

STATE OF SOUTH DAKOTA  
DEPARTMENT OF REVENUE  
SOUTH DAKOTA COMMISSION ON GAMING

**Notice of Public Hearing to Adopt Rules  
And Special Meeting**

Join Zoom Meeting

<https://state-sd.zoom.us/j/95862124110?pwd=Y2MzL0V1eHJkMDZJTkl2RjhHOFBPZz09>

Meeting ID: 958 6212 4110

Passcode: 166194

TELECONFERENCE

(1-669-900-9128)

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Dial in participants will be muted when joining the meeting.

\*6 mute/unmute and if you wish to make a comment select \*9 to raise your hand.

The meeting will be broadcast on SDPB at this address <https://www.sd.net/meeting/11>

**A public hearing will be held via Zoom , on Tuesday, May 18, 2021, at 10:00 o'clock a.m., MDT, to consider the adoption and amendment of proposed rules numbered:**

**GAMING RULES: 20:18:06:02, 20:18:08:03, 20:18:12:01:01, 20:18:14:01, 20:18:15:28, 20:18:15:31, 20:18:16:32.01, 20:18:16:37, 20:18:18:15, 20:18:22:12, 20:18:29:02, 20:18:29:03, 20:18:29:09, 20:18:29:10**

**AGENDA**

**Call to order**

**Conflicts of Interest**

**Adoption of Rules Hearing agenda**

**Approval of the minutes of the Quarterly Meeting of March 17, 2021 PAGES 5 - 11**

**Old Business**

## Rules to be adopted

- (1) Proposed rule amendment: 20:18:06:02. Fee required with application. The effect of this rule is to provide for an application fee for a sports wagering services provider.

The reason for adopting the proposed amendment is to implement sports wagering and licensing of sports wagering services providers which passed in the 2021 legislative session in Senate Bill 44.

PAGES 12 - 15

- (2) Proposed rule amendment: 20:18:08:03. Access to premises and production of records. The effect of this rule is to add associated equipment licensees and sports wagering services providers to the list of entities that must provide access to their premises and production of records.

The reason for adopting the proposed amendment is to update the rule for associated equipment licensees and to enact sports wagering which was passed in the 2021 legislative session through Senate Bill 44.

PAGES 16 AND 17

- (3) Proposed rule amendment: 20:18:12.01:01. Gaming by licensees. The effect of this rule is to prohibit associated equipment licensees and sports wagering services providers or licensees employed by sports wagering services providers from wagering on sporting events.

The reason for adopting the proposed amendment is to update the rule for associated equipment licensees and to enact sports wagering which was passed in the 2021 legislative session through Senate Bill 44.

PAGES 18 AND 19

- (4) Proposed rule amendment: 20:18:14:01. Authorized games. The effect of this rule is to add wagering on sporting events to the authorized games in Deadwood.

The reason for adopting the proposed amendment is to enact sports wagering which was passed in the 2021 legislative session through Senate Bill 44.

PAGE 20

- (5) Proposed rule amendment: 20:18:15:28. Irregularities. The effect of this rule is to implement cleanup to irregularities in blackjack.

The reason for adopting the proposed amendment is to clarify and clean up a previous rule.

PAGE 21 AND 22

- (6) Proposed rule amendment: 20:18:15:31. Posting of rules. The effect of this rule is to clarify the posting of rules of blackjack and house banked poker games.

The reason for adopting the proposed amendment is to provide clarity and cleanup of an existing rule.

PAGE 23

- (7) Proposed rule amendment: 20:18:16:32.01. Bad beat pots and pool pots. The effect of this rule is to clarify that bad beat pots must be maintained in segregated bank accounts.

The reason for adopting the proposed amendment is to clarify and clean up an existing rule.

PAGES 24 - 27

- (8) Proposed rule amendment: 20:18:16:37. Posting of rules. The effect of this rule is to clarify that rules must be posted at each poker table.

The reason for adopting the proposed amendment is cleanup and clarification of an existing rule.

PAGE 19

- (9) Proposed rule amendment: 20:18:18:15. Maintenance of slot machines. The effect of this rule is to add electronic bonusing systems to the list of associated equipment of slot machines.

The reason for adopting the proposed amendment is clarification and cleanup of an existing rule.

PAGES 28 - 30

- (10) Proposed rule amendment: 20:18:22:12. Adjusted gross revenue computations. The effect of this rule is to include sports wagering in adjusted gross revenue computations.

The reason for adopting the proposed amendment is to enact sports wagering which was passed in the 2021 legislative session through Senate Bill 44.

