



2023 South Dakota Legislature

House Joint Resolution 5006

Introduced by: **Representative Jamison**

1 **A JOINT RESOLUTION, Proposing and submitting to the voters at the next general**
 2 **election an amendment to the Constitution of the State of South Dakota,**
 3 **providing for wagering on sporting events via mobile or electronic platform.**

4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF SOUTH
 5 DAKOTA, THE SENATE CONCURRING THEREIN:

6 **Section 1.** That at the next general election held in the state, the following amendment to
 7 Article III of the Constitution of the State of South Dakota, as set forth in section 2 of this
 8 Joint Resolution, which is hereby agreed to, shall be submitted to the electors of the state for
 9 approval.

10 **Section 2. That Article III, § 25 of the Constitution of the State of South Dakota, be**
 11 **AMENDED:**

12 **§ 25.** The Legislature may not authorize any game of chance, lottery, or gift
 13 enterprise, under any pretense, or for any purpose whatever provided, however, it shall
 14 be lawful for the Legislature to authorize by law, bona fide veterans, charitable,
 15 educational, religious or fraternal organizations, civic and service clubs, volunteer fire
 16 departments, or such other public spirited organizations as it may recognize, to conduct
 17 games of chance when the entire net proceeds of such games of chance are to be devoted
 18 to educational, charitable, patriotic, religious, or other public spirited uses. However, it
 19 shall be lawful for the Legislature to authorize by law a state lottery or video games of
 20 chance, or both, which are regulated by the State of South Dakota, either separately by
 21 the state or jointly with one or more states, and which are owned and operated by the
 22 State of South Dakota, either separately by the state or jointly with one or more states or
 23 persons, provided any such video games of chance may not directly dispense coins or
 24 tokens. However, the Legislature may not expand the statutory authority existing as of
 25 June 1, 1994, regarding any private ownership of state lottery games or video games of
 26 chance, or both. The Legislature shall establish the portion of proceeds due the state from

1 such lottery or video games of chance, or both, and the purposes for which those proceeds
2 are to be used. SDCL 42-7A, and its amendments, regulations, and related laws, and all
3 acts and contracts relying for authority upon such laws and regulations, beginning July 1,
4 1987, to the effective date of this amendment, are ratified and approved. Further, it shall
5 be lawful for the Legislature to authorize by law, roulette, keno, craps, wagering on
6 sporting events, limited card games, and slot machines within the city limits of Deadwood.
7 Further, the Legislature shall authorize by law wagering on sporting events by individuals
8 located within and outside the city limits of Deadwood, by means of a mobile or electronic
9 platform, so long as the mobile or electronic platform is offered by or in partnership with
10 a licensed casino and has its servers located within the city limits of Deadwood. The entire
11 net-~~Municipal~~ municipal proceeds of such roulette, keno, craps, wagering on sporting
12 events, card games, and slot machines shall be devoted to the Historic Restoration and
13 Preservation of Deadwood.