

State of South Dakota

EIGHTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2010

258R0618

HOUSE COMMERCE ENGROSSED NO. **HB 1226** - 2/22/2010

Introduced by: Representatives Nygaard, Fargen, Kirkeby, and Turbiville and Senator Miles

1 FOR AN ACT ENTITLED, An Act to set certain age requirements for persons who sell malt
2 beverages and South Dakota made wine at certain alcoholic beverage off-sale licensees.

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

4 Section 1. That § 35-4-79.1 be amended to read as follows:

5 35-4-79.1. No off-sale licensee licensed under subdivision 35-4-2(3),(5),(17), or (17A) may
6 permit any person less than twenty-one years old to sell, serve, or dispense alcoholic beverages
7 on the licensed premises unless such sales of alcoholic beverages constitutes less than fifty
8 percent of the gross business transacted by that establishment. If alcoholic beverage sales
9 constitute less than fifty percent of the gross business transacted by the establishment, the
10 licensee may permit persons eighteen years old or older to sell, serve, or dispense alcoholic
11 beverages.

12 Section 2. That § 35-4-79.3 be repealed.

13 ~~35-4-79.3. No off-sale licensee licensed under subdivision 35-4-2(3) or (5) may permit any~~
14 ~~person less than twenty-one years old to sell, serve, or dispense alcoholic beverages on the~~
15 ~~licensed premises.~~