PAGE 32 - 34

- (11) Proposed rule amendment: 20:18:29:02. Closed-circuit surveillance system. The effect of this rule is to clarify closed-circuit surveillance system requirements.

The reason for adopting the proposed amendment is clarification and cleanup of an existing rule.

PAGE 35 AND 36

(12) Proposed rule amendment: 20:18:29:03. Areas requiring surveillance during hours of operation. The effect of this rule is to add sports wagering to areas that are required to be monitored by surveillance.

The reason for adopting the proposed amendment is to enact sports wagering which was passed in the 2021 legislative session through Senate Bill 44.

PAGES 36 - 38

(13) Proposed rule amendment: 20:18:29:09. Labeling of recorded pages. The effect of the proposed amendment is to repeal 20:18:29:09.

The reason for adopting the proposed amendment is due to the amendment in 20:18:29:03, labeling of video tapes is no longer needed.

PAGE 39

(14) Proposed rule amendment: 20:18:29:10. Number of recorders. The effect of this rule is to clarify one-on-one recordings for all surveillance camera recorders.

The reason for adopting the proposed amendment is clarification and cleanup of an existing rule.

PAGE 39

**Date of next meeting** June 16, 2021

**Public Comment**

**Executive Session** pursuant to SDCL 1-25-2 (1)

**Adjournment**

SUSAN CHRISTIAN, CIA  
Executive Secretary

For access, persons with special needs may call the Commission office (605) 578-3074



**SOUTH DAKOTA COMMISSION ON GAMING**

87 Sherman Street • Deadwood, SD 57732  
(605) 578-3074 • [dor.sd.gov/gaming](http://dor.sd.gov/gaming)

**UNAPPROVED MINUTES**

**South Dakota Commission on Gaming  
Administrative Hearing and Quarterly Business Meeting  
Deadwood City Hall, Deadwood, South Dakota**

**MINUTES**

March 17, 2021

At 9:03 a.m. the meeting was called to order. Commissioner Karen Wagner and Commissioner Karl Fischer were present. Commissioner Dennis McFarland and Commissioner Bob Goetz participated via Zoom. Commissioner Mike Wordeman was unable to attend the meeting. Staff members present for the meeting were Douglas Abraham, Commission Attorney; Susan Christian, Executive Secretary; Craig Sparrow, Deputy Executive Secretary; and Phil Schlieff, IT Specialist.

The meeting was called to order by Commissioner Wagner at 9:03 a.m.

**Conflicts of Interest Disclosure**

On a roll call no conflicts of interest were disclosed.

Commissioner McFarland	Nay
Commissioner Fischer	Nay
Commissioner Goetz	Nay
Commissioner Wagner	Nay

All voting will be done by a roll call. A roll call was taken, and a quorum was present.

**Administrative Hearing**

The court reporter for the hearing was Veronica Fish. The following case was scheduled to be heard:

- David Meddings appeal of action taken by Commission

## **David Meddings**

Commissioner Wagner will be serving as the hearing officer. The purpose of the hearing was a request to appeal the action taken on the revocation of Mr. Meddings gaming license. Mr. Meddings was present for the hearing. The matter to be asserted is that on January 9, 2020 the Defendant plead guilty to a charge of SDCL 32-23-1(2) Driving Under the Influence, a Class 6 Felony and that on February 7, 2020 the Defendant received an Order Suspending Imposition of Sentence in Lawrence County Circuit Court, Fourth Judicial Circuit and voluntarily surrendered his gaming license in March 2020. As a result of the voluntary surrender, the Gaming Commission revoked Defendant's gaming license. Staff recommended that his gaming license not be returned to him. The decision on this matter is deferred to Executive Session.

## **General Meeting**

Commissioner Wagner called the general meeting to order at 9:35 a.m. and a roll call was taken.

Commissioner McFarland	Aye
Commissioner Fischer	Aye
Commissioner Goetz	Aye
Commissioner Wagner	Aye

## **Adoption of Quarterly Business Meeting Agenda**

Commissioner Fischer made a motion to adopt the agenda. Commissioner McFarland seconded the motion.

On a roll call vote motion was carried unanimously.

Commissioner McFarland	Aye
Commissioner Fischer	Aye
Commissioner Goetz	Aye
Commissioner Wagner	Aye

## **December 16, 2020 Quarterly Meeting**

Commissioner McFarland made a motion to adopt the minutes as drafted for the December 16, 2020 quarterly meeting. Commissioner Fischer seconded the motion.

On a roll call vote motion was carried unanimously.

