

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

463D0549

HOUSE STATE AFFAIRS COMMITTEE

ENGROSSED NO. **HB1101** - 1/24/00

Introduced by: Representatives Michels, Apa, Chicoine, Duniphan, Engbrecht, Hennies, Koehn, McCoy, Napoli, Sutton (Duane), and Wilson and Senators Olson, Everist, Hutmacher, Munson (David), Reedy, Shoener, and Stagers

1 FOR AN ACT ENTITLED, An Act to revise the grounds for revocation or suspension of an
2 alcoholic beverage license.

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

4 Section 1. That chapter 35-2 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 No retail license may be revoked or suspended because of a violation of any statute,
7 ordinance, rule, or regulation prohibiting the sale or service of any alcoholic beverage to a person
8 under the age of twenty-one years if the violation was committed by an employee or agent of the
9 licensee and:

10 (1) The licensee did not see the violation occur;

11 (2) The employee or agent has been certified by a nationally recognized training program
12 approved by the Department of Revenue that provides instruction on techniques to
13 prevent persons under the age of twenty-one years from purchasing or consuming
14 alcoholic beverages;

15 (3) The licensee has a written policy requiring the licensee's employees or agents to

1 examine the driver's license or other age-bearing identification document of any
2 person who appears to be under the age of twenty-one years before selling or serving
3 any alcoholic beverage to that person, and the employee or agent has agreed in
4 writing to abide by the policy; and
5 (4) The employee or agent has not been convicted of a similar violation within the past
6 twelve months.

1 **BILL HISTORY**

2 1/15/00 First read in House and referred to committee assignment waived. H.J. 60

3 1/18/00 Referred to State Affairs. H.J. 120

4 1/21/00 Scheduled for Committee hearing on this date.

5 1/24/00 Scheduled for Committee hearing on this date.

6 1/24/00 State Affairs Do Pass Amended, Passed, AYES 0, NAYS 0. H.J. 191