

ARTICLE 20:18

GAMING COMMISSION -- DEADWOOD GAMBLING

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20:18:06:02. Fee required with application. An application fee must accompany each application for license, game, or game variation approval in the following amounts:

- (1) Slot machine manufacturer or distributor, \$5,000;
- (2) Operator license, \$1,000;
- (3) Route operator license, \$1,000;
- (4) Game and game variation approval not including pay table changes, 2,000;
- (5) Retail license, \$250;
- (6) Gaming property owner license, \$250;
- (7) Key employee license, \$150;
- (8) Support license, \$50; ~~and~~
- (9) Associated equipment manufacturer or distributor, \$500; and
- (10) Sports wagering services provider, \$5,000.

Source: 16 SDR 57, effective October 1, 1989; 16 SDR 233, effective July 1, 1990; 19 SDR 21, effective August 20, 1992; 21 SDR 98, effective November 30, 1994; 27 SDR 53, effective December 4, 2000; 39 SDR 100, effective December 3, 2012; 41 SDR 218, effective July 1, 2015; 44 SDR 151, effective April 30, 2018.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-7, 42-7B-11(1), 42-7B-21, 42-7B-22.

CHAPTER 20:18:08

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20:18:08:03. Access to premises and production of records. An applicant or licensee or an employee or agent of an applicant or licensee may not neglect or refuse to produce records or evidence or to give information on lawful demand by the commission, executive secretary, or any agent of the commission or otherwise interfere or attempt to interfere with lawful efforts by the commission or any of its agents to produce such information.

A retail licensee, licensed manufacturer or distributor, associated equipment manufacturer or distributor, sports wagering services provider, and licensed operator must immediately make available for inspection by the commission, executive secretary, or an agent all papers, books, and records produced by gaming business and all portions of the premises where gaming is conducted or where gambling devices or equipment are manufactured, sold, or distributed. A commission agent must be given immediate access to any portion of the premises of a retail licensee, manufacturer or distributor, associated equipment manufacturer or distributor, sports wagering services provider, or operator for the purpose of inspecting or examining records or documents, gaming devices or equipment, or the conduct of gaming activity.

Source: 16 SDR 57, effective October 1, 1989.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL ~~42-7B-1, 42-7B-2, 42-7B-3, 42-7B-4,~~ 42-7B-7,
42-7B-11(1)(4), ~~42-7B-14, 42-7B-15.~~

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20:18:12.01:01. Gaming by licensees. A person who is licensed as a key employee, operator, sports wagering services provider, or retailer may not play or be permitted to play or place a wager, except as a dealer, in any game in the licensed establishment where the person is employed or in which the person owns an interest except as permitted by this section. A licensee may play in a poker game but must wear an identification badge furnished by the commission.

No licensee employed by a manufacturer, ~~or distributor~~ or an associated equipment manufacturer or distributor licensed under 42-7B may play any device operating on a slot management system which the manufacturer sells or leases or play any device which the manufacturer sells or leases.

No licensee employed by a sports wagering services provider under 42-7B may play any device or program which the sports wagering services provider sells, leases or operates in South Dakota.

Source: 16 SDR 57, effective October 1, 1989; 16 SDR 233, effective July 1, 1990; 18 SDR 9, effective July 23, 1991; transferred from § 20:18:21:03, 21 SDR 98, effective November 30, 1994; 22 SDR 189, effective July 11, 1996; 41 SDR 7, effective July 29, 2014.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-7, 42-7B-11(13).

CHAPTER 20:18:14
AUTHORIZED GAMES

Section

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20:18:14:01. Authorized games. The following games are authorized:

- (1) Blackjack;
- (2) Poker;
- (3) Slot machines;
- (4) Craps;
- (5) Roulette; ~~and~~
- (6) Keno; and
- (7) Wagering on sporting events.

Source: 16 SDR 57, effective October 1, 1989; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-1, 42-7B-7, 42-7B-11(13).

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20:18:15:28. Irregularities. A card found turned face upward in the shoe or deck may not be used in the game and must be placed in the discard rack. A card drawn in error without its face being exposed must be used. After the initial two cards have been dealt to each player and a card is drawn in error and exposed to the players, the card must be dealt to the players or dealer. Any player refusing to accept such a card may not have additional cards dealt to that player during the round. If the card is refused by the player and the dealer cannot use the card, the card must be burned. If the dealer has 17, 18, 19, 20 or 21 and accidentally draws a card for the dealer, the card must be burned. If the dealer misses dealing the first or second card to the dealer, the dealer must continue dealing the first two cards to each player, and then deal the correct

number of cards to the dealer. If there are insufficient cards remaining in the shoe or deck to complete a round of play, the cards in the discard rack must be shuffled and cut; and the dealer must complete the round of play. If no cards are dealt to a player's hand, the hand is dead and the player may be included in the next deal. If only one card is dealt to the player's hand, the dealer must deal the second card to the player after all other players have received a second card.

