

# State of South Dakota

EIGHTIETH  
LEGISLATIVE ASSEMBLY, 2005

400L0341

## HOUSE BILL NO. 1038

Introduced by: The Committee on Local Government at the request of the Department of  
Revenue and Regulation

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the responsibility of  
2 alcohol licensees that sell alcohol to underage people.

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 The department shall annually develop and publish on the Department of Revenue and  
7 Regulation's internet website, no later than June thirtieth of each year, a directory listing all  
8 nationally recognized training programs which have been approved. The department is not  
9 responsible for notifying licensees when the approved nationally recognized training programs  
10 offer classes or where such classes are to be held.

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

13 The Legislature finds that it is appropriate that alcohol licensees making a prohibited sale  
14 or service of an alcoholic beverage to a person under the age of twenty-one years have the  
15 burden of ensuring that their employees attend an approved alcohol training program before



1 gaining any reduction in the penalty imposed for the violation. Therefore, the rule in section 2  
2 of In the Matter of the Alcohol Beverage License Suspension of Tim M. Engels, d/b/a/ Harbor  
3 Bar, Watertown, SD, 2004 SD 97 is hereby abrogated.