

AN ACT

ENTITLED, An Act to revise certain provisions regarding the issuance of on-sale alcoholic beverage licenses within improvement districts.

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

Section 1. A county may issue on-sale licenses pursuant to subdivision 35-4-2(6) to be operated only within an improvement district, created pursuant to chapter 7-25A, within the county. The number of licenses issued in the improvement district may not exceed three for the first one thousand of population and may not exceed one for each additional fifteen hundred of population or fraction thereof, including any licenses issued in the improvement district prior to July 1, 2000.

Section 2. That § 35-4-11.1 be amended to read as follows:

35-4-11.1. If not previously fixed by ordinance or continuing resolution, the board of county commissioners shall on or before the first of September in each year determine the number of on-sale licenses it will approve for the ensuing calendar year and the fees to be charged for the various classifications of licenses. The number of licenses issued may not exceed three for the first one thousand of population and may not exceed one for each additional fifteen hundred of population or fraction thereof, the population to include only those residing within the county but outside the incorporated municipalities and improvement districts, created pursuant to chapter 7-25A, within the county. However, any license issued in an improvement district prior to July 1, 2000, shall be included when calculating the total number of licenses that may be issued by the county where the improvement district is located. No licensee regularly licensed to do business on July 1, 1981, may be denied reissuance of a license in subsequent years solely by reason of any limitations, based upon population quotas, of the number of licenses authorized or established under the provisions of this title. Licenses issued to concessionaires, and lessees of the State of South Dakota, within the boundaries of state parks, prior to January 1, 1983, may be subtracted when calculating the total number of licenses permitted in this section. The quotas established in this section do not apply to

licenses issued pursuant to subdivisions 35-4-2(16) and (17).

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I certify that the attached Act originated in the

HOUSE as Bill No. 1134

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1134
File No. _____
Chapter No. _____

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Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State