

SD State Codified Law Reference

SDCL 35-4-124. Special alcoholic beverage licenses--Special events.

Any municipality or county may issue:

- 1) A special malt beverage retailers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to § [35-4-111](#) or subdivision [35-4-2](#)(4), (6), or (16) in addition to any other licenses held by the special events license applicant;
- 2) A special on-sale wine retailers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to § [35-4-111](#) or subdivision [35-4-2](#)(4), (6), or (12) or any farm winery licensee in addition to any other licenses held by the special events license applicant;
- 3) A special on-sale license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to § [35-4-111](#) or subdivision [35-4-2](#)(4) or (6) in addition to any other licenses held by the special events license applicant;
- 4) A special off-sale package wine dealers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision [35-4-2](#)(3), (5), or (12) or any farm winery licensee in addition to any other licenses held by the special events license applicant. A special off-sale package wine dealers licensee may only sell wine manufactured by a farm winery licensee;
- 5) A special off-sale package wine dealers license in conjunction with a special event, conducted pursuant to § [35-4-124.1](#), within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization;
- 6) A special off-sale package malt beverage dealers license in conjunction with a special event, conducted pursuant to § [35-4-124.1](#), within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization; or
- 7) A special off-sale package dealers license in conjunction with a special event, conducted pursuant to § [35-4-124.1](#), within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization.

The municipality or county may issue a license under this section for a time not to exceed fifteen consecutive days. No public hearing is required for the issuance of a license pursuant to this section if the person applying for the license holds an on-sale alcoholic beverage license or a retail malt beverage license in the municipality or county or holds an operating agreement for a municipal on-sale alcoholic beverage license, and the license is to be used in a publicly-owned facility. The local governing body shall establish rules to regulate and restrict the operation of the special license, including rules limiting the number of licenses that may be issued to any person within any calendar year.

Source: SL 2010, ch 185, § 1; SL 2011, ch 175, § 1; SL 2015, ch 195, § 1, eff. Mar. 13, 2015; SL 2018, ch 213, § 106; SL 2019, ch 162, § 2; SL 2020, ch 156, § 1.

SDCL 35-4-124.1. Donation of beverages to civic, charitable, educational, fraternal, or veterans organization holding special events license.

A civic, charitable, educational, fraternal, or veterans organization holding a special events license pursuant to subdivision 35-4-124(5) may only sell wine that has been donated by members of the public to be sold at the special event. A civic, charitable, educational, fraternal, or veterans organization holding a special events license pursuant to subdivision 35-4-124(6) may only sell malt beverages that have been donated by members of the public to be sold at the special event. A civic, charitable, educational, fraternal, or veterans organization holding a special events license pursuant to subdivision 35-4-124(7) may only sell alcoholic beverages that have been donated by members of the public to be sold at the special event.

The donor shall purchase any donated alcoholic beverage from a licensed South Dakota retailer.

Source: SL 2015, ch 195, § 2, eff. Mar. 13, 2015; SL 2018, ch 213, § 107