

AN ACT

ENTITLED, An Act to authorize additional off-sale retail liquor licenses in certain municipalities.

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

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

35-4-4. No person, corporation, or business entity may hold or have an interest in more than three retail licenses issued under subdivision 35-4-2(3), (4), (6), or (13). However, a person, corporation, or business entity may hold or have an interest in three additional retail licenses issued under subdivision 35-4-2(4) if the licensee derives more than fifty percent of the licensee's annual gross receipts from the sale of food at the location where the license is held. Any person, corporation, or business entity may hold or have an interest in additional retail licenses issued under subdivision 35-4-2(3) in municipalities of the first class if the licensee derives more than fifty percent of the licensee's annual gross receipts from the sale of food, prepared food, and food ingredients at the location where the license is held. Any such new licensee under subdivision 35-4-2(3) shall sell its alcoholic beverages, other than malt beverages, in an area which is separated by a physical barrier from the rest of the establishment. For the purposes of this section, a physical barrier includes a wall or fence erected for the sole purpose of separating the area in which the alcoholic beverages are sold from the rest of the establishment. For purposes of this section, location means one contiguous piece of real estate on which sales are generated by the licensee.

An Act to authorize additional off-sale retail liquor licenses in certain municipalities.

I certify that the attached Act
originated in the

HOUSE as Bill No. 1142

Chief Clerk

Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1142

File No. _____

Chapter No. _____

Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

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