

21.483.15 96th Legislative Session 75



2021 South Dakota Legislature
Senate Bill 152
ENROLLED

AN ACT

ENTITLED An Act to authorize counties to issue off-sale liquor licenses.

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

Section 1. That § 35-4-6 be REPEALED.

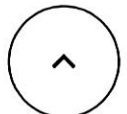
35-4-6. Off-sale licensees to operate within municipality or improvement district.

Section 2. That § 35-4-11.1 be AMENDED.

35-4-11.1. Counties--Number of licenses and amount of fees--Number restricted by population--Denial of reissuance.

If not previously fixed by ordinance or continuing resolution, the board of county commissioners shall, before the second of September in each year, determine the number of on-sale and off-sale licenses it will approve for the ensuing calendar year and the fees to be charged for the various classifications of licenses. The number of licenses issued pursuant to subdivision 35-4-2(6) may not exceed three for the first one thousand of population and may not exceed one for each additional fifteen hundred of population or fraction thereof. The number of licenses issued pursuant to subdivision 35-4-2(3) may not exceed two for the first one thousand of population and may not exceed one for each additional fifteen hundred of population or fraction thereof. No county off-sale license may be issued for a retailer located within three miles of the exterior boundary of an incorporated municipality. The population includes only those

residing within the county, but outside the incorporated municipalities and improvement districts, created pursuant to chapter 7-25A, within the county. No licensee regularly licensed to do business on July 1, 1981, may be denied reissuance of a license in subsequent years solely by reason of any limitations, based upon population quotas, of the number of licenses authorized or established under the provisions of this title. Licenses issued to concessionaires, and lessees of the State of South Dakota, within the boundaries of state parks, prior to January 1, 1983, may be subtracted when calculating the total number of licenses permitted in this section.



An Act to authorize counties to issue off-sale liquor licenses.

I certify that the _____ Received at the
attached Act originated in the: Executive Office
Senate as Bill No. 152 this _____ day of _____,
Secretary of the Senate 2021 at _____ M.

President of the By

Senate
Attest:
Secretary of the Senate
Speaker of the House
Attest:
Chief Clerk
Senate Bill No. 152
File No. _____
Chapter No. _____

for the Governor

The attached Act
hereby
approved this _____ day of
_____, A.D., 2021
Governor

**STATE OF SOUTH
DAKOTA,**

ss.
Office of the Secretary of State
Filed _____, 2021
at _____ o'clock ___ M.
Secretary of State
By
Asst. Secretary of State