Commissioner McFarland	Aye
Commissioner Fischer	Aye
Commissioner Goetz	Aye
Commissioner Wagner	Aye

## **Old Business**

There was no old business to be discussed at the meeting.

## **Special Recognition**

Commissioner Wagner presented a plaque to Commissioner McFarland in appreciation of his six years of dedicated service. Commissioner McFarland's term on the Commission ends on April 1, 2021.

## **Executive Secretary Report**

Susan Christian, Executive Secretary, gave a brief report on the following items: for the last three months staff has been working on the Sports Wagering bill during Legislative session; staff will be working on the rules and regulations for Sports Wagering and hoping to have completed sometime around the first part of September; it has been a year since the COVID and travel is still limited so all conferences are still being held virtually; starting in June and July there are some organizations that will be having in person conferences. This is for information purposes only so no action was taken.

## **Comments Department of Revenue Deputy Secretary David Wiest**

Deputy Secretary of Revenue, David Wiest, gave a brief update on the Legislative session, Senate Bill 44 regarding Sports Wagering, and recreational and medical marijuana.

## **Stipulation of Assurance and Voluntary Compliance**

### **James Jenkins**

A monetary penalty of \$50.00 to be paid not later than March 1, 2021 and suspension of his gaming license for seven days was imposed for a complaint that was filed on December 30, 2020 alleging that the Defendant engaged in conduct constituting grounds for disciplinary action by conducting table games with a deck of less than the 52 cards as required per ARSD 20:18:15:02. An informal consultation was held, and Licensee agreed to the penalty, surrendered his gaming license, and paid the fine.

Commissioner McFarland made a motion to accept the Stipulation of Assurance and Voluntary Compliance and imposed penalty. Commissioner Goetz seconded the motion.

On a roll call vote motion was carried unanimously.

Commissioner McFarland	Aye
Commissioner Fischer	Aye
Commissioner Goetz	Aye
Commissioner Wagner	Aye

### **ZCN, LLC dba Deadwood Mountain Grand**

A monetary penalty of \$1,620.00 to be paid not later than March 1, 2021 was imposed for a complaint that was filed on December 30, 2020 alleging that the Defendant engaged in conduct constituting grounds for disciplinary action by conducting table games with a deck of less than the 52 cards as required per ARSD 20:18:15:02. Licensee was required to refund buy-ins to the identified patrons in the amount of \$5,920.00. An informal consultation was held, and Licensee agreed to the penalty, paid the fine, and provided copies of the checks written to the customers.

Commissioner Fischer made a motion to accept the Stipulation of Assurance and Voluntary Compliance and imposed penalty. Commissioner McFarland seconded the motion.

On a roll call vote motion was carried unanimously.

Commissioner McFarland	Aye
Commissioner Fischer	Aye
Commissioner Goetz	Aye
Commissioner Wagner	Aye

### **By Development dba Cadillac Jack's**

A monetary penalty of \$1,000.00 to be paid not later than March 1, 2021 was imposed for a complaint that was filed on December 31, 2020 alleging that the Defendant engaged in conduct constituting grounds for disciplinary action regarding repeat audit findings. Annual audits will be conducted by the SDCG until it has been determined that Licensee is complying with all areas of their approved System Internal Controls. An informal consultation was held, and Licensee agreed to the penalty and paid the fine.

Commissioner McFarland made a motion to accept the Stipulation of Assurance and Voluntary Compliance and imposed penalty. Commissioner Goetz seconded the motion.

On a roll call vote motion was carried unanimously.

Commissioner McFarland	Aye
Commissioner Fischer	Aye
Commissioner Goetz	Aye
Commissioner Wagner	Aye

### **Live Racing Matters**

#### **Verendrye Benevolent Association request to change Race Dates for 2021 Race Season**

On December 16, 2020 at the quarterly commission meeting the Verendrye Benevolent Association requested and was granted approval to conduct live horse race meet on September 25<sup>th</sup> and 26<sup>th</sup> of 2021. Due to conflicts with competing tracks the Verendrye Benevolent Association is requesting approval to move the meet to October 2<sup>nd</sup> and 3<sup>rd</sup> 2021.

Commissioner Fischer made a motion to approve the request to move the meet dates for the 2021 race season. Commissioner McFarland seconded the motion.

On a roll call vote motion was carried unanimously.

Commissioner McFarland	Aye
Commissioner Fischer	Aye
Commissioner Goetz	Aye
Commissioner Wagner	Aye

### **Deadwood Licensing Matters**



## **Key License Approvals**

Deputy Executive Secretary Sparrow recommended approval of the following:

- ✓ Jonathan Scroggins
- ✓ Robert Greco
- ✓ Timothy Storey
- ✓ James Suurmeier
- ✓ Teri Ward
- ✓ Walter Winder

Commissioner Fischer made a motion to approve the Key License approvals as staff recommended.  
Commissioner McFarland seconded the motion.

