

AN ACT

ENTITLED, An Act to allow municipalities and counties to issue certain special alcoholic beverage licenses and to repeal certain special alcoholic beverage licenses.

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

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

Any municipality or county may issue:

- (1) A special malt beverage retailers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(4), (6), or (16) in addition to any other licenses held by the special events license applicant;
- (2) A special on-sale wine retailers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(4), (6), or (12) or chapter 35-12 in addition to any other licenses held by the special events license applicant;
- (3) A special on-sale license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(4), (6), or (16) in addition to any other licenses held by the special events license applicant; or
- (4) A special off-sale package wine dealers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(3), (5), (12), (17A), or (19) or chapter 35-12 in addition to any other licenses held by the special events license applicant. A special off-sale package wine dealers licensee may only sell wine

manufactured by a farm winery that is licensed pursuant to chapter 35-12.

Any license issued pursuant to this section may be issued for a period of time established by the municipality or county. However, no period of time may exceed fifteen consecutive days. The local governing body may establish rules to regulate and restrict the operation of the special license.

Section 2. That chapter 35-4 be amended by adding thereto a NEW SECTION to read as follows:

Any license issued pursuant to section 1 of this Act shall be issued to the person and the location specified on the application. Notwithstanding § 35-4-2, the governing body of the municipality or the board of county commissioners, as appropriate, shall determine the fee for this license. Each application shall be accompanied by the fee prior to consideration by the governing body of the municipality or the board of county commissioners. The fee provided for in this section shall be retained by the governing body of the municipality or the board of county commissioners issuing the license.

Section 3. That § 35-4-11.4 be repealed.

Section 4. That § 35-4-11.5 be repealed.

Section 5. That § 35-4-11.7 be repealed.

Section 6. That § 35-4-11.8 be repealed.

Section 7. That § 35-4-14.2 be repealed.

Section 8. That § 35-4-14.3 be repealed.

Section 9. That § 35-4-14.4 be repealed.

Section 10. That § 35-4-104 be repealed.

Section 11. That § 35-4-105 be repealed.

Section 12. That § 35-4-108 be repealed.

Section 13. That § 35-4-109 be repealed.

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I certify that the attached Act originated in the

HOUSE as Bill No. 1001

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1001
File No. _____
Chapter No. _____

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Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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

Governor

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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