

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

318P0459

HOUSE BILL NO. 1142

Introduced by: Representatives Dreyer, Brunner, Buckingham, Dykstra, Elliott, Gilson, Halverson, Haverly, Heineman, Kirkeby, Krebs, Lust, Miles, Novstrup (Al), Novstrup (David), Olson (Betty), Olson (Russell), Pederson (Gordon), Peters, Rave, Rounds, Tidemann, Wick, and Willadsen and Senators Gant, Abdallah, Dempster, Gray, Hauge, Heidepriem, Katus, Koetzle, Maher, McCracken, Nesselhuf, Olson (Ed), Sutton, and Turbak Berry

1 FOR AN ACT ENTITLED, An Act to authorize additional off-sale retail liquor licenses in
2 certain municipalities.

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

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

5 35-4-4. No person, corporation, or business entity may be the holder of or have an interest
6 in more than three retail licenses issued under subdivision 35-4-2(3), (4), (6), or (13). However,
7 a person, corporation, or business entity may hold or have an interest in three additional retail
8 licenses issued under subdivision 35-4-2(4) if the licensee derives more than fifty percent of the
9 licensee's gross receipts from the sale of food at the location where the license is held. In
10 addition, any person, corporation, or business entity may hold or have an interest in additional
11 retail licenses issued under subdivision 35-4-2(3) in a first class municipality if the licensee
12 derives less than fifty percent of the licensee's gross receipts from the sale of alcoholic
13 beverages at the location where the license is held. For purposes of this section, location means



1 one contiguous piece of real estate on which sales are generated by the licensee.