Source: 16 SDR 57, effective October 1, 1989; 17 SDR 93, effective January 6, 1991.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL ~~42-7B-1, 42-7B-2, 42-7B-2.1, 42-7B-3, 42-7B-4, 42-7B-7,~~
42-7B-11(13), 42-7B-14, 42-7B-15.

20:18:15:31. Posting of rules. A retail licensee must post the rules of play and betting of blackjack and house banked poker games in a prominent place in the table games area approved by the executive secretary so that they can be easily read by a player ~~from the table~~.

Source: 16 SDR 57, effective October 1, 1989.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL ~~42-7B-1, 42-7B-2, 42-7B-3, 42-7B-4, 42-7B-7,~~
42-7B-11(13), 42-7B-14, 42-7B-15.

CHAPTER 20:18:16

POKER

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20:18:16:32.01. Bad beat pots and pool pots. All bad beat pots and pool pots are promotional. The licensee must post clear and legible rules stating how the promotional funds are to be pulled from the pot and what hand must be beat to constitute a bad beat.

Revenues collected from the pot must be immediately secured by the licensee and maintained in a segregated bank account for the purpose of holding of funds contributed by players until the pot is won. The revenues shall accumulate until won. Pot withdrawals may not be placed in the drop box or commingled with any other gaming revenue.

Source: 19 SDR 177, effective May 27, 1993.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL ~~42-7B-1, 42-7B-2, 42-7B-3, 42-7B-4,~~ 42-7B-7, 42-7B 11(13), ~~42-7B-15,~~ 42-7B-43.

20:18:16:37. Posting of rules. Posted rules must be clear and legible and placed at each poker table or in a conspicuous location so that ~~a player~~ players ~~at a poker table~~ may easily read the rules. Rules and the place of posting must be approved by the executive secretary.

Source: 16 SDR 57, effective October 1, 1989.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL ~~42-7B-1~~, ~~42-7B-2~~, ~~42-7B-3~~, ~~42-7B-4~~, 42-7B-7,
42-7B-11(13), ~~42-7B-14~~, 42-7B-15.

CHAPTER 20:18:18

SLOT MACHINE TESTING, APPROVAL, AND MODIFICATIONS

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20:18:18:24.03	On-line monitoring and control system -- Network security.
20:18:18:25	Retention of records.
20:18:18:26	Slot machine promotional and bonus systems.

20:18:18:15. Maintenance of slot machines. Except as provided in this section, a licensee may not alter the operation of approved slot machines. A licensee must maintain the slot machines. Operators must purchase parts which affect game outcome and associated

equipment from a manufacturer, distributor, or operator licensed by the South Dakota Commission on Gaming. If in the discretion of the executive secretary it is determined that valid reasons exist for a manufacturer of associated equipment to not be licensed in South Dakota, the executive secretary may allow a licensee to purchase associated equipment from such manufacturer if the manufacturer is lawfully licensed by a gaming regulatory agency which has an agreement with the Commission regarding the exchange of information concerning licensees and applicants. The licensee must keep a written record of the use of all parts listed in this section and of maintenance performed on them. The record must include the name of the part manufacturer, the date purchased, the date the part was installed, and the name of the person who performed the installation. The licensee must retain the record for a period of three years from the date of purchase and make the record available for inspection by the executive secretary or a designee.

Parts and associated equipment which affect game outcome or revenue reporting are the following:

- (1) Parts include the following:
 - (a) Central Processing Unit (C.P.U.) board, together with components of the C.P.U. board;
 - (b) Erasable Programmable Read Only Memory (E.P.R.O.M.), which contains programming that affects game outcome and any other hardware device that contains programming that affects game outcome;
 - (c) Wiring harness;
 - (d) Reels and reel strips;

- (e) Pay glass;
 - (f) Coin acceptors;
 - (g) Power supply components; and
 - (h) Outside cabinet;
- (2) Associated equipment includes the following:
- (a) Bill acceptors;
 - (b) Hoppers;
 - (c) Redemption kiosks;
 - (d) On-line monitoring and control systems, including promotional and bonusing systems and cashless systems, when relied on by the licensee for compliance reporting required by the commission;
 - (e) Shufflers;
 - (f) Radio frequency identification (RFID) chips;
 - (g) Craps dice;
 - (h) Roulette wheels; ~~and~~
 - (i) Roulette balls; and
 - (j) Electronic bonusing systems.

