

2023 South Dakota Legislature  
**House Joint Resolution 5006**

**AMENDMENT HJR5006A  
FOR THE INTRODUCED RESOLUTION**

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, it shall be lawful for the Legislature ~~shall to~~ authorize by law wagering on sporting  
8 events by individuals located within and outside the city limits of Deadwood, by means of  
9 a mobile or electronic platform, so long as the mobile or electronic platform is offered by  
10 or in partnership with a licensed casino and has its servers located within the city limits of  
11 Deadwood. The entire net ~~Municipal~~ municipal proceeds of such roulette, keno, craps,  
12 wagering on sporting events, card games, and slot machines shall be devoted to the  
13 Historic Restoration and Preservation of Deadwood.