On a roll call vote motion was carried unanimously.

Commissioner McFarland	Aye
Commissioner Fischer	Aye
Commissioner Goetz	Aye
Commissioner Wagner	Aye

## **2021 Key Renewals**

Deputy Executive Secretary Sparrow recommended approval of the following Key renewals.

- ✓ Brenda Alexander
- ✓ Jesse Allen
- ✓ Thomas Frank
- ✓ Trevor Taylor
- ✓ Jim Vinson

Commissioner McFarland made a motion to approve the Key License renewals as staff recommended.  
Commissioner Fischer seconded the motion.

On a roll call vote motion was carried unanimously.

Commissioner McFarland	Aye
Commissioner Fischer	Aye
Commissioner Goetz	Aye
Commissioner Wagner	Aye

## **Ratification of Licensing Action by the Executive Secretary per 42-7B-11 (16)**

Deputy Executive Secretary Sparrow recommended approval of the following:

- ✓ Approval of five Retail licenses for SRK Development and that they be assigned to Hickoks (**11965, 11966, & 11967-RT's**) at 685 Main Street and to the Bullock Hotel (**11985 & 11964-RT's**) at 658 Main Street.

Commissioner McFarland made a motion to approve the ratification of licensing action by the Executive Secretary. Commissioner Goetz seconded the motion.

On a roll call vote motion was carried unanimously.

Commissioner McFarland	Aye
Commissioner Fischer	Aye
Commissioner Goetz	Aye
Commissioner Wagner	Aye

### **Date of Next Meeting**

The next quarterly meeting is scheduled for June 16, 2021.

### **Public Comment**

Mike Rodman, Executive Director of the Deadwood Gaming Association, addressed the Commission stating that it was a pleasure to assist with Senate Bill 44 during the Legislative session and thanked Susan Christian, Craig Sparrow, and David Wiest for all the work that they did on the bill. The Deadwood Gaming Association is looking forward to assisting with putting the rules in place for Sports Wagering.

### **Executive Session**

Commissioner Fischer made a motion to go into Executive Session. Commissioner McFarland seconded the motion.

On a roll call vote motion was carried unanimously.

Commissioner McFarland	Aye
Commissioner Fischer	Aye
Commissioner Goetz	Aye
Commissioner Wagner	Aye

At 10:03 a.m. the Commissioners went into Executive Session pursuant to SDCL 1-25-2 (1) (3) and (4), and 42-7B-8.1 (3) and (4).

The Executive Session was concluded at 10:41 a.m.

### **Actions Items**

#### **Decision David Meddings**

Commissioner McFarland made a motion to deny the appeal of Mr. Meddings. Commissioner Goetz seconded the motion.

On a roll call vote motion was carried unanimously.

Commissioner McFarland	Aye
Commissioner Fischer	Aye
Commissioner Goetz	Aye
Commissioner Wagner	Aye

## **Letter to Attorney General**

Commissioner Goetz made a motion to direct Mike Shaw, Commission Attorney, to send a letter to the South Dakota Attorney General advising them of issues relating to internet gaming from out of state companies that is illegal pursuant to SD Code and Law 22-25A. Commissioner McFarland seconded the motion.

On a roll call vote motion was carried unanimously.

Commissioner McFarland	Aye
Commissioner Fischer	Aye
Commissioner Goetz	Aye
Commissioner Wagner	Aye

With no further business to be discussed Commissioner Fischer made a motion to adjourn the meeting. Commissioner Goetz seconded the motion.

On a roll call vote motion was carried unanimously.

Commissioner McFarland	Aye
Commissioner Fischer	Aye
Commissioner Goetz	Aye
Commissioner Wagner	Aye

The meeting was adjourned at 10:45 a.m.

Respectfully Submitted,

Kathy Beringer

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Karen Wagner, Madam Chairman

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Susan Christian, Executive Secretary

\*Editor's Note - I encourage providing a Word (electronic) copy of the proposed rules to LRC so that our resulting recommendations are the most legible.