Source: 16 SDR 57, effective October 1, 1989; 19 SDR 177, effective May 27, 1993; 20 SDR 113, effective January 23, 1994; 23 SDR 227, effective July 1, 1997; 30 SDR 115, effective February 1, 2004; 31 SDR 165, effective May 10, 2005; 36 SDR 22, effective August 18, 2009; 38 SDR 213, effective June 18, 2012; 40 SDR 121, effective January 6, 2014; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-7, 42-7B-11(13).

CHAPTER 20:18:22

ACCOUNTING REGULATIONS

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20:18:22:24	Transferred.

20:18:22:12. Adjusted gross revenue computations. For each blackjack, craps, and roulette game, adjusted gross revenue equals the closing bankroll plus credit slips for cash, chips, or tokens returned to the casino cage, plus face value of any match play coupon, plus drop, plus cashable promo play, plus 90 percent of non-cashable promo play less opening bankroll, less fills to the table, less one-half the face value of any match play coupon.

For each slot machine, adjusted gross revenue equals drop, plus cashable promo play, less fills to the machine jackpot payouts, hand pay credit lockups, vouchers issued, plus 90 percent of non-cashable promo play and vouchers expired. The initial hopper load is not a fill and does not affect gross revenue. The difference between the initial hopper load and the total amount that is in the hopper at the end of each month must be adjusted accordingly as an addition to or subtraction from the gross revenue for that month. If a licensee does not make or makes inaccurate monthly additions to or subtractions from the gross revenue, the operations division may compute an estimated total amount in the slot machine hoppers and may make reasonable adjustments to gross revenue during the course of an audit.

For each poker game, adjusted gross revenue equals all money received by the licensee as compensation for conducting the game. A licensee may not include either skill win or skill loss in gross revenue computations.

For each keno game, adjusted gross revenue equals the difference between the dollar value of tickets written and the dollar value of winning tickets cashed as determined from the automated keno system.

For wagering on sporting events, adjusted gross revenue equals the difference between the dollar value of the tickets written and the dollar value of the winning tickets cashed as determined by the sports wagering services provider's wagering system.

A licensee may not exclude from the gross revenue money paid out on wagers that are knowingly accepted by the licensee in violation of SDCL 42-7B or this article.

If in any month the amount of adjusted gross revenue is less than zero, the licensee may deduct the excess in the succeeding months until the loss is fully offset against gross revenue.

Source: 16 SDR 57, effective October 1, 1989; 19 SDR 177, effective May 27, 1993; 20 SDR 113, effective January 23, 1994; 22 SDR 95, effective January 18, 1996; 30 SDR 115, effective February 1, 2004; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 42-7B-7, ~~42-7B-11(13)~~.

Law Implemented: SDCL 42-7B-1, 42-7B-7, 42-7B-11(13).

CHAPTER 20:18:29

SECURITY AND SURVEILLANCE

Section

20:18:29:01	Security and surveillance required.
20:18:29:02	Closed-circuit surveillance system.
20:18:29:03	Areas requiring surveillance during hours of operation.
20:18:29:03.01	Visual surveillance for tournament play.
20:18:29:04	Additional surveillance of cashier's cages, slot areas, and count rooms.
20:18:29:05	Slot machines with award capability of \$12,000 or greater.
20:18:29:06	Recording and monitoring.
20:18:29:07	Surveillance equipment malfunctions.
20:18:29:08	Securing and retaining recorded video images.
20:18:29:09	Labeling of recorded tapes. <u>Repealed.</u>
20:18:29:10	Number of recorders.
20:18:29:11	Surveillance plan.
20:18:29:12	Maintenance records.
20:18:29:13	Surveillance room.
20:18:29:14	Quality review of recorded surveillance video images.

20:18:29:02. Closed-circuit surveillance system. A licensee must install, maintain, and operate a closed-circuit surveillance system of sufficient quality to produce clear video image and still picture reproduction. The quality of the picture and recordings must be approved by the commission, the executive secretary, or its agents. The system must include the following:

- (1) Date and time generators that display the date and time of the recorded events on each video image recording. The displayed date and time may not obstruct the recorded view;
- (2) ~~Video recorders capable of producing high quality pictures on a standard 1/2 inch video home system (VHS) tape with high speed scanning and flickers playback capability in real time. All video recorders must record in the standard play (SP), long play (LP), or standard long play (SLP) mode or, with written permission from the executive secretary, twenty four hour real~~

~~time mode.~~ Digital video recorders may be used in lieu of video cassette recorders provided they are approved by the executive secretary prior to installation. The recording must be downloadable, in the same format as it was originally recorded, to a storage device that is approved by the executive secretary. Any specialized viewing or authentication software must be made available to the commission staff prior to installing any systems;

(3) Any monitor screen approved by the executive secretary;

(4) Cameras equipped with lenses of sufficient magnification and clarity to allow the viewer to clearly distinguish the value of currency, coins, gaming chips, playing cards, and outcome of the game and to effectively and clandestinely monitor in detail and from various vantage points those areas in § 20:18:29:03; and

(5) Adequate lighting in all areas where closed-circuit camera coverage is required to enable clear video image and still picture reproduction.

