

OPERATION OF GAMING ESTABLISHMENTS

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20:18:12.01:14. Minimum bankroll requirements. A licensee must maintain cash or cash equivalents in an amount sufficient to protect the licensee's patrons against defaults in gaming debts owed by the licensee.

Each licensee shall maintain the minimum bankroll requirement according to the formula set forth at Article 20:18, Appendix A, § 535.5. ~~The~~

~~licensee is required to maintain at least 85 percent of the "immediate exposure"~~

~~calculation in cash which shall be available to the cashier.~~ If at any time the licensee's available cash or cash equivalents are less than the amount required by the "immediate exposure" calculation, the licensee must immediately notify the executive secretary of this deficiency. Once a month, the licensee must calculate and retain the documentation for the "thirty-day exposure" calculation. If the licensee shows a cash deficiency based on the "thirty-day exposure" calculation, the licensee must notify the executive secretary. Failure to maintain the minimum bankroll required by this section, or failure to notify the executive secretary of any deficiencies is an unsuitable method of operation and may result in disciplinary action including summary suspension of a

Source: 16 SDR 57, effective October 1, 1989; 18 SDR 9, effective July 23, 1991; transferred from § 20:18:22:15, 21 SDR 98, effective November 30, 1994; 29 SDR 147, effective May 6, 2003; 38 SDR 213, effective June 18, 2012; 39 SDR 168, effective April 22, 2013.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-7, 42-7B-11(13), 42-7B-32.

Cross-Reference: Article 20:18, Appendix A, § 535.5.

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CHAPTER 20:18:14.01
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20:18:14.01:08. Report to commission. At the conclusion of a tournament, the licensee shall prepare a written report containing a list of all participants, winners, places taken, amount of prizes awarded, and the amount of funds retained by the licensee. If the amount of funds retained by the licensee from the tournament are \$250 or more, the licensee will provide a copy of the report to the commission within 48 hours after the conclusion of the tournament. The licensee shall maintain this list in the licensee's records for ~~five~~ three years.

Source: 19 SDR 21, effective August 20, 1992; 19 SDR 177, effective May 27, 1993; 23 SDR 227, effective July 1, 1997; 34 SDR 100, effective October 18, 2007.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-7, 42-7B-11(13), 42-7B-15.

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CHAPTER 20:18:17
SLOT MACHINE REQUIREMENTS

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20:18:17:24. Progressive slot machines defined. A progressive slot machine is a slot machine with a payoff that increases as the slot machine is played. The awarding of this payoff shall be directly tied to a winning combination on the pay table of the machine. The initial amount of a progressive jackpot must begin at or above the top award for that particular slot machine software program. A mystery progressive slot machine operates similarly to a progressive slot machine except the awarding of the payoff is not tied to a winning combination on the pay table.

A progressive jackpot may be transferred to another progressive slot machine at the same location in the event of slot machine malfunction or

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replacement or for other good reason. When the maximum jackpot limit is reached, it must be permitted to remain until it is won by a player.

Records must be maintained that record the amount shown on a progressive jackpot meter. Supporting documents must be maintained to explain any reduction in the payoff amount from a previous entry. The records and documents must be retained for a period of ~~five~~ three years unless permission to destroy them earlier is given by the executive secretary in writing. A progressive slot machine, upon written permission by the executive secretary, may be moved to a different licensed location if a bankruptcy, loss of license, or other good cause warrants.

The slot machine must be linked to a meter showing the payoff which is visible to all players who are playing a machine which may potentially win the progressive amount. This meter is the progressive meter. When a licensee offers a progressive jackpot as part of the slot machine payout, the amount of the payout may not be included in the theoretical payout percentage for purposes of satisfying the minimum payout requirements as specified in § 20:18:17:22.

Source: 16 SDR 57, effective October 1, 1989; 16 SDR 233, effective July 1, 1990; 19 SDR 195, effective June 21, 1993; 27 SDR 53, effective December 4, 2000; 29 SDR 107, effective February 2, 2003.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-4(21), 42-7B-7, 42-7B-11(13), ~~42-7B-17, 42-7B-43.~~

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20:18:17:24.02. Monitoring of progressive slot machines and meter sign reconciliation. During the normal mode of progressive slot machines, the progressive controller must continuously monitor each machine on the link for inserted coins and must multiply the coins by the rate of progression in order to determine the correct amounts to apply to the progressive jackpot. The progressive display must be constantly updated as play on the link is continued.

If the operator uses a casino management system and has system internal controls that have been approved by the commission, a meter-to-sign reconciliation may be conducted on all linked and stand-alone progressive sign amounts on a quarterly basis otherwise, reconciliation must be conducted on a monthly basis to ensure that the correct amount is displayed on the progressive sign and that the controller is functioning properly with all machines on a linked progressive. If after completing the required test a variance between the actual and expected progressive amount exceeds fifty dollars, the operator must attempt to identify any patron that was underpaid and pay the patron the additional amount. If each patron cannot be identified, the operator shall increase the progressive sign amount by the amount of the variance. The operator is required to notify the commission of any variance that exceeds fifty dollars.