## ARTICLE 20:18

### GAMING COMMISSION -- DEADWOOD GAMBLING

Chapter	
20:18:01	General provisions.
20:18:02	Powers of commission.
20:18:03	Powers of executive secretary.
20:18:04	Declaratory rulings.
20:18:05	Promulgation of rules, Repealed.
20:18:06	Applications and fees.
20:18:07	Application approval.
20:18:07.01	Suitability procedure.
20:18:08	Enforcement.
20:18:08.01	Exclusion list.
20:18:09	Grounds for disciplinary action.
20:18:10	Disciplinary proceedings.
20:18:11	Contested cases.
20:18:12	Summary suspension procedure.
20:18:12.01	Operation of gaming establishments.
20:18:13	Integrity of equipment.
20:18:14	Authorized games.
20:18:14.01	Tournaments.
20:18:15	Blackjack.
20:18:16	Poker.
20:18:17	Slot machine requirements.
20:18:18	Slot machine testing, approval, and modifications.
20:18:18.01	Slot machine manufacturers.
20:18:18.02	Storing, displaying, and transporting slot machines.
20:18:19	Gaming equipment.
20:18:20	Chips, tokens, and tickets.
20:18:20.01	Cashier's cage.
20:18:20.02	Promotional items.
20:18:21	Operation of gaming establishments, Transferred or Repealed.
20:18:22	Accounting regulations.
20:18:23	Suitability and unsuitability procedure, Transferred.
20:18:24	Exclusion list, Transferred.
20:18:25	Building regulations.
20:18:26	Foreclosures.
20:18:27	Gaming compact with recognized Indian tribes.
20:18:28	Storing, displaying, and transporting slot machines, Transferred.
20:18:29	Security and surveillance.
20:18:30	Publicly traded corporations.

→ Form - Recommend against including the article index if there is no change to a chapter heading or if no repeal/transfer/addition of chapters is occurring in the article. See Drafting Manual, pg. 8 -- "Delete any sections or chapters not affected by the proposed rule in your draft."

~~20:18:31 Gaming property owners.  
20:18:32 Keno.  
20:18:33 Craps.  
20:18:34 Roulette.  
Appendix A Gaming Internal Control and Revenue Reporting Manual.~~

## CHAPTER 20:18:06

### APPLICATIONS AND FEES

#### Section

20:18:06:01	Applications.
20:18:06:02	Fee required with application.
20:18:06:03	Use of application fee -- Additional fees required.
20:18:06:04	Gaming contracts -- Regulations.
20:18:06:05	Termination of employment of key or support licensee.
20:18:06:06	Conditions imposed by commission for reissuance of license.
20:18:06:07	Procedure upon dissolution.
20:18:06:08	Transfers of interest.
20:18:06:09	Regulation of ownership interests.
20:18:06:10	Reapplication required if license not received in one year.
20:18:06:11	Reapplication required after license lapsed one year.
20:18:06:12	Application for approval of games.

*form - (same recommendation as with the article index.)*

*clarity - this section doesn't authorize fees generally for all approvals of the Gaming Comm'n.*  
**20:18:06:02. Fee required with application.** An application fee must accompany each *just those* application for *the following* license, game, or game variation approval in the *specified* 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, <sup>\$</sup>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.

*listed, I presume?  
If so, these changes should clarify that.*

*Please include existing language*

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. ✓

↳ legality - "General Authority" =  
"clearly expressed legislative will to  
delegate the power to adopt the  
particular rule." 312 N.W.2d  
374, 375.

"Law Implemented" = "a policy, standard,  
or rule" that prevents an agency  
from exercising "unlimited or absolute  
discretion" in its power to adopt a  
particular rule. 2004 SD 35, ¶ 17.

SDCL 42-7B-11(1) provides the  
express delegation of authority  
to adopt a particular type of  
rule, but it does not  
provide any meaningful check or  
Scope on agency discretion.



## CHAPTER 20:18:08

### ENFORCEMENT

#### Section

- 20:18:08:01 Enforcement powers.
- 20:18:08:02 Information to be furnished by licensee.
- 20:18:08:02.01 Job descriptions -- List of personnel.
- 20:18:08:03 Access to premises and production of records.
- 20:18:08:04 Summoning of licensee.

