

# State of South Dakota

SEVENTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 1999

618C0567

## HOUSE BILL NO. 1160

Introduced by: Representatives Peterson, Brown (Richard), Crisp, and Koetzle and Senators  
Everist, Albers, Bogue, Hainje, Moore, and Whiting

1 FOR AN ACT ENTITLED, An Act to permit a municipality or county to issue a temporary  
2 special retail on-sale wine dealers' license for certain special events.

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

4 Section 1. That § 35-4-11.4 be amended to read as follows:

5 35-4-11.4. Any municipality or county may issue a special malt beverage ~~retailers~~ retailers'  
6 license and a special retail on-sale wine dealers' license to any civic, charitable, educational, or  
7 fraternal organization in conjunction with a special event within the municipality or within the  
8 county. Educational does not include any elementary, secondary, or higher educational institution  
9 in the public school system of this state. Any license issued pursuant to this section may be issued  
10 for a period of time established by the municipal governing body or board of county  
11 commissioners. However, such period may not exceed fifteen consecutive days. If an  
12 organization receiving a license pursuant to this section conducts a street dance in conjunction  
13 with the special event, the organization shall provide qualified security personnel as deemed  
14 necessary by the governing body which issued the license to maintain order during the street  
15 dance.

16 Section 2. That § 35-4-11.5 be amended to read as follows:

1           35-4-11.5. A license issued pursuant to § 35-4-11.4 shall be issued to the organization and  
2 location specified on the application. Notwithstanding ~~subdivision 35-4-2(16)~~ subdivisions 35-4-  
3 2(12) and (16), the fee for this license is five dollars per day. Each application shall be  
4 accompanied by the fee prior to consideration by the governing body or board of county  
5 commissioners. Notwithstanding § 35-5-21.1, the fee provided for in this section shall be  
6 retained by the governing body or board of county commissioners issuing ~~such~~ the license.