

# State of South Dakota

SEVENTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2003

256I0086

## SENATE BILL NO. 64

Introduced by: Senator Kooistra and Representatives Lange, Elliott, Glenski, McCoy, and Rave

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to those places where  
2 smoking is prohibited.

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

4 Section 1. That § 22-36-2 be amended to read as follows:

5 22-36-2. No person may smoke tobacco or carry any lighted tobacco product in any public  
6 place or place of employment. This section does not apply to any sleeping room in a lodging  
7 establishment as defined in § 34-18-1, to any place that bingo is played if the conditions of § 22-  
8 22-25 are met, to any on-sale licensee pursuant to chapter 35-4 if the sale of alcohol constitutes  
9 more than fifty percent of the gross business transacted by that licensee, to any video lottery  
10 licensed establishment pursuant to chapter 42-7A, to any licensee pursuant to chapter 42-7B, or  
11 to any tobacco or packaged liquor store if the store is primarily used for the sale of tobacco or  
12 alcoholic beverages, or both, and the sale of other products is merely incidental.

13 A violation of this section is a petty offense.