Source: 19 SDR 195, effective June 21, 1993; 22 SDR 95, effective January 18, 1996; 22 SDR 189, effective July 11, 1996; 28 SDR 24, effective August 28, 2001; 35 SDR 184, effective February 2, 2009.

General Authority: SDCL 42-7B-7, 42-7B-11(13).

Law Implemented: SDCL 42-7B-7, 42-7B-11(2), 42-7B-11(13), 42-7B-17.

20:18:29:03. Areas requiring surveillance during hours of operation. The surveillance system must monitor and record clear, unobstructed, and overall views of the following areas within the licensed premises during the hours of operation:

(1) Blackjack and poker areas, which must be equipped with a pan, tilt, and zoom camera capable of observing players and employees;

(2) Blackjack and poker tables, which must be equipped with one still camera for each table capable of observing card table surfaces, including table bank trays;

(3) Table numbers;

(4) Players, dealers, spectators, and pit personnel with sufficient clarity to permit identification;

(5) Cashier's cages, including customers at the cage window, employee's window, cash drawers, vaults, safes, counters, chip storage, and fill window of the cashier's cage. The table game fill window of the cashier's cage and poker podium must be recorded in color. Each cash transaction occurring within the cage must be recorded with sufficient clarity to permit identification of currency, coins, tokens, fill slips, and other related paperwork;

(6) Areas within a count room, including walls, doors, scales, wrapping machines, coin sorters, stored drop boxes, vaults, safes, general work areas, and entrances to the room. Recording in the soft count rooms must include audio;

(7) Poker podium, each transaction occurring at the poker podium must be recorded with sufficient clarity to permit identification of currency, coins, tokens, fill slips, and other related paperwork;

(8) If the license allows bets in excess of one hundred dollars on blackjack or house banked poker games, the licensee must provide fixed cameras that are capable of observing such gaming areas with sufficient clarity to permit identification of players, dealers, spectators, and pit personnel;

(9) Craps tables must be equipped with a stationary color camera positioned to provide an overview of the entire table, to view the rails which hold any chips, the table trays, drop slots, and tip boxes. Two PTZ cameras are required for every craps table. All PTZ cameras must be color cameras and be able to determine the value of any and all wagers made; ~~and~~

(10) Roulette tables must be equipped with a stationary color camera positioned to provide an overview of the entire table, to view the rails which hold any chips, the table trays, drop slots, and tip boxes. The camera coverage must also cover the wheel, and be able to determine the outcome of the game. One PTZ camera is required for every roulette table. The PTZ camera must be color cameras and be able to determine the value of all wagers;

(11) Live sports wagering windows, including customers at the window and cash drawers used to place or redeem tickets or vouchers from wagering on sporting events;

(12) Kiosks used to redeem slot machine payout tickets including a view capable of identifying the customer using the kiosk; and

(13) Kiosks used for placing wagers or redeeming tickets or vouchers from wagering on sporting events including a view capable of identifying the customer using the kiosk.

Source: 19 SDR 195, effective June 21, 1993; 22 SDR 95, effective January 18, 1996; 35 SDR 184, effective February 2, 2009; 38 SDR 213, effective June 18, 2012; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-1, 42-7B-7, 42-7B-11(2)(11)(13), 42-7B-17.

20:18:29:09. Labeling of recorded tapes. ~~A licensee's surveillance employees must label and log each videotape with the date and time of the recording and the areas covered. The tape must be signed by the licensed employee who is responsible for the recording no later than at the end of the shift during which the recording was made.~~

Source: 19 SDR 195, effective June 21, 1993.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-1, 42-7B-2.1, 42-7B-3, 42-7B-7, 42-7B-11(2), 42-7B-17, 42-7B-18, 42-7B-32.

20:18:29:10. Number of recorders. A licensee must provide, maintain, and operate ~~at least one video recorder within the surveillance system. One on one one-on-one first-generation recording is required~~ recordings for all cameras. ~~that view the following key areas:~~

- ~~(1) Blackjack and poker table surfaces, players, spectators, and pit personnel;~~
- ~~(2) Customers at the cashier's cage window;~~
- ~~(3) Count room scales, coin sorters, and count tables; and~~
- ~~(4) Stationary imprest banks.~~

The quality of the picture and recordings must be approved by the commission, the executive secretary, or its agents.

Source: 19 SDR 195, effective June 21, 1993; 22 SDR 95, effective January 18, 1996; 22 SDR 189, effective July 11, 1996; 43 SDR 131, effective April 17, 2017.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-7, 42-7B-11(2)(11)(13), 42-7B-17.