

# State of South Dakota

SEVENTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2004

663J0698

HOUSE LOCAL GOVERNMENT COMMITTEE

ENGROSSED NO. **HB 1241** - 02/03/2004

Introduced by: Representatives LaRue, Bartling, Gassman, Hanson, McLaughlin, Novstrup, O'Brien, Rhoden, Solum, and Thompson and Senators Schoenbeck, Apa, Dempster, and Kleven

1 FOR AN ACT ENTITLED, An Act to revise the qualifications for receiving a temporary on-  
2 sale license for certain annual events.

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

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

6 Any municipality hosting an annual event attended by ten thousand or more persons may  
7 issue to any licensee licensed within the municipality pursuant to subdivision 35-4-2(4) a  
8 temporary on-sale license to be operated, in conjunction with the annual event, on the premises  
9 of a gated outdoor facility. The gated outdoor facility shall provide seating for a minimum of  
10 one thousand persons and be surrounded by a fence or other structure that restricts access to the  
11 facility. Before a temporary license may be issued in a municipality hosting an annual event, the  
12 municipal finance officer shall estimate the previous year's attendance at the event and provide  
13 the estimate to the governing body of the municipality. Any temporary license issued pursuant  
14 to this section shall be issued for a period not to exceed five consecutive days and the temporary



1 license shall expire at twelve midnight on the fifth day after issuance. The licensee operating  
2 the temporary license shall provide qualified security personnel to maintain order on the  
3 premises of the outdoor facility. The fee for the temporary license shall be equal to or exceed  
4 five hundred dollars and the fee shall be retained by the municipal governing body issuing the  
5 temporary license.