

AN ACT

ENTITLED, An Act to define operating agreements for the purposes of regulating and licensing alcoholic beverages.

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

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

For the purposes of this title, an entity that has entered into an operating agreement with a municipality pursuant to § 35-4-19 shall be deemed to be a licensee. The number of operating agreements that a municipality may enter into may not exceed the maximum number of retail licenses that may be issued pursuant to the population quotas established in chapter 35-4.

Section 2. That § 35-3-13 be amended to read as follows:

35-3-13. If the majority vote is in the affirmative on the election question provided in subdivision 35-3-12(1), the governing board of the municipality shall make an application for an off-sale license or licenses. If the majority vote is in the affirmative on the election question provided in subdivision 35-3-12(2) and the municipality has applied for or has been issued an off-sale license, the governing board of the municipality shall make an application for an on-sale license or licenses. The application or applications shall be filed with the secretary and the secretary shall issue the license or licenses applied for and all similar licenses in the municipality shall terminate thirty days after the canvass of the vote at such election.

An Act to define operating agreements for the purposes of regulating and licensing alcoholic beverages.

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I certify that the attached Act originated in the

SENATE as Bill No. 4

Secretary of the Senate

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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 4
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