*form - see previous  
commitments on indexes.*

**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.~~

General  
Authority

Law  
Implemented

↳ As this provision provides some  
cabinizing/scoping ("any time day or  
night" "all matters affecting the enforcement  
of provisions of this chapter")

## CHAPTER 20:18:12.01

### OPERATION OF GAMING ESTABLISHMENTS

#### Section

20:18:12.01:01	Gaming by licensees.	<i>form same</i>
20:18:12.01:02	Discovery of violations.	
20:18:12.01:03	Changing of games.	
20:18:12.01:04	Unauthorized games.	
20:18:12.01:05	Unlicensed games or devices.	
20:18:12.01:06	Notice to commission of hours of operation.	
20:18:12.01:07	Patron disputes.	
20:18:12.01:07.01	Entitlement to slot machine credits or payouts and to abandoned monies.	
20:18:12.01:08	Forms of wagers.	
20:18:12.01:08.01	Amount of wagers.	
20:18:12.01:09	Persons not to bring their own cards, dice, or chips.	
20:18:12.01:10	Special rules of conduct.	
20:18:12.01:11	Use of counting device prohibited.	
20:18:12.01:12	Mandatory count procedure.	
20:18:12.01:13	Handling of cash.	
20:18:12.01:14	Minimum bankroll requirements.	
20:18:12.01:15	Compliance with Gaming Internal Control and Revenue Reporting Manual.	
20:18:12.01:16	Premise monitoring required.	
20:18:12.01:17	Pit boss requirement.	
20:18:12.01:18	Use of electronic communication devices prohibited.	
20:18:12.01:19	Manned surveillance rooms.	
20:18:12.01:20	Use of licensed gaming tables for training dealers.	
20:18:12.01:21	Training licensed dealers.	
20:18:12.01:22	Legal age to gamble - notification requirement.	
20:18:12.01:23	Age of participants.	

**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.

*SDCL Chapter 5 - style - we use Oxford comma - Manual at 7 "A"  
style - Manual, pg. 10  
among should be used before the conjunction in a series.  
that - style - "which" signals an unnecessary phrase. There should be no such thing in law or rule. SDCL Chapter 5*

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.

*that*

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).

*"generally to regulate gaming activities."*

## **CHAPTER 20:18:14**

### **AUTHORIZED GAMES**

#### **Section**

20:18:14:01 Authorized games.  
20:18:14:02 Start of gaming.

**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).

## CHAPTER 20:18:15

### BLACKJACK

#### Section

20:18:15:01	Definitions.
20:18:15:01.01	Types of blackjack authorized.
20:18:15:02	Cards.
20:18:15:03	Wagers.
20:18:15:04	Push -- Exceptions.
20:18:15:05	Wagering rules.
20:18:15:06	Payment of wagers.
20:18:15:07	Handling of wagers.
20:18:15:08	Inspection of cards.
20:18:15:09	Presentation of cards.
20:18:15:10	The shuffle and reshuffle.
20:18:15:11	Cut.
20:18:15:12	Cutting player.
20:18:15:13	Proposals for variations.
20:18:15:13.01	Repealed.
20:18:15:14	Procedure for dealing cards.
20:18:15:15	Burn procedure.
20:18:15:16	The deal.
20:18:15:17	The play.
20:18:15:18	The pickup.
20:18:15:19	Dealer's hole card.
20:18:15:20	Dealing after cutting card reached.
20:18:15:21	Prohibited acts.
20:18:15:21.01	Exposing hand.
20:18:15:22	Point counts.
20:18:15:23	Insurance wagers.
20:18:15:24	Doubling down.
20:18:15:25	Splitting pairs.
20:18:15:26	Drawing of additional cards by players and dealers.
20:18:15:27	Player wagering on more than one box.
20:18:15:28	Irregularities.
20:18:15:29	Special rules of conduct.
20:18:15:30	Surrender.
20:18:15:30.01	Variations of the play -- Rainbow 21.
20:18:15:30.02	Variations of the play -- Ten sticks 21.
20:18:15:30.03	Variations of the play -- 21+3.
20:18:15:30.04	Variations of the play -- Lucky Ladies blackjack.
20:18:15:30.05	Variations of the play -- Progressive blackjack.

*- form - same*

20:18:15:30.06	Variations of the play -- STREAK blackjack.
20:18:15:30.07	Variations of the play -- Buster Blackjack.
20:18:15:30.08	Variations of the play -- Winners Option Blackjack.
20:18:15:30.09	Variations of the play -- Blackjack Switch.
20:18:15:30.10	Variations of the play -- Dealer Bust 21.
20:18:15:30.11	Variations of the play -- Dead Man's Hand blackjack.
20:18:15:30.12	Variations of the play -- War blackjack.
20:18:15:30.13	Variations of the play -- Lucky Lucky blackjack.
20:18:15:30.14	Variations of the play -- Free Bet blackjack.
20:18:15:30.15	Variations of the play -- Bonus Spin blackjack.
20:18:15:30.16	Variations of the play -- Bust Bonus.
20:18:15:30.17	Variations of the play -- TriLux Bonus Blackjack with Super 3.
20:18:15:30.18	Variations of the play -- Triple Win 20.
20:18:15:30.19	Variations of the play -- Blazing 7's Progressive.
20:18:15:31	Posting of rules.
20:18:15:32	Procedure for distribution of chips to blackjack table.
20:18:15:33	Procedure for removing chips or coins from the blackjack table.
20:18:15:34	Procedure for accepting cash at blackjack table.
20:18:15:35	Drop procedures.
20:18:15:36	Count procedures.
20:18:15:36.01	Drop box requirements.
20:18:15:37	Keys.
20:18:15:38	Statistics.
20:18:15:39	Tip bets.

