State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

383E0133

SENATE BILL NO. 103

Introduced by: Senators McCracken, de Hueck, Everist, Hutmacher, Munson, and Sutton
(Dan) and Representatives Duniphan, Flowers, Konold, Lange, Olson
(Mel), and Sebert

1   FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the confidentiality of

2   lottery records.

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

4   Section 1. That § 42-7A-50 be amended to read as follows:

5   42-7A-50. Information and records of the South Dakota Lottery are confidential, except for

6   official purposes, and may not be disclosed except to officers, employees, or legal representatives

7   of the Department of Revenue for the purpose of and only to the extent necessary in the

8   investigation and audit procedures authorized by Title 10 or in accordance with a judicial order.

9   No person may use a subpoena, discovery, or other applicable statutes to obtain such information

10   or records. Information and records considered confidential include:

11   (1)   Applications, credit, and security checks of lottery retailers, licensees, and persons

12   seeking or doing business with the lottery;

13   (2)   Marketing, financial, or sales data, the disclosure of which may be harmful to the

14   competitive position of the South Dakota Lottery, its retailers, licensees, or persons

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Insertions into existing statutes are indicated by <u>underscores</u>.
Deletions from existing statutes are indicated by ~~overstrikes~~.

1   seeking or doing business with the lottery;

2   (3)   Audit work papers, worksheets, and auditing procedures used by the lottery, its agent,

3   or employees; and

4   (4)   Tax returns of individual licensees.

5   However, this section may not be construed to make confidential the name of any video

6 lottery operator including, if the video lottery operator is a partnership, the name of any partner

7 and, if the video lottery operator is an association or corporation, the name of any director, any

8 officer, and any stockholder who owns five percent or more of the stock in the association or a

9 parent or subsidiary corporation.