

2023 South Dakota Legislature

House Bill 1176**AMENDMENT 1176B
FOR THE INTRODUCED BILL**

1 **An Act to ~~provide for a unified liquor license for municipal facilities~~revise certain**
2 **provisions regarding on-sale alcoholic beverage licenses for use at**
3 **municipality-owned facilities.**

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

5 **Section 1. That § 35-4-14.1 be AMENDED:**

6 **35-4-14.1.** Notwithstanding the provisions of § 35-4-11, any municipality, ~~by resolution,~~
7 ~~without election, but subject to referendum,~~ may by resolution issue an on-sale license
8 pursuant to subdivision 35-4-2(4) ~~to a~~ for use at any municipality-owned entertainment
9 venue, event venue, event center, arena, performance hall, theater, outdoor amphitheater,
10 convention center, stadium, athletic venue, recreation facility, municipal auditorium operated
11 pursuant to chapter 9-52, or to a public convention hall operated pursuant to chapter 9-53
12 for use during a convention activity or an entertainment event, including any theatrical or
13 musical performance, rodeo, sporting event, or show. The selling, serving, or dispensing of
14 any alcoholic beverage at the municipal auditorium may not occur more than one hour before
15 the commencement of the event or at any time after the event is concluded. An on-sale
16 license issued pursuant to this section must be used to support the primary public purpose of
17 the municipality-owned facility during the hours the municipality-owned facility is open for
18 primary purpose. A license issued pursuant to this section must not be used at any
19 municipality-owned facility for the primary purpose of only providing food and beverage
20 services to the public. There is no fee for a license under this section. The governing body of
21 any municipality that has obtained an on-sale license pursuant to this section may contract
22 with any person or entity for purposes of providing food and beverage services at the
23 municipality-owned facility and the use of any license issued pursuant to this section. A license
24 issued pursuant to this section may not be transferred.