

# State of South Dakota

NINETY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2019

508B0444

## SENATE STATE AFFAIRS ENGROSSED NO. **SJR 2** - 2/6/2019

Introduced by: Senators Ewing, Cronin, Curd, DiSanto, Heinert, Jensen (Phil), Langer, Maher, Partridge, Solano, and Youngberg and Representatives Johns, Chaffee, Diedrich, Goodwin, Hammock, Hansen, Jensen (Kevin), Johnson (David), Lesmeister, Livermont, Otten (Herman), Pischke, Pourier, Rounds, Smith (Jamie), and Willadsen

1 A JOINT RESOLUTION, Proposing and submitting to the voters an amendment to the  
2 Constitution of the State of South Dakota, providing for wagering on sporting events.

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

5 Section 1. That at the next general election held in the state, the following amendment to  
6 Article III, section 25 of the Constitution of the State of South Dakota, as set forth in section 2  
7 of this Joint Resolution, which is hereby agreed to, shall be submitted to the electors of the state  
8 for approval.

9 Section 2. That Article III, section 25 of the Constitution of the State of South Dakota, be  
10 amended to read as follows:

11 § 25. The Legislature ~~shall~~ may not authorize any game of chance, lottery, or gift enterprise,  
12 under any pretense, or for any other purpose ~~whatever provided, however, it shall be lawful for~~  
13 ~~the~~ except as provided under this section. The Legislature to may authorize by law; bona fide



1 veterans, charitable, educational, religious or fraternal organizations, civic and service clubs,  
2 volunteer fire departments, or ~~such other public spirited~~ public-spirited organizations as it may  
3 recognize, to conduct games of chance when the entire net proceeds of ~~such the~~ the games of chance  
4 are to be devoted to educational, charitable, patriotic, religious, or other ~~public spirited~~ public-  
5 spirited uses. ~~However, it shall be lawful for the~~

6 The Legislature to may authorize by law a state lottery or video games of chance, or both,  
7 ~~which are to be~~ regulated by the State of South Dakota, either separately by the state or jointly  
8 with one or more states, and ~~which are to be~~ owned and operated by the State of South Dakota,  
9 either separately by the state or jointly with one or more states or persons, ~~provided any such~~  
10 ~~video.~~ Video games of chance ~~shall may~~ not directly dispense coins or tokens. ~~However, the~~ The  
11 Legislature ~~shall may~~ not expand the statutory authority existing as of June 1, 1994, regarding  
12 any private ownership of state lottery games or video games of chance, or both. The Legislature  
13 shall establish the portion of proceeds due to the state from ~~such~~ authorized lottery or video  
14 games of chance, or both, and the purposes for which those proceeds are to be used. SDCL 42-  
15 7A, and its amendments, regulations, and related laws, and all acts and contracts relying for  
16 authority upon such laws and regulations, beginning July 1, 1987, to the effective date of this  
17 amendment, are ratified and approved. ~~Further, it shall be lawful for the~~

18 The Legislature to may authorize by law, roulette, keno, craps, wagering on sporting events,  
19 limited card games, and slot machines within the city limits of Deadwood. The entire net  
20 Municipal proceeds of ~~such~~ authorized roulette, keno, craps, wagering on sporting events, card  
21 games, and slot machines shall be devoted to the Historic Restoration and Preservation of  
22 Deadwood.