

Updated Administrative Rules effective August 9, 2022

ARSD 20:18:06

20:18:06:13. Licensees contact information. All licensees shall keep the commission updated of their contact information including the licensee's mailing address and phone number.

Source: 49 SDR 9, effective August 9, 2022.

General Authority: SDCL [42-7B-7](#), [42-7B-11\(13\)](#).

Law Implemented: SDCL [42-7B-19](#), [42-7B-21](#).

ARSD 20:18:12.01

20:18:12.01:01. Gaming by licensees. A person who is licensed as a key employee, operator, sports wagering services provider, or retailer may not play or be permitted to play or place a wager, except as a dealer, in any game in the licensed establishment where the person is employed or in which the person owns an interest except as permitted by this section. A support licensee or an individual who is an owner of a retail or operator license and is licensed as a key employee may play in a poker game but must wear an identification badge furnished by the commission.

No licensee employed by a manufacturer, distributor, or an associated equipment manufacturer or distributor licensed under SDCL chapter [42-7B](#) may play any device operating on a slot management system that the manufacturer sells or leases or play any device that the manufacturer sells or leases.

No licensee employed by a sports wagering services provider under SDCL chapter [42-7B](#) may play any device or program that the sports wagering services provider sells, leases or operates in South Dakota.

Source: 16 SDR 57, effective October 1, 1989; 16 SDR 233, effective July 1, 1990; 18 SDR 9, effective July 23, 1991; transferred from § [20:18:21:03](#), 21 SDR 98, effective November 30, 1994; 22 SDR 189, effective July 11, 1996; 41 SDR 7, effective July 29, 2014; 47 SDR 137, effective June 28, 2021; 49 SDR 9, effective August 9, 2022.

General Authority: SDCL [42-7B-7](#), [42-7B-11\(13\)](#).

Law Implemented: SDCL [42-7B-2.1](#), [42-7B-7](#).

20:18:12.01:19. Manned surveillance rooms. Transferred to § [20:18:29:13.01](#).

Source: 41 SDR 218, effective July 1, 2015; 49 SDR 9, effective August 8, 2022.

20:18:12.01:24. Patron protection information. A licensee shall provide patron protection information to individuals and patrons on demand. The patron protection information must include:

- (1) Information about potential risks associated with excessive wagering, and contract information for an organization based in South Dakota or the United States, approved by the commission, dedicated to helping people with potential gambling problems;
- (2) Notification that underage gambling is a criminal offense and that anyone who facilitates an individual under the age of twenty-one to place a gaming wager has committed a criminal offense and is prohibited from gambling;
- (3) A list of the available patron protection measures that can be invoked by the patron, such as self-exclusion and information on how to invoke those measures;
- (4) For patron accounts, mechanisms in place for patrons to detect unauthorized use;
- (5) Information on how disputes can be filed with the licensee pursuant to § 20:18:12.01:07; and
- (6) The method for filing with the commission an unresolved dispute after all reasonable means to resolve the dispute with the licensee have been exhausted, pursuant to § 20:18:12.01:07.

Source:49 SDR 9, effective August 9, 2022.

General Authority: SDCL [42-7B-7](#), [42-7B-11\(13\)](#).

Law Implemented: SDCL [42-7B-2.1\(1\)](#), [42-7B-43](#).

20:18:12.01:25. Integrity monitoring -- Personnel and notification. A licensee shall employ or retain persons responsible for ensuring the operation and integrity of gaming and reviewing all reports of suspicious behavior. Unless otherwise directed by the commission, a licensee shall promptly notify the commission upon detecting or becoming aware of any of the following:

- (1) Any person participating in gaming who is engaging in or attempting to engage in, or who is reasonably suspected of, cheating, theft, embezzlement, collusion, use of funds derived from illegal activity, money laundering, or any other illegal activities;
- (2) Any person who is reasonably suspected of misrepresenting their identity or using false identification to establish or attempt to establish a patron account;
- (3) Suspected criminal activity related to any aspect of gaming;
- (4) Any criminal or disciplinary proceedings commenced against the licensee in connection with its sports wagering operations; or
- (5) Any wager that violates any applicable state or federal law.

A licensee shall promptly notify the South Dakota Commission on Gaming of any issues impacting the integrity of gaming.

Source: 49 SDR 9, effective August 9, 2022.

General Authority: SDCL [42-7B-7](#), [42-7B-11\(13\)](#).

Law Implemented: SDCL [42-7B-2.1](#), [42-7B-43](#).