**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~~. ✓

*General authority, yes, but no applicable scoping for this rule's subject matter, and therefore not "law implemented."*

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~~. ✓

*↳ here, the scoping/condition in SDCL 42-7B-15 is applicable to the rule - "clearly posted within plain view..."*

## CHAPTER 20:18:16

### POKER

<u>Section</u>	
20:18:16:01	Definitions.
20:18:16:02	Types of poker authorized.
20:18:16:03	Ranking of cards in hands.
20:18:16:04	Use of joker.
20:18:16:05	Tie.
20:18:16:06	Cards.
20:18:16:07	Retail licensee to provide dealer.
20:18:16:08	Shuffle and cut of the cards.
20:18:16:09	Ante.
20:18:16:10	The deal.
20:18:16:11	The play -- Texas hold'em.
20:18:16:11.01	The play -- Omaha.
20:18:16:11.02	The play -- Pineapple/Crazy Pineapple poker - high or high-low split.
20:18:16:11.03	The play -- Super eight poker.
20:18:16:12	The play -- Draw poker.
20:18:16:13	The play -- Five-card stud poker.
20:18:16:14	The play -- Seven-card low stud poker and seven-card high stud poker.
20:18:16:15	The play -- Seven-card high-low split stud poker.
20:18:16:15.01	The play -- Hold'em eighty-eight.
20:18:16:15.02	The play -- Three-card poker.
20:18:16:15.03	The play -- Let it ride and let it ride bonus including three card optional side bet or progressive optional side bet.
20:18:16:15.04	The play -- Phil'em up poker.
20:18:16:15.05	The play -- Caribbean stud poker.
20:18:16:15.06	The play -- Bonus 6 poker.
20:18:16:15.07	The play -- Twisted Pineapple poker.
20:18:16:15.08	The play -- Texas Shootout poker, a variation of Texas Hold 'em poker.
20:18:16:15.09	The play -- Silverado Stud poker.
20:18:16:15.10	The play -- Four-Card poker.
20:18:16:15.11	The play -- Hold 'em 212 poker.
20:18:16:15.12	The play -- Texas Hold 'em Bonus poker.
20:18:16:15.13	The play -- Heads Up Poker Challenge.
20:18:16:15.14	The play -- Mississippi Stud with optional three card bonus.
20:18:16:15.15	The play -- Ultimate Texas Hold'em.
20:18:16:15.16	The play -- Pai Gow poker.
20:18:16:15.17	Variations of the play -- Casino War.
20:18:16:15.18	The play -- Fortune Pai Gow poker.
20:18:16:15.19	The play -- Flushes Gone Wild.

- form - same



20:18:16:15.20	The play -- Hot Poker Spot.
20:18:16:15.21	The play -- High Card Flush.
20:18:16:15.22	The play -- Cover All Bonus
20:18:16:15.23	Variations of the play -- Dakota Duel Draw
20:18:16:16	Rake offs.
20:18:16:17	Operation of the game.
20:18:16:18	Repealed.
20:18:16:19	Dealing.
20:18:16:19.01	Exposed final card in seven-card stud poker.
20:18:16:20	Misdeal.
20:18:16:21	Table stakes.
20:18:16:22	Bypassed betting.
20:18:16:22.01	Burn card procedure.
20:18:16:23	Burned cards.
20:18:16:24	Folding.
20:18:16:25	Call or raise.
20:18:16:26	Conceded hand.
20:18:16:27	Procedure for calls.
20:18:16:28	Apparent call.
20:18:16:29	Fouled hand -- Short hands.
20:18:16:30	Showdown.
20:18:16:31	Review of hands.
20:18:16:31.01	Exposing hand.
20:18:16:32	Award of pot.
20:18:16:32.01	Bad beat pots and pool pots.
20:18:16:33	Odd chips in ties.
20:18:16:34	Use of defective deck.
20:18:16:35	Faced card.
20:18:16:36	Time limit.
20:18:16:37	Posting of rules.
20:18:16:38	House game rules.
20:18:16:39	Player rules.
20:18:16:40	Maximum number of players.
20:18:16:41	Proposals for variations.
20:18:16:42	Changing dealers at poker tables.
20:18:16:43	Procedure for accepting cash at poker tables.
20:18:16:43.01	Procedure for accepting cash at house banked poker table.
20:18:16:43.02	Procedure for distribution of chips to house banked poker table.
20:18:16:43.03	Procedure for removing chips or coins from the house banked poker table.
20:18:16:44	Drop and count procedures.
20:18:16:44.01	Drop box requirements.
20:18:16:45	Shill procedures.
20:18:16:45.01	Restrictions on use of shills and proposition players.

