

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

735C0653

SENATE BILL NO. 207

Introduced by: Senators Everist, Munson (David), Paisley, and Shoener and Representatives Peterson, Brooks, Brown (Richard), Diedrich (Larry), Duniphan, Earley, Roe, and Wilson

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

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 subdivision 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 annual gross receipts from the sale of food at the location where the
10 license is held and if the location is in a municipality of the first class. Any person, corporation,
11 or business entity may hold or have an interest in additional retail licenses issued under
12 subdivision 35-4-2(3) in a first class municipality with a population greater than ten thousand,
13 if the licensee derives less than fifty percent of the licensee's annual gross receipts from the sale
14 of alcoholic beverages at the location where the license is held. For purposes of this section,
15 location means one contiguous piece of real estate on which sales are generated by the licensee.