

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

293A0232

HOUSE STATE AFFAIRS COMMITTEE ENGROSSED NO. **HB1059** - 1/27/97

Introduced by: Representatives Jorgensen and Schaunaman and Senators Dunn (Jim) and Olson

1 FOR AN ACT ENTITLED, An Act to allow the Gaming Commission to delegate its authority
2 to approve the transfer of certain license stamps between licensed gaming operators.

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

4 Section 1. That § 42-7B-11 be amended to read as follows:

5 42-7B-11. The commission may promulgate rules pursuant to chapter 1-26 to enable the
6 commission to:

- 7 (1) Issue licenses, oversee and define the gaming contracts of the licensees. Any license
8 issued pursuant to this chapter is conditioned upon a specific waiver of all state and
9 federal constitutional or statutory rights of privacy regarding gaming equipment, the
10 licensed premises, all books, papers, computers, and information storage devices of
11 any kind wherever located;
- 12 (2) Inspect and examine without notice all premises where gaming is conducted or
13 gaming devices or equipment are located, sold, distributed, or stored;
- 14 (3) Seize and remove without notice or hearing from the premises and impound any
15 gaming equipment or supplies for the purpose of examination and inspection;

- 1 (4) At any time day or night, inspect, examine, and photocopy or remove and impound
2 all papers, books and records of applicants and licensees and require verification of
3 income, and all matters affecting the enforcement of the provisions of this chapter;
- 4 (5) Contract for such legal counsel to advise it as it may choose;
- 5 (6) Suspend for cause any gaming license;
- 6 (7) Require any applicant for a license as an operator or a retailer to disclose any
7 pecuniary interest in the applicant by any person;
- 8 (8) Carry out such duties as may be imposed upon the state as a result of a compact
9 entered into under the authority of the federal Indian Gaming Regulatory Act,
10 provided the cost of performance of such duties is adequately funded by payments
11 made available to the commission under the compact;
- 12 (9) Permit the executive secretary to issue or deny support licenses;
- 13 (10) Grant a license with special conditions or a license for a limited period, or both;
- 14 (11) Establish a procedure for establishing the suitability or unsuitability of persons and
15 acts or practices;
- 16 (12) Regulate the manufacture of gaming devices and equipment for exportation outside
17 this state;
- 18 (13) Establish procedures and regulations relating to corporations, partnerships, limited
19 liability companies, affiliated companies and affiliates including the issuance,
20 revocation, and suspension of licenses, and procedures generally to regulate gaming
21 activities;
- 22 (14) Permit the executive secretary to enter into contracts and memorandums of
23 understanding with regulatory agencies of other states and countries for the purpose
24 of conducting background investigations of applicants;
- 25 (15) Permit the executive secretary to approve the transfer of a license stamp between

1 licensed operators.

1 **BILL HISTORY**

2 January 21 - First read in House and referred to State Affairs. H.J. 70

3 January 24 - Scheduled for hearing.

4 January 24 - Passed as amended, AYES 12, NAYS 0. H.J. 109

5 January 24 - Amended title.