All testing documentation shall be maintained for ~~five~~ three years.

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Source: 16 SDR 233, effective July 1, 1990; 21 SDR 98, effective November 30, 1994; 37 SDR 70, effective October 20, 2010.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-7, 42-7B-11(13).

20:18:17:24.14. Central controlling and accounting systems. A licensed manufacturer or distributor may supply a licensed operator with a communications service that would interlink progressive slot machines and related equipment in the city of Deadwood, or any other location ~~in~~ within or outside South Dakota authorized by law in the jurisdiction where such slot machines and related equipment is located, and may manage and monitor the accounting, collection, and disbursement of progressive payouts. The system must be approved by the commission.

Source: 16 SDR 233, effective July 1, 1990.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL ~~42-7B-1, 42-7B-2, 42-7B-2.1, 42-7B-3, 42-7B-7, 42-7B-11(13), 42-7B-18, 42-7B-19, 42-7B-20, 42-7B-21, 42-7B-22, 42-7B-24, 42-7B-25, 42-7B-26, 42-7B-27.~~

20:18:17:33. Theoretical hold -- Actual hold. Slot machine electronic meter readings must be recorded each time the coins are removed from the

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drop and electromechanical meters must be recorded at least monthly. The records must be retained for at least five years. Slot machine analysis reports which compare the current month and at least quarter to date actual hold to theoretical hold must be prepared monthly and retained for at least ~~five~~ three years.

Source: 16 SDR 57, effective October 1, 1989; 19 SDR 177, effective May 27, 1993; 25 SDR 172, effective July 11, 1999.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-7, ~~42-7B-17, 42-7B-43~~ 42-7B-11(13).

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20:18:18:15. Maintenance of slot machines. Except as provided in this section, a licensee may not alter the operation of approved slot machines. A licensee must maintain the slot machines. Operators must purchase parts which affect game outcome and associated equipment from a manufacturer, distributor, or operator licensed by the South Dakota Commission on Gaming. If in the discretion of the executive secretary it is determined that valid reasons exist for a manufacturer of associated equipment to not be licensed in South Dakota, the executive secretary may allow a licensee to purchase associated

equipment from such manufacturer if the manufacturer is lawfully licensed by a gaming regulatory agency which has an agreement with the Commission regarding the exchange of information concerning licensees and applicants. The licensee must keep a written record of the use of all parts listed in this section and of maintenance performed on them. The record must include the name of the part manufacturer, the date purchased, the date the part was installed, and the name of the person who performed the installation. The licensee must retain the record for a period of ~~five~~ three years from the date of purchase and make the record available for inspection by the executive secretary or a designee.

Parts and associated equipment which affect game outcome or revenue reporting are the following:

(1) Parts include the following:

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- (a) Central Processing Unit (C.P.U.) board, together with components of the C.P.U. board;
- (b) Erasable Programmable Read Only Memory (E.P.R.O.M.), which contains programming that affects game outcome and any other hardware device that contains programming that affects game outcome;
- (c) Wiring harness;
- (d) Reels and reel strips;
- (e) Pay glass;
- (f) Coin acceptors;
- (g) Power supply components; and
- (h) Outside cabinet;

(2) Associated equipment includes the following: (a) Bill acceptors;

- (b) Hoppers;
- (c) Redemption kiosks;
- (d) On-line monitoring and control systems, including promotional and bonusing systems and cashless systems, when relied on by the licensee for compliance reporting required by the commission;
- (e) Shufflers; and
- (f) Radio frequency identification (RFID) chips.

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Source: 16 SDR 57, effective October 1, 1989; 19 SDR 177, effective May 27, 1993; 20 SDR 113, effective January 23, 1994; 23 SDR 227, effective July 1, 1997; 30 SDR 115, effective February 1, 2004; 31 SDR 165, effective May 10, 2005; 36 SDR 22, effective August 18, 2009; 38 SDR 213, effective June 18, 2012.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL ~~42-7B-4(21)~~, 42-7B-7, ~~42-7B-17~~, ~~42-7B-43~~ ~~42-7B-11(13)~~.

