



2024 South Dakota Legislature

Senate Bill 35

HOUSE STATE AFFAIRS ENGROSSED

Introduced by: **Senator Hoffman**

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

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

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

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

10 Terms used in this section mean:

11 (1) "Personal information," the prize winner's name, address, gender, age, and
 12 photograph; and

13 (2) "Promotional drawing," a second-chance drawing or a public contest or other
 14 giveaway that does not require payment to participate.