State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

177N0678

SENATE ENGROSSED NO. HB 1302 - 02/27/2007

Introduced by: Representatives Vehle, Boomgarden, Kirkeby, Moore, Peters, and Van Etten and Senators Hanson (Gary) and Jerstad

FOR AN ACT ENTITLED, An Act to revise the requirements for certain on-sale alcoholic beverage licenses.

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

Section 1. That § 35-2-5.3 be amended to read as follows:

35-2-5.3. No licensing authority ~~shall~~ may reissue any on-sale ~~or off-sale~~ license issued pursuant to subdivision 35-4-2(4), (6), or (13) to the same ~~applicant for a one-year period if said~~ licensee or the licensee's transferee if the license has not been actively used by the applicant during the two years preceding the date of the current application. For purposes of this section, the term, actively used, means that the licensed premise was open to the public during regular business hours for the sale and consumption of distilled spirits for at least sixty days during the two preceding years. However, the licensed premise is only required to be open five days per year if it is open to the public during a special event that has at least twenty-five thousand visitors.

Section 2. This Act is effective on January 1, 2009.

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Insertions into existing statutes are indicated by underscores.
Deletions from existing statutes are indicated by ~~overstrikes~~.