

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

239A0491

HOUSE BILL NO. 1102

Introduced by: Representatives Hagg, Broderick, Cutler, DeMersseman, Fischer-Clemens, Koetzle, Madden, Matthews, Pederson (Gordon), Peterson (Bill), Schaunaman, and Windhorst and Senators Everist, Aker, Hutmacher, Lawler, Olson, Paisley, Rounds, Shoener, Staggers, and Whiting

1 FOR AN ACT ENTITLED, An Act to authorize additional off-sale retail liquor licenses in
2 certain municipalities of the first class.

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

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

5 35-4-4. No person, corporation, or business entity may ~~be the holder of~~ hold or have an
6 interest in more than three retail licenses issued under subdivisions 35-4-2(3), (4), (6), or (13).
7 However, a person, corporation, or business entity may hold or have an interest in three
8 additional retail licenses issued under subdivision 35-4-2(4) if the licensee derives more than fifty
9 percent of the licensee's gross receipts from the sale of food at the location where the license is
10 held and if the location is in a municipality of the first class. Any person, corporation, or business
11 entity may hold or have an interest in additional retail licenses issued under subdivision 35-4-2(3)
12 in municipalities of the first class whose populations are greater than ten thousand, if the licensee
13 derives less than fifty percent of the licensee's gross receipts from the sale of alcoholic beverages
14 at the location where the license is held. For purposes of this section, location means one

1 contiguous piece of real estate on which sales are generated by the licensee.