

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

573S0381

HOUSE ENGROSSED NO. **HB 1119** - 2/1/2011

Introduced by: Representatives Kirkeby, Brunner, Cronin, Dryden, Gibson, Hansen (Jon), Hoffman, Olson (Betty), Solum, Street, Tulson, and Turbiville and Senators Haverly, Maher, Nelson (Tom), Nygaard, Putnam, and Rhoden

1 FOR AN ACT ENTITLED, An Act to revise the procedure for reissuing certain alcoholic
2 beverage licenses.

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

4 Section 1. That § 35-2-1.2 be amended to read as follows:

5 35-2-1.2. Any application for a new retail license, except as set forth in § 35-2-1.1, or the
6 transfer of an existing license shall be submitted to the governing board of the municipality
7 within which the applicant intends to operate, or if outside the corporate limits of a municipality,
8 to the board of county commissioners of the county in which the applicant seeks to operate. The
9 application shall be accompanied by the required fee. The governing board may approve or
10 disapprove the application for a new retail license or the transfer of an existing license
11 depending on whether the governing board deems the applicant a suitable person to hold the
12 license and whether the governing board considers the proposed location suitable.

13 Any application for the reissuance of a retail license may be approved by the municipal or
14 county governing board without a hearing unless in the past year the licensee or one or more of



- 1 the licensee's employees have been subjected to a criminal penalty for violation of the alcoholic
- 2 beverage control law or the license has been suspended.