AN ACT

ENTITLED, An Act to revise certain provisions regarding the list of persons who may be excluded from a licensed gaming establishment and to provide a penalty for a violation of the exclusion.

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

Section 1. That § 42-7B-61 be amended to read as follows:

42-7B-61. The commission may, by rules promulgated pursuant to chapter 1-26, provide for the establishment of a list of persons who are to be excluded or ejected from any licensed gaming establishment, including any person whose presence in the establishment is determined to pose a threat to the interest of the State of South Dakota or to licensed gaming, or both. In making the determination for exclusion, the commission may consider any of the following:

(1) Prior conviction of a felony, a misdemeanor involving moral turpitude, or a violation of the gaming laws of any state, the United States, any of its possessions or territories including Indian tribes;

(2) A violation, attempt to violate or conspiracy to violate the provisions of this chapter relating to the failure to disclose an interest in a gaming establishment for which the person must obtain a license or make disclosures to the commission; or intentional evasion of fees or taxes;

(3) Notorious or unsavory reputation that would adversely affect public confidence and trust that the gaming industry is free from criminal or corruptive influences; or

(4) Conduct that would adversely affect public confidence that gaming is conducted honestly.

Any person who has been placed on the list of excluded persons by the commission, after July 1, 2014, who enters a licensed gaming establishment after receiving notice as required by § 42-7B-62, is guilty of a Class 1 misdemeanor.

The commission may suspend, revoke, or penalize a licensee or licensed gaming establishment

as set forth in § 42-7B-32, after notice and hearing pursuant to chapter 1-26, if that establishment or any licensee affiliated with the licensed gaming establishment knowingly fails to exclude or eject from the premises of the licensed establishment any person placed on the list of persons to be excluded.

An Act to revise certain provisions regarding the list of persons who may be excluded from a licensed gaming establishment and to provide a penalty for a violation of the exclusion.

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I certify that the attached Act originated in the

HOUSE as Bill No. 1084

_____
Chief Clerk

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_____
Speaker of the House

Attest:

_____
Chief Clerk

_____
President of the Senate

Attest:

_____
Secretary of the Senate

House Bill No. 1084
File No. ____
Chapter No. _____

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Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 20___

_____
Governor

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STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____ , 20___
at _____ o'clock __ M.

_____
Secretary of State

By _____
Asst. Secretary of State