



2023 South Dakota Legislature

House Bill 1176

HOUSE COMMERCE AND ENERGY ENGROSSED

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

Introduced by: **Representative Jamison**

1 **An Act to revise certain provisions regarding on-sale alcoholic beverage licenses for**
2 **use at municipality-owned facilities.**

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

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

5 **35-4-14.1.** Notwithstanding the provisions of § 35-4-11, any municipality may by
6 resolution issue an on-sale license pursuant to subdivision 35-4-2(4) ~~to a~~ for use at any
7 municipality-owned entertainment venue, event venue, event center, arena, performance
8 hall, theater, outdoor amphitheater, convention center, stadium, athletic venue,
9 recreation facility, municipal auditorium operated pursuant to chapter 9-52, ~~or to a~~ public
10 convention hall operated pursuant to chapter 9-53 ~~for use during a convention activity or~~
11 ~~an entertainment event, including any theatrical or musical performance, rodeo, sporting~~
12 ~~event, or show. The selling, serving, or dispensing of any alcoholic beverage at the~~
13 ~~municipal auditorium may not occur more than one hour before the commencement of~~
14 ~~the event or at any time after the event is concluded.~~ An on-sale license issued pursuant
15 to this section must be used to support the primary public purpose of the municipality-
16 owned facility during the hours the municipality-owned facility is open for its primary
17 purpose. A license issued pursuant to this section must not be used at any municipality-
18 owned facility for the primary purpose of only providing food and beverage services to the
19 public. There is no fee for a license under this section. The governing body of any
20 municipality that has obtained an on-sale license pursuant to this section may contract
21 with any person or entity for purposes of providing food and beverage services at the
22 municipality-owned facility and the use of any license issued pursuant to this section. A
23 license issued pursuant to this section may not be transferred.