

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

239A0491

SENATE ENGROSSED NO. **HB1102** - 2/24/97

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 and to provide certain restrictions for off-sale
3 licensees.

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

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

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

1 the sale of alcoholic beverages at the location where the license is held. Any licensee under
2 subdivision 35-4-2(3) shall sell its alcoholic beverages, other than malt beverages, in an area in
3 which persons under the age of twenty-one are not allowed and which is separated by a physical
4 barrier from the rest of the establishment. For purposes of this section, location means one
5 contiguous piece of real estate on which sales are generated by the licensee.

1 **BILL HISTORY**

2 1/27/97 First read in House and referred to State Affairs. H.J. 153

3 1/31/97 Scheduled for Committee hearing on this date.

4 1/31/97 State Affairs Do Pass, Passed, AYES 10, NAYS 2. H.J. 234

5 2/3/97 Motion to Amend, Passed. H.J. 277

6 2/3/97 House of Representatives Do Pass Amended, Passed, AYES 60, NAYS 10. H.J. 277

7 2/4/97 First read in Senate and referred to Commerce. S.J. 314

8 2/18/97 Scheduled for Committee hearing on this date.

9 2/18/97 Commerce Do Pass, Passed, AYES 5, NAYS 2. S.J. 485

10 2/19/97 Deferred to another day. S.J. 545

11 2/20/97 Deferred to another day. S.J. 573

12 2/21/97 Senate Placed on Calendar. S.J. 586

13 2/21/97 Motion to Amend, Passed. S.J. 589

14 2/21/97 Senate Do Pass Amended, Passed, AYES 22, NAYS 13. S.J. 590