

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

168E0680

SENATE COMMERCE COMMITTEE ENGROSSED NO.

SB 168 - 02/08/2001

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

1 section applies to any resort facility constructed after July 1, 1997.