

# State of South Dakota

SEVENTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 1997

400A0301

## SENATE BILL NO. 56

Introduced by: The Committee on Health and Human Services at the request of the Department  
of Health

1 FOR AN ACT ENTITLED, An Act to revise certain authority of the secretary of health to enter  
2 into mutual agreements regarding inspections of lodging and food services and to revise the  
3 duration of a temporary food service license.

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

5 Section 1. That § 34-18-6 be amended to read as follows:

6 34-18-6. The secretary of health ~~is hereby authorized to~~ may enter into mutual agreements  
7 with ~~the secretary of agriculture~~ other public and private agencies in order to promote the mutual  
8 effectiveness of both agencies in the area of public health and safety and to prevent duplication  
9 of effort in the promotion of an efficient public health program.

10 Section 2. That § 34-18-17 be amended to read as follows:

11 34-18-17. ~~It shall be the duty of each~~ Any owner of a temporary food service establishment  
12 ~~to shall~~ secure a license before beginning the operation of ~~such the~~ establishment ~~after making.~~  
13 The owner shall make proper application on a form provided by the department and  
14 accompanied by the proper license fee. The license fee for a temporary food service  
15 establishment ~~shall be~~ is twenty-five dollars. Those businesses which offer food at no cost or

1 consideration not more than three times in any calendar year and no more than three consecutive  
2 days at any given time in conjunction with a grand opening, promotion, or special product  
3 showing ~~shall be~~ are exempt from the licensing and license fee provisions of this chapter. ~~Such~~  
4 The exemption from the licensing and license fee provisions does not release the owner of ~~such~~  
5 the establishments from compliance with the public health requirements of this chapter and the  
6 rules ~~and regulations~~ of the department. ~~After having satisfied himself~~ If satisfied that ~~such the~~  
7 temporary food service establishment is in compliance with this chapter and the rules ~~and~~  
8 ~~regulations~~ of the department, the secretary of health shall issue a license for ~~thirty days from the~~  
9 ~~date of issuance~~ a period of time not to exceed two weeks.