

State of South Dakota

NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2017

400Y0199

HOUSE STATE AFFAIRS ENGROSSED NO. **HB 1025** - 1/13/2017

Introduced by: The Committee on State Affairs at the request of the Department of Revenue

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding background checks
2 for applicants, licensees, vendors, and employees of the South Dakota Lottery.

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

4 Section 1. That § 42-7A-14 be amended to read:

5 42-7A-14. No natural person may be licensed by the lottery or involved in lottery activities
6 under this chapter, who:

- 7 (1) Has been convicted of a felony in this or any other jurisdiction, unless at least ten
8 years have passed since satisfactory completion of the sentence or probation imposed
9 by the court in each ~~such~~ felony conviction;
- 10 (2) Has been found to have violated the provisions of this chapter or any rule adopted
11 pursuant to this chapter;
- 12 (3) Has been found to have a background, including a criminal record, reputation, habits,
13 social or business associations, or prior activities that pose a threat to the public
14 interests of the state or to the security and integrity of the lottery; create or enhance
15 the dangers of unsuitable, unfair, or illegal practices, methods, and activities in the



1 conduct of gaming; or present questionable business practices and financial
2 arrangements incidental to the conduct of lottery activities;

3 (4) Is a member of the immediate family, as defined in § 42-7A-33, of an employee of
4 the South Dakota Lottery or of a member of the South Dakota Lottery Commission;

5 or

6 (5) Has knowingly made a false statement of material fact to the South Dakota Lottery.

7 Each applicant, licensee, vendor, or employee of the South Dakota Lottery shall submit to
8 a state and federal criminal background investigation by means of fingerprint checks by the
9 Division of Criminal Investigation and the Federal Bureau of Investigation. The executive
10 director shall submit completed fingerprint cards to the Division of Criminal Investigation for
11 the applicant, licensee, vendor, or employee.

12 The South Dakota Lottery may pay any fee charged for the cost of fingerprinting or the
13 criminal background investigation for any person whose employment is subject to the
14 requirements of this section. Each applicant, licensee, or vendor is responsible for any fee
15 charged for the cost of fingerprinting or the criminal background investigation.