

# State of South Dakota

EIGHTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2007

483N0706

## HOUSE BILL NO. 1210

Introduced by: Representative Deadrick and Senator Bartling

1 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning municipal operating  
2 agreements.

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

4 Section 1. That § 35-4-19 be amended to read as follows:

5 35-4-19. No retailer license under this chapter, except for licenses issued pursuant to  
6 subdivisions 35-4-2(16) and (17), other than to the municipality, may be granted to operate in  
7 any municipality which has obtained a license under this chapter except that:

8 (1) If a municipality has been issued an off-sale license only, then the governing board  
9 may approve or disapprove applications for on-sale licenses as may be provided in  
10 ~~this code.~~ Title 35; and

11 (2) If a municipality has been issued an on-sale and off-sale license, then the governing  
12 board may by resolution; enter into an operating agreement with any person ~~who is~~  
13 ~~not the holder of any license under this title~~ for the specific purpose of operating the  
14 on-sale establishment; or the off-sale establishment, or both for the municipality.

