Section 1. That § 35-4-14.2 be amended to read as follows:

5 35-4-14.2. Any municipality may issue an on-sale license to be operated at a convention hall
6 established pursuant to chapter 9-52 or 9-53. Such license shall be issued without regard to the
7 population limitations established pursuant to § 35-4-11. In addition, any municipality with a
8 population exceeding one hundred thousand or any municipality hosting an annual event attended
9 by one hundred thousand or more persons may issue an on-sale license to be operated at a
10 sporting event held at a publicly owned sports arena or facility that seats a minimum of one
11 thousand persons. Before a license may be issued in a municipality hosting an annual event, the
12 municipal finance officer shall estimate the previous year's attendance at the event and provide
13 the estimate to the governing body of the municipality. Any license issued pursuant to this
14 section shall be issued for a period not to exceed five consecutive days and the license shall

1 expire at twelve midnight on the fifth day after issuance. No license may be issued, pursuant to
2 the provisions of this section, in a municipality which operates a license pursuant to § 35-4-14.1.
3 No public hearing is required for the issuance of a license pursuant to this section if the individual
4 applying for the license holds an on-sale alcoholic beverage license in the municipality or holds
5 an operating agreement for a municipal on-sale alcoholic beverage license. No person who holds
6 an operating agreement for a municipal license pursuant to § 35-4-14.1 may receive a license
7 pursuant to this section.