20:18:12.01:26. Self-exclusion plan. A licensee conducting gaming shall develop a self-exclusion plan or voluntary exclusion plan to prevent any person, who informs the licensee of that person's desire to participate in a self-exclusion or voluntary exclusion program, from

participating in gaming. This plan must be submitted to the executive secretary for review and approval. The plan must include monthly reporting of voluntarily excluded persons.

Source: 49 SDR 9, effective August 9, 2022.

General Authority: SDCL [42-7B-7](#), [42-7B-11\(13\)](#).

Law Implemented: SDCL [42-7B-2.1\(1\)](#), [42-7B-43](#).

ARSD 20:18:16

20:18:16:15.23. Variations of the play -- Dakota Duel Draw. Dakota Duel Draw must be played according to the following rules:

- (1) Dakota Duel Draw must be played on tables designated by the licensee for the play of Dakota Duel Draw. A single deck of cards must be used. The rank of hands in Dakota Duel Draw, from highest to lowest, is royal flush, straight flush, four of a kind, full house, flush, straight, three of a kind, two pair, pair, and high card;
- (2) Each player shall make at least one initial bet in the amount specified at the table by the retail licensee and shall place the bet in either the big 8 wagering area or the hand 2 ante wagering area, or both. A player places the big 8 wager to play for hand value only; a player places the hand 2 ante bet to play a hand ranking payout; and a player places the hand 1 play bet to play for hand ranking payout. A player places all bets if the player wants to play all ways;
- (3) Any dealer tip delivered as a wager may be placed on any one, or all, of the big 8, hand 2 ante, or hand 1 play, if the player has placed a personal wager on the same hand. If a player continues to play with a hand 1 play wager, the dealer's tip hand 2 ante may remain in play whether or not the player adds a hand 1 play wager for the dealer;
- (4) Immediately before play begins and after each round of play has been completed, the dealer shall shuffle the cards. Following shuffle and cut, the dealer shall deal one card to hand 2 community card and one card to hand 1 community card and one to each player, then a second card to hand 2 community card and hand 1 community card and one to each player, then a third card hand 2 community card and a third hand 1 community card, all cards are dealt face downward and one at a time in rotation among the community cards and the players cards;
- (5) An incorrect number of cards dealt to a player or to the community cards is always a misdeal. An exposed card is not a misdeal. If the dealer exposes a card, the dealer turns the card over and continues dealing;
- (6) Wagers are collected or paid in this order: pocket pair bonus, hand 1 play, hand 2 ante, and the big 8, if applicable;
- (7) Once a player looks at the player's two face down cards, the player has the option to fold and forfeit the hand 2 ante bet or place a bet equal to the hand 2 ante on the hand 1 play. If the player has made a big 8 wager and forfeits the hand 2 ante, the player will place the cards face down in accordance with house policy. If the player places a hand 1 play bet, the player places the cards in accordance with house policy. Once a player makes a hand 1 play bet, the player is locked into the hand and must wait to see if the player hands rank high enough for a payout;
- (8) If a player already has at least a straight or better, the player shall be paid on the big 8 wager. There is no action required for the big 8 wager. The big 8 wager is the best 5 cards out of the player's two cards and the six community cards on the board. After each player who wishes to

fold has folded, the dealer collects the hand 2 ante. As the dealer collects the folded cards, the cards are spread face down to count the cards and then placed in the discard rack; if the player folds his hand 2 ante and has a big 8 bet, the cards will be tucked under the big 8 wager, or according to house policy;

(9) After each player has decided to play or fold, the dealer shall expose the six community cards in two sets of three cards, and call out and show the best possible five-card hand that the players have for the hand 1 play, the hand 2 ante, and the big 8. Once the dealer has determined the players hand ranking for each wager remaining, the dealer will pay or take the bet or bets according to hand ranking for each wager. If the two cards dealt to the player are a pair, the player will receive a bonus according to the pocket pair bonus. This bonus will be paid only if the player plays the hand 1 play. The pocket pair bonus is paid according to the amount played on hand 1. The pocket pair bonus is paid regardless of whether the player loses any of the other wagers;

(10) Players are paid according to the following hand 1 play and hand 2 ante payment schedule, which must be included as part of the table layout:

Hand	Pay
Royal Flush	100 to 1
Straight Flush	50 to 1
4 of a Kind	30 to 1
Full House	8 to 1
Flush	6 to 1
Straight	4 to 1
3 of a Kind	3 to 1
2 pair	2 to 1
Pair, Nines or Higher	2 to 1

(11) Players are paid the pocket pair bonus according to the following pocket pair bonus play schedule, which must be included as part of table layout:

