

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

705N0692

SENATE BILL NO. 189

Introduced by: Senators Gant, Albers, and Bartling and Representatives Kirkeby, Gassman, Halverson, Hanks, Koistinen, and Vehle

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to the transfer of certain
2 alcoholic beverage licenses.

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

4 Section 1. That § 35-4-13 be amended to read as follows:

5 35-4-13. If by reason of the annexation of territory by any municipal corporation or county,
6 the premises of an on-sale licensee ~~shall be~~ are transferred from one jurisdiction to another, ~~such~~
7 the licensee shall continue to legally operate until the expiration of such license. Thereafter,
8 ~~such the~~ licensee shall ~~make application for his license renewal~~ apply for renewal of the license
9 to the governing board which has jurisdiction of the licensed premises, and ~~such the~~ the license ~~shall~~
10 may not be denied on the grounds that, by the issuance of such the license, more on-sale licenses
11 are in existence than is permitted by the limitations of this chapter. However, a license
12 transferred from one jurisdiction to another by annexation may not be transferred to a new
13 location pursuant to § 35-2-7 for a period of three years following the date of annexation.