*form - same*

20:18:16:46	Repealed.
20:18:16:46.01	Use of lammers.
20:18:16:46.02	Poker podium procedures.
20:18:16:47	Repealed.
20:18:16:48	Statistics.
20:18:16:49	The pickup.
20:18:16:50	Prohibited acts.
20:18:16:51	Player wagering on more than one box.
20:18:16:52	Tip bets.
20:18:16:53	Winning combination.

*form - same*

**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~~ <sup>*each player*</sup> ~~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

#### Section

20:18:18:01	Definitions.
20:18:18:02	Approval of slot machines -- Applications and procedures.
20:18:18:03	Evaluation of new slot machines.
20:18:18:04	Field test of new slot machines.
20:18:18:05	Certification by manufacturer.
20:18:18:06	Final approval of slot machines.
20:18:18:07	Approval to modify slot machines -- Applications and procedures.
20:18:18:08	Evaluation of modifications.
20:18:18:09	Field test of modified machines.
20:18:18:10	Final approval of modifications.
20:18:18:11	Conversions.
20:18:18:12	Duplication of program storage media.
20:18:18:13	Marking and registration of slot machines.
20:18:18:14	Approval to sell or dispose of slot machines -- Conditions for destruction.
20:18:18:14.01	Purchasing of slot machines.
20:18:18:15	Maintenance of slot machines.
20:18:18:15.01	Licensed operator authorized to perform maintenance on bill acceptors.
20:18:18:16	Summary suspension of approval of slot machines.
20:18:18:17	Approval of new games -- Applications and procedures.
20:18:18:18	Field trials of new games.
20:18:18:19	Final approval of new games.
20:18:18:20	Approval of associated equipment -- Applications and procedures.
20:18:18:21	Evaluation of associated equipment.
20:18:18:22	Field trial of associated equipment.
20:18:18:23	Installation of associated equipment.
20:18:18:24	Maintenance of associated equipment.
20:18:18:24.01	Installation and upgrade of on-line monitoring and control system.
20:18:18:24.02	On-line monitoring and control system access and control.
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.

*for same - same*

**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 <sup>that</sup> 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 <sup>that</sup> 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 <sup>that</sup> 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;

clarity -  
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necessary to break  
out between parts  
and associated  
equipment? Can't  
they just be a  
single list?

- (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

#### Section

20:18:22:01	Definitions.
20:18:22:02	Audit procedures -- Appeal.
20:18:22:03	Procedure for reporting and paying gaming taxes and fees.
20:18:22:04	Accounting records.
20:18:22:05	Records of ownership -- Corporations.
20:18:22:06	Partnership or association records.
20:18:22:07	Sole proprietor records.
20:18:22:08	Record retention -- Noncompliance.
20:18:22:09	Repealed.
20:18:22:10	Audited financial statements -- Requirements for preparation.
20:18:22:11	Reviewed or audited financial statements -- Time for submission.
20:18:22:12	Adjusted gross revenue computations.
20:18:22:13	Transferred.
20:18:22:14	Transferred.
20:18:22:15	Transferred.
20:18:22:16	Repealed.
20:18:22:17	Repealed.
20:18:22:18	Transferred.
20:18:22:19	Tax forms.
20:18:22:20	Transferred.
20:18:22:21	Transferred.
20:18:22:22	No deduction from gross proceeds for promotional items.
20:18:22:23	Non-cashable promo play.
20:18:22:24	Transferred.

*form - same*

**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. *Chapter - Manual, pg. 10*

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. <del>Repealed</del>
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.

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Manual,  
pg. 20

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the period for "Repealed" instead of  
adding a new period. See Manual,  
pg. 20

**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:

*and meeting the specified performance requirements*  
*clarity - some subdivisions specify the type of camera etc. that should be clarified here as a requirement of the rule.*

- (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.

*Repealed* *Form/Style* *Drafting Manual* *pg. 22*  
*(do not strike this period. "Repealed" is to go in front of it.)*

**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.

*General Authority*