

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

474E0620

## SENATE ENGROSSED NO. **SB 199** - 02/01/2001

**This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.**

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 carried on by a~~  
8 ~~person retailing merchandise or products of his own manufacture or production, and except,~~  
9 However, the municipality may exempt from any such licensure, taxation, or regulation a  
10 transient merchant who is retailing merchandise or products that the municipality determines to  
11 be of the person's own manufacture or production. This section does not apply to the distribution  
12 of any commodity from a railroad car by a cooperative association purchased in car lot for the  
13 personal use of its members.