

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

993C0555

SENATE BILL NO. 156

Introduced by: Senators Hainje, Drake, Lawler, and Paisley and Representatives Cutler,
Eccarius, and Lucas

1 FOR AN ACT ENTITLED, An Act to restrict the placement of automated teller machines in the
2 proximity of video lottery terminals.

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

4 Section 1. That § 42-7A-37.1 be amended to read as follows:

5 42-7A-37.1. A business licensed pursuant to subdivisions 35-4-2(12) and (16) may not be
6 a licensed establishment for video lottery placement pursuant to subdivision 42-7A-1(6) unless
7 it is a bar or lounge. For the purposes of this section, a bar or lounge is an enterprise primarily
8 maintained and operated for the selling, dispensing and consumption of alcoholic beverages on
9 the premises and may also include the sale and service of food. A bar or lounge may be physically
10 connected to another enterprise within the same building, which enterprise may be owned or
11 operated by the same person. There may be interior access between a bar or lounge and a
12 connected enterprise. However, there shall be a floor to ceiling opaque wall separation between
13 the two enterprises. A separation wall may be constructed to provide visual and physical access
14 for employees from areas in the building not open to the public. The bar or lounge shall have a
15 separate entrance and exit. A separate entrance and exit is not required if entrance to the bar may
16 only be obtained from the other distinct enterprise and the public may not enter the other

1 enterprise by first passing through the bar or lounge. No remote service unit, as defined in
2 § 51A-8-1, may be located in the bar or lounge. All video lottery machines shall be adequately
3 monitored during business hours. Adequate monitoring shall be accomplished by the personal
4 presence of an employee or by an employee using video cameras or mirrors and periodic
5 inspections of the bar or lounge. No new license may be issued to any establishment after July 1,
6 1992, unless such establishment complies with this section. No license may be renewed to any
7 establishment after July 1, 1993, unless such establishment complies with this section.