

# State of South Dakota

SEVENTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 1999

167C0761

## HOUSE ENGROSSED NO. **HB1199** . 2/10/99

**This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsors.**

Introduced by: Representatives Hunt and Fitzgerald and Senators Halverson and Brown  
(Arnold)

1 FOR AN ACT ENTITLED, An Act to restrict the distribution of alcoholic beverages to persons

2 under eighteen years of age by parents, guardians, or spouses over twenty-one years of age.

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

4 Section 1. That § 35-9-1 be amended to read as follows:

5 35-9-1. It is a Class 1 misdemeanor to sell or give for use as a beverage any alcoholic

6 beverage to any person under the age of eighteen years ~~unless it is done in the immediate~~

7 ~~presence of a parent or guardian or spouse over twenty-one years of age or by prescription or~~

8 ~~direction of a duly licensed practitioner or nurse of the healing arts for medicinal purposes;~~

9 (1) It is done in the immediate presence of a parent or guardian or spouse, who is at least

10 twenty-one years of age, while not on the premises of an establishment licensed for

11 the retail sale of alcoholic beverages pursuant to § 35-4-2 or at a special event for

12 which an alcoholic beverage license has been issued pursuant to § 35-4-11.4; or

13 (2) It is done by prescription or direction of a duly licensed practitioner or nurse of the

14 healing arts for medicinal purposes.

1 **BILL HISTORY**

2 1/27/99 First read in House and referred to committee assignment waived. H.J. 212

3 1/28/99 Referred to Judiciary. H.J. 240

4 2/1/99 Scheduled for Committee hearing on this date.

5 2/1/99 Judiciary Do Pass Amended, Failed, AYES 6, NAYS 6.

6 2/1/99 Judiciary Deferred to another day.

7 2/3/99 Scheduled for Committee hearing on this date.

8 2/3/99 Judiciary Do Pass Amended, Passed, AYES 13, NAYS 0. H.J. 341

9 2/4/99 Judiciary Hog Housed.

10 2/5/99 House of Representatives Deferred to another day. H.J. 405

11 2/8/99 Motion to Amend, Passed. H.J. 417

12 2/8/99 House of Representatives Do Pass Amended, Failed, AYES 29, NAYS 37. H.J. 417

13 2/8/99 Intent to reconsider. H.J. 418

14 2/9/99 House of Representatives Reconsidered, AYES 52, NAYS 16. H.J. 435

15 2/9/99 Motion to Amend, Passed. H.J. 436

16 2/9/99 House of Representatives Do Pass Amended, Passed, AYES 43, NAYS 25. H.J. 436

17 2/9/99 House of Representatives Title Amended Passed. H.J. 437