

# State of South Dakota

SEVENTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2000

456D0556

## HOUSE BILL NO. 1191

Introduced by: Representatives Earley, Heineman, and Peterson and Senator Hainje

1 FOR AN ACT ENTITLED, An Act to revise the number of temporary on-sale licenses that may  
2 be issued by municipalities.

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

4 Section 1. That § 35-4-14.2 be amended to read as follows:

5 35-4-14.2. ~~There may be issued in any~~ Any municipality ~~one may issue an~~ on-sale license to  
6 be operated at a convention hall established pursuant to chapter 9-52 or 9-53. ~~Such license shall~~  
7 ~~be issued without regard to the population limitations established pursuant to § 35-4-11. The~~  
8 number of licenses issued for the first one thousand of population or fraction thereof is two and  
9 for each additional one thousand five hundred of population of fraction thereof one additional  
10 license may be issued. However, the number of licensed issued per day may not exceed six. Any  
11 license issued pursuant to this section shall be issued for a period not to exceed five consecutive  
12 days and ~~such~~ the license shall expire at twelve o'clock midnight on the fifth day after issuance.  
13 No license may be issued, pursuant to the provisions of this section, in a municipality which  
14 operates a license pursuant to § 35-4-14.1. No public hearing is required for the issuance of a  
15 license pursuant to this section if the individual applying for ~~such~~ the license holds an on-sale  
16 alcoholic beverage license in ~~such~~ the municipality or holds an operating agreement for a  
17 municipal on-sale alcoholic beverage license. No person who holds an operating agreement for

1 a municipal license pursuant to § 35-4-14.1 may receive a license pursuant to this section.