20:18:18:24:03. On-line monitoring and control system - Network Security. Production networks (live networks) serving on-line monitoring and control systems shall be secured from outside traffic. Firewalls or other equipment used to secure the network from outside traffic shall maintain a 30-day audit log. The audit log shall record all changes to the configuration of the firewall or other equipment and shall be reviewed for unauthorized configuration changes. This review shall be documented. If guest networks are offered that provide internet access for patrons, hotel guests, or vendors, the guest networks shall be physically or logically segregated from the network used to serve the on-line monitoring and control system. Network traffic on guest networks shall be non-routable to the on-line monitoring and control system network. Any third party software application reading or writing to an on-line monitoring and control system must be approved by South Dakota Commission on Gaming, and a laboratory designated by the executive

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secretary. The commission may require a perimeter network (DMZ) or other approved secure method for any connection between a third-party software

application and the approved on-line monitoring and control system. If an outside connection is allowed, an annual security assessment by an independent information technology security professional will be required. This security asses sment will evaluate the licensee’s network security and have, at a minimum, a vulnerability scan approved by the commission. The results of the security assessment scan will be include d in the licensee’s system audit.

Source:

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-7, 42-7B-11(11)(13), 42-7B-43.

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CHAPTER 20:18:18.01
SLOT MACHINE MANUFACTURERS

Section

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20:18:18.01:13	Manufacturers responsibilities for independent contractors.
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20:18:18.01:13. Manufacturers responsibilities for independent contractors. Each licensed manufacturer must:

(1) Complete a review of any software, source language, or executable code designed, developed, produced, or composed by an independent contractor for compliance with all applicable regulations and technical standards of the commission prior to submission to the commission for approval;

(2) As to such submission, maintain a record of the general subject matter description of the software, source language, or executable code that

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has been designed, developed, produced, or composed by an independent contractor, by contractor name; and

(3) Provide the commission with a current list of all independent contractors with whom the manufacturer has an agreement involving gaming devices that are sold or distributed in South Dakota.

Such records shall be maintained for a minimum of ~~five~~ three years from the date of the relevant submission and must be made available to the commission upon request. Failure to keep and provide the records is grounds for disciplinary action as an unlawful method of operation pursuant to ARSD subdivision 20:18:09:01(20).

Source: 39 SDR 119, effective January 8, 2013.

General Authority: SDCL 42-7B-7, ~~42-7B-11(12)~~.

Law Implemented: SDCL 42-7B-7, 42-7B-11(12), 42-7B-11(13).

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CHAPTER 20:18:20
CHIPS, TOKENS, AND TICKETS

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20:18:20:10.01	Redemption of tickets.
20:18:20:11	Destruction of counterfeit chips and tokens.
20:18:20:12	Other devices.

20:18:20:11. Destruction of counterfeit chips and tokens. As used in this section, "counterfeit chips or tokens" means any chip or token-like

objects that have not been approved pursuant to this chapter, including objects commonly referred to as "slugs," but not including coins of the United States or any other nation. Unless a law enforcement officer instructs or a court of competent jurisdiction orders otherwise in a particular case, licensees must destroy or otherwise dispose of counterfeit chips and tokens discovered at their establishments in a manner approved or required by the executive secretary.

Unless a law enforcement officer instructs or a court of competent jurisdiction orders otherwise, licensees may dispose of coins of the United States or any other nation discovered to have been unlawfully used in their

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establishments by including them in their coin inventories; in the case of foreign coins, by exchanging them for United States currency or coins and including the exchanged currency or coins in their currency or coin inventories; or by disposing of them in any other lawful manner.

In addition to other information the executive secretary may require, the licensee must record the following information:

- (1) The number and denominations, actual and purported, of the coins and counterfeit chips and tokens destroyed or otherwise disposed of pursuant to this section;
- (2) The month during which they were discovered;
- (3) The date, place, and method of destruction or other disposition, including, in the case of foreign coin exchanges, the exchange rate and the identity of the bank, exchange company, or other business at which or person with whom the coins are exchanged; and
- (4) The names of the persons carrying out the destruction or other disposition on behalf of the licensee.

Each licensee must maintain a record required by this section for at least ~~five~~ three years, unless the executive secretary approves otherwise.

Source: 16 SDR 157, effective October 1, 1989.

General Authority: SDCL 42-7B-7.

CHAPTER 20:18:22
ACCOUNTING REGULATIONS

Section

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20:18:22:22	No deduction from gross proceeds for promotional items.
20:18:22:23	Free play items.
20:18:22:24	Transferred.

20:18:22:08. Record retention -- Noncompliance. A licensee must provide the operations division on its request with the records required to be maintained. Unless the executive secretary approves or requires otherwise in writing, a licensee must retain all records within South Dakota for at least ~~five~~ three years after they are made. Failure to keep and provide the records is grounds for disciplinary action.

Source: 16 SDR 57, effective October 1, 1989; 20 SDR 113, effective January 23, 1994.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-1, 42-7B-2, 42-7B-3, 42-7B-4, 42-7B-5, 42-7B-7, 42-7B-9, 42-7B-11(13), ~~42-7B-17, 42-7B-28, 42-7B-29, 42-7B-30, 42-7B-41, 42-7B-43, 42-7B-45~~