Pair	Paytable 1	Paytable 2	Paytable 3	Paytable 4	Paytable 5	Paytable 6
AA	4x	4x	4x	20x	20x	8x
KK	4x	4x	4x	10x	10x	8x
QQ	4s	4x	4x	8x	4x	8x
JJ	4x	4x	4x	3x	4x	8x
1010	4x	4x	3x	3x	4x	8x
99	4x	4x	3x	3x	4x	8x
88	4x	4x	3x	N/A	N/A	N/A
77	4x	3x	3x	N/A	N/A	N/A
66	4x	3x	3x	N/A	N/A	N/A
55	4x	3x	3x	N/A	N/A	N/A
44	3x	3x	3x	N/A	N/A	N/A
33	3x	3x	3x	N/A	N/A	N/A
22	3x	3x	3x	N/A	N/A	N/A

(12) If a player has a big 8 bet and the player's hand contains a straight or better, the player wins. If the player's hand contains less than a straight the player loses. Players are paid according to the following big 8 payment schedule, which must be included as part of the table layout:

Hand	Paytable 1	Paytable 2	Paytable 3	Paytable 4	Paytable 5	Paytable 6	Paytable 7
Royal Flush	50 to 1	50 to 1	50 to 1	50 to 1	80 to 1	150 to 1	150 to 1
Straight Flush	30 to 1	30 to 1	30 to 1	35 to 1	40 to 1	70 to 1	80 to 1
4 of a Kind	15 to 1	20 to 1	20 to 1	30 to 1	30 to 1	30 to 1	35 to 1
Full House	5 to 1	5 to 1	6 to 1	4 to 1	4 to 1	5 to 1	5 to 1
Flush	3 to 1	4 to 1	3 to 1	3 to 1	3 to 1	3 to 1	4 to 1
Straight	2 to 1	1 to 1	1 to 1	2 to 1	2 to 1	1 to 1	push

Source: 47 SDR 109, effective April 26, 2021; 48 SDR 61, effective December 8, 2021; 49 SDR 9, effective August 9, 2022.

General Authority: SDCL [42-7B-7](#).

Law Implemented: SDCL [42-7B-4\(18\)](#), [42-7B-7](#), [42-7B-15](#).

ARSD 20:18:29

20:18:29:03. Areas requiring surveillance during hours of operation. The surveillance system must monitor and record clear, unobstructed, and overall views of the following areas and meeting the specified performance requirements within the licensed premises during the hours of operation:

- (1) Blackjack and poker areas, equipped with a pan, tilt, and zoom camera capable of observing players and employees;
- (2) Blackjack and poker tables, equipped with one still camera for each table capable of observing card table surfaces, including table bank trays;
- (3) Table numbers;
- (4) Players, dealers, spectators, and pit personnel with sufficient clarity to permit identification;
- (5) Cashier's cages, including customers at the cage window, employee's window, cash drawers, vaults, safes, counters, chip storage, and fill window of the cashier's cage. The table game fill window of the cashier's cage and poker podium must be recorded in color. Each cash transaction occurring within the cage must be recorded with sufficient clarity to permit identification of currency, coins, tokens, fill slips, and other related paperwork;
- (6) Areas within a count room, including walls, doors, scales, wrapping machines, coin sorters, stored drop boxes, vaults, safes, general work areas, and entrances to the room. Recording in the soft count rooms must include audio;

- (7) Poker podium, each transaction occurring at the poker podium must be recorded with sufficient clarity to permit identification of currency, coins, tokens, fill slips, and other related paperwork;
- (8) If the license allows bets in excess of one hundred dollars on blackjack or house banked poker games, the licensee must provide fixed cameras that are capable of observing such gaming areas with sufficient clarity to permit identification of players, dealers, spectators, and pit personnel;
- (9) Craps tables must be equipped with a stationary color camera positioned to provide an overview of the entire table, to view the rails which hold any chips, the table trays, drop slots, and tip boxes. Two PTZ cameras are required for every craps table. All PTZ cameras must be color cameras and be able to determine the value of any and all wagers made;
- (10) Roulette tables must be equipped with a stationary color camera positioned to provide an overview of the entire table, to view the rails which hold any chips, the table trays, drop slots, and tip boxes. The camera coverage must also cover the wheel, and be able to determine the outcome of the game. One PTZ camera is required for every roulette table. The PTZ camera must be color cameras and be able to determine the value of all wagers;
- (11) Live sports wagering windows, including customers at the window and cash drawers used to place or redeem tickets or vouchers from wagering on sporting events;
- (12) Kiosks used to redeem slot machine payout tickets, including a view capable of identifying the customer using the kiosk;
- (13) Kiosks used for placing wagers or redeeming tickets or vouchers from slot machines or wagering on sporting events, including a view capable of identifying the customer using the kiosk; and
- (14) A licensee shall install a closed-circuit system to surveil cashier cages, slot areas, and each slot machine which has an award of twelve thousand dollars or greater. The system must continuously record a clear, unobstructed view of the lights, handle, and play buttons of the device as well as the patrons. The video shall be clear enough to assist in determining game outcome.

