

State of South Dakota

EIGHTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2014

932V0260

HOUSE BILL NO. 1084

Introduced by: Representatives Cronin, Conzet, Gibson, Johns, and Munsterman and
Senators Holien, Ewing, Frerichs, Lederman, Rave, and Tieszen

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the list of persons
2 who may be excluded from a licensed gaming establishment and to provide a penalty for a
3 violation of the exclusion.

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

5 Section 1. That § 42-7B-61 be amended to read as follows:

6 42-7B-61. The commission may₁ by rules promulgated pursuant to chapter 1-26₁ provide for
7 the establishment of a list of persons who are to be excluded or ejected from any licensed
8 gaming establishment, including any person whose presence in the establishment is determined
9 to pose a threat to the interest of the State of South Dakota or to licensed gaming, or both. In
10 making the determination for exclusion, the commission may consider any of the following:

11 (1) Prior conviction of a felony, a misdemeanor involving moral turpitude₂ or a violation
12 of the gaming laws of any state, the United States, any of its possessions or territories
13 including Indian tribes;

14 (2) A violation, attempt to violate or conspiracy to violate the provisions of this chapter
15 relating to the failure to disclose an interest in a gaming establishment for which the



1 person must obtain a license or make disclosures to the commission; or intentional
2 evasion of fees or taxes;

3 (3) Notorious or unsavory reputation that would adversely affect public confidence and
4 trust that the gaming industry is free from criminal or corruptive influences; or

5 (4) Conduct that would adversely affect public confidence that gaming is conducted
6 honestly.

7 Any person who has been placed on the list of excluded persons by the commission, after
8 July 1, 2014, who enters a licensed gaming establishment after receiving notice as required by
9 § 42-7B-62, is guilty of a Class 1 misdemeanor.

10 The commission may suspend, revoke, or penalize a licensee or licensed gaming
11 establishment as set forth in § 42-7B-32, after notice and hearing pursuant to chapter 1-26, if
12 that establishment or any licensee affiliated with the licensed gaming establishment knowingly
13 fails to exclude or eject from the premises of the licensed establishment any person placed on
14 the list of persons to be excluded.