

AN ACT

ENTITLED, An Act to revise certain provisions relating to the sale and display of alcoholic beverages in certain establishments.

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

Section 1. That § 35-4-121 be amended to read as follows:

35-4-121. Any person, corporation, or business entity that is issued a new retail license under subdivision 35-4-2(3) in a municipality of the first class after June 30, 2008, and 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, shall display its alcoholic beverages, other than malt beverages and wine, in one 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 displayed from the rest of the establishment.

Section 2. That § 35-4-122 be amended to read as follows:

35-4-122. Any person, corporation, or business entity that is issued a new retail license under subdivision 35-4-2(3) after June 30, 2009, and derives less than fifty percent of the licensee's annual gross receipts from the sale of alcoholic beverages at the location where the license is held shall display its alcoholic beverages, other than malt beverages and wine, in one 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 displayed from the rest of the establishment.

An Act to revise certain provisions relating to the sale and display of alcoholic beverages in certain establishments.

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I certify that the attached Act  
originated in the  
  
SENATE as Bill No. 188

\_\_\_\_\_  
Secretary of the Senate  
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\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 188  
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