

2023 South Dakota Legislature

House Bill 1176**AMENDMENT 1176C
FOR THE INTRODUCED BILL**

1 **An Act to ~~provide for a unified liquor license for municipal facilities~~revise certain**
2 **provisions regarding on-sale alcoholic beverage licenses for use at**
3 **municipality-owned facilities.**

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

5 **Section 1. That § 35-4-14.1 be AMENDED:**

6 **35-4-14.1.** Notwithstanding the provisions of § 35-4-11, any municipality, ~~by resolution,~~
7 ~~without election, but subject to referendum,~~ may by resolution issue an on-sale license
8 pursuant to subdivision 35-4-2(4) ~~to a~~ for use at any municipality-owned entertainment
9 venue, event venue, event center, arena, performance hall, theater, outdoor amphitheater,
10 convention center, stadium, athletic venue, recreation facility, municipal auditorium operated
11 pursuant to chapter 9-52, ~~or to a~~ public convention hall operated pursuant to chapter 9-53
12 ~~for use during a convention activity or an entertainment event, including any theatrical or~~
13 ~~musical performance, rodeo, sporting event, or show. The selling, serving, or dispensing of~~
14 ~~any alcoholic beverage at the municipal auditorium may not occur more than one hour before~~
15 ~~the commencement of the event or at any time after the event is concluded. An on-sale~~
16 license issued pursuant to this section must be used to support the primary public purpose of
17 the municipality-owned facility during the hours the municipality-owned facility is open for ~~its~~
18 primary purpose. A license issued pursuant to this section must not be used at any
19 municipality-owned facility for the primary purpose of only providing food and beverage
20 services to the public. There is no fee for a license under this section. The governing body of
21 any municipality that has obtained an on-sale license pursuant to this section may contract
22 with any person or entity for purposes of providing food and beverage services at the
23 municipality-owned facility and the use of any license issued pursuant to this section. A license
24 issued pursuant to this section may not be transferred.