

**PUBLIC NOTICE OF FINAL TRIBAL REGULATIONS
PROHIBITING THE SALE OF MALT LIQUOR BEVERAGES
ON THE CHEYENNE RIVER INDIAN RESERVATION**

For Publication on January 16, 2025

Notice is hereby given that, on December 27, 2024, pursuant to Section 3-1-12(D)(2) of Ordinance No. 48, the Cheyenne River Sioux Tribe Alcoholic Beverages Control Law (“Ordinance 48”), the Cheyenne River Sioux Tribe Alcoholic Beverage Control Commission (“ABC Commission”), by motion and vote, adopted the attached final regulations prohibiting the sale of malt liquor beverages on the Cheyenne River Indian Reservation (“Reservation”). These regulations will go into effect thirty (30) days after publication in a newspaper of general circulation on the Reservation. A copy of the regulations is available at the Office of the Cheyenne River Sioux Tribal Secretary.

By way of background, on February 7, 2024, pursuant to Section 4-1-10(A)(1) of Ordinance 48, the Cheyenne River Sioux Tribal Council adopted Resolution No. 42-2024-CR to make a recommendation to the ABC Commission that it consider adopting proposed regulations set forth in Resolution No. 42-2024-CR to prohibit the introduction, manufacture for sale, sale or offer to keep for sale, or transport for sale of malt liquor beverages on the Cheyenne River Indian Reservation.

On March 27, 2024, pursuant to Section 3-1-12(A), the ABC Commission, by motion and vote, proposed the regulations set forth in Resolution No. 42-2024-CR and authorized publication of the regulations in a newspaper of general circulation on the Reservation in order to provide interested parties an opportunity to comment. The proposed regulations were published in the newspaper on April 17, 2024, and public comments were solicited and accepted until June 19, 2024. On December 27, 2024, after the conclusion of the written comment period the Alcoholic Beverage Control Commission adopted the proposed regulations by motion and vote. The regulations will take effect thirty (30) days after the date of publication of this notice.

**FINAL REGULATIONS PROHIBITING THE SALE OF
MALT LIQUOR BEVERAGES ON THE CHEYENNE RIVER
INDIAN RESERVATION**

Section 1. Findings and Purpose

The Cheyenne River Sioux Tribe (“Tribe”) finds and declares that:

(a) The excessive consumption of malt liquor beverages is associated with many negative health consequences, including addiction, liver disease, high blood pressure, heart disease, stroke, cancer, weakening of the immune system,

learning and memory problems, mental health problems, including depression and anxiety, as well as obesity and diabetes.

(b) There is an epidemic of addiction to malt liquor beverages on the Cheyenne River Indian Reservation (“Reservation”).

(c) Malt liquor beverages have a harmful impact on the health and welfare of the Tribe and its members.

(d) To protect the health and welfare of the Tribe, its members, and other residents of the Reservation, the Tribe must enact regulations to prohibit the sale and consumption of malt liquor beverages on the Reservation.

Section 2. Authority

(a) These regulations are enacted by the Cheyenne River Sioux Tribe Alcoholic Beverage Control Commission (“Commission”), pursuant to Sections 3-1-12 and 4-1-10 of Ordinance No. 48 (“Ordinance No. 48”), the Alcoholic Beverages Control Law of the Cheyenne River Sioux Tribe.

(b) Pursuant to Section 4-1-10(A)(1) of Ordinance No. 48 and by Resolution No. 42-2024-CR, the Cheyenne River Sioux Tribal Council recommended that the Commission consider adopting regulations prohibiting the introduction, manufacture for sale, sale or offer to keep for sale, or transport for sale of malt liquor beverages on the Reservation.

(c) In enacting these regulations, the Commission followed the procedures set forth in Section 3-1-12 of Ordinance No. 48.

Section 3. Definitions

As used in these regulations:

(a) The term “malt liquor” shall mean any malt beverage with an alcohol content not lower than six percent (6%) alcohol by volume, with or without additives such as artificial or natural flavors, sugar, and caffeine; and

(b) All other terms shall have the meanings ascribed to them in Ordinance No. 48.

Section 4. Prohibition Against Sale of Malt Liquor

No person or licensee shall introduce, manufacture for sale, sell or offer to keep for sale, or transport for sale malt liquor beverages on the Reservation.

Section 5. Notice

The Commission shall distribute these regulations, free of charge, to all licensees within twenty (20) days of their final adoption by the Commission.

Section 6. Penalties

Pursuant to Section 4-1-10(C) of Ordinance No. 48, and in addition to any other civil penalty provided for in Ordinance No. 48, any licensee who violates this section shall be subject to a civil fine not to exceed Five Hundred Dollars (\$500) for each violation.