

## 2024 South Dakota Legislature

**Senate Bill 35****AMENDMENT 35B  
FOR THE INTRODUCED BILL**

1 **An Act to provide that certain personal information of a lottery prize winner may**  
2 **only be ~~made public~~ used for advertising or promotion with the winner's**  
3 **consent.**

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

5 **Section 1. That chapter 42-7A be amended with a NEW SECTION:**

6 The personal information of a lottery prize winner may only be ~~made public~~ used  
7 in advertising or promotion with the written consent of the winner. If the South Dakota  
8 Lottery obtains written consent from the winner, the lottery may only ~~make public use~~ the  
9 information to which the winner consented. This section does not apply to the personal  
10 information of any winner of a promotional drawing offered by the lottery.

11 Terms used in this section mean:

- 12 (1) "Personal information," the prize winner's name, address, gender, age, and  
13 photograph; and  
14 (2) "Promotional drawing," a second-chance drawing or a public contest or other  
15 giveaway that does not require payment to participate.