



2023 South Dakota Legislature
House Bill 1176
ENROLLED

AN ACT

ENTITLED An Act to revise certain provisions regarding on-sale alcoholic beverage licenses for use at municipality-owned facilities.

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

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

35-4-14.1. Notwithstanding the provisions of § 35-4-11, any municipality may by resolution, without an election but subject to referendum, issue an on-sale license pursuant to subdivision 35-4-2(4) for use at any municipality-owned entertainment venue, event venue, event center, arena, performance hall, theater, outdoor amphitheater, convention center, stadium, athletic venue, recreation facility, municipal auditorium operated pursuant to chapter 9-52, or public convention hall operated pursuant to chapter 9-53. An on-sale license issued pursuant to this section must be used to support the primary public purpose of the municipality-owned facility during the hours the municipality-owned facility is open for its primary purpose. A license issued pursuant to this section must not be used at any municipality-owned facility for the primary purpose of only providing food and beverage services to the public. There is no fee for a license under this section. The governing body of any municipality that has obtained an on-sale license pursuant to this section may contract with any person or entity for purposes of providing food and beverage services at the municipality-owned facility and the use of any license issued pursuant to this section. A license issued pursuant to this section may not be transferred.

Section 2. That chapter 42-7A be amended with a NEW SECTION:

No video lottery machines may be placed in a facility with an on-sale license issued pursuant to section 1 of this Act.

An Act to revise certain provisions regarding on-sale alcoholic beverage licenses for use at municipality-owned facilities.

I certify that the attached Act originated in
the:
House as Bill No. 1176

Received at this Executive Office
this ____ day of _____,
2023 at _____ M.

Chief Clerk

By _____
for the Governor

Speaker of the House

The attached Act is hereby
approved this ____ day of
_____, A.D., 2023

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2023
at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1176
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State