

State of South Dakota

EIGHTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2010

495R0087

HOUSE BILL NO. 1003

Introduced by: Representatives Lederman, Kirkeby, Sorenson, and Turbiville and Senators Tieszen and Nelson at the request of the Interim Committee on Alcoholic Beverage Control and Licensing Laws

1 FOR AN ACT ENTITLED, An Act to reduce the time period for revising fees for full-service
2 restaurant on-sale licenses.

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

4 Section 1. That § 35-4-116 be amended to read as follows:

5 35-4-116. Any municipality or county adopting the ordinance pursuant to § 35-4-111 may
6 issue additional on-sale licenses to full-service restaurants. Any municipality adopting such
7 ordinance shall charge at least one dollar for each person residing within the municipality as
8 ~~measured~~ determined by the last preceding decennial federal census. Any county adopting such
9 ordinance shall charge at least one dollar for each person residing within the county but outside
10 the boundary of any municipality as ~~measured~~ determined by the last preceding decennial
11 federal census.

12 Each municipality or county shall set the on-sale license fee within ninety days of adopting
13 the ordinance pursuant to § 35-4-111 or within thirty days after the resolution of any appeal
14 pursuant to § 35-4-120. After the fee for an on-sale license issued pursuant to §§ 35-4-110 to



1 35-4-120, inclusive, has been determined, no municipality or county may change the fee for a
2 period of ~~ten~~ five years unless a growth in population reported by the federal decennial census
3 requires an increase in the fee.