Source: 19 SDR 195, effective June 21, 1993; 22 SDR 95, effective January 18, 1996; 35 SDR 184, effective February 2, 2009; 38 SDR 213, effective June 18, 2012; 41 SDR 218, effective July 1, 2015; 47 SDR 137, effective June 28, 2021; 49 SDR 9, effective August 9, 2022.

General Authority: SDCL [42-7B-7](#), [42-7B-11\(11\)](#).

Law Implemented: SDCL [42-7B-11\(2\)\(13\)](#), [42-7B-17](#).

[20:18:29:04](#). Additional surveillance of cashier's cages, slot areas, and count rooms.

Repealed.

Source: 19 SDR 195, effective June 21, 1993; 20 SDR 113, effective January 23, 1994; 23 SDR 227, effective July 1, 1997; 44 SDR 151, effective April 30, 2018; 49 SDR 9, effective August 9, 2022.

20:18:29:05. Slot machines with award capability of \$12,000 or greater. Transferred to § 20:18:29:03.

Source: 19 SDR 195, effective June 21, 1993; 34 SDR 200, effective January 29, 2008; 40 SDR 101, effective December 2, 2013; 43 SDR 131, effective April 17, 2017; 49 SDR 9, effective August 9, 2022.

20:18:29:08. Securing and retaining recorded video images. A licensee shall retain in a secure manner all recorded video images for a period of fourteen days. The fourteen-day retention requirement is effective immediately for any licensed premises allowing bets in excess of one hundred dollars. The executive secretary or the commission may require the video images to be kept for a longer time. The licensee shall retain a video image in which there are suspected unusual or irregular activities or in which activities appear to violate any criminal statute of this state, the United States, or SDCL chapter 42-7B or the rules promulgated under it and must notify the executive director immediately. All closed-circuit images which are determined by the executive secretary, the commission, or its agent to be of potential evidentiary value must be secured and retained until the commission has given the licensee written notice that the images need not be retained.

Source: 19 SDR 195, effective June 21, 1993; 35 SDR 184, effective February 2, 2009; 38 SDR 213, effective June 18, 2012; 49 SDR 9, effective August 9, 2022.

General Authority: SDCL 42-7B-7, 42-7B-11(13).

Law Implemented: SDCL 42-7B-7, 42-7B-11(2)(11)(13).

ARSD 20:18:29

20:18:29:13.01. Manned surveillance rooms. Any licensee that operates house banked table games with a bet limit in excess of five hundred dollars shall have a manned surveillance room operating when the house banked table games are open for play.

Source: 19 SDR 195, effective June 21, 1993; 22 SDR 95, effective January 18, 1996; 41 SDR 218, effective July 1, 2015; transferred from § 20:18:12.01:19, 49 SDR 9, effective August 9, 2022.

General Authority: SDCL 42-7B-7, 42-7B-11(13).

Law Implemented: SDCL 42-7B-7, 42-7B-11(2)(11)(13).

ARSD 20:18:35

20:18:35:01. Definitions. As used in this chapter:

- (1) “Card,” the list of sporting events from which a patron can make selections for a given pool;
- (2) “Collegiate sporting event,” an athletic competition or event between two or more colleges or universities;
- (3) “Event category,” a specific type of event governed by a specific sports governing body or other oversight body;
- (4) “Event integrity monitoring,” the monitoring of sports wagering to identify unusual or suspicious wagering activities from a match-fixing and sporting corruption standpoint and then reporting such activities to required parties;
- (5) “Exchange wagering,” a form of wagering in which two or more persons place identically opposing wagers in a given market, allowing patrons to wager on both winning and nonwinning outcomes in the same event;
- (6) “In-game wagering,” placing a sports bet after a sporting event has started;
- (7) “Independent integrity monitoring provider,” an independent person who is registered with the commission and who receives reports of unusual wagering activity from the commission, a licensee, or a sports wagering services provider for the purpose of assisting in identifying suspicious wagering activity;
- (8) “International sporting event,” an international team or individual sporting event governed by an international sports federation or sport’s governing body, including sporting events governed by the International Olympic Committee and the International Federation of Association Football;
- (9) “Internet,” the international computer network of interoperable packet-switched data networks;
- (10) “Involuntarily excluded person,” any individual who has been involuntarily excluded by the executive secretary or the commission and who is prohibited from establishing a wagering account or participating in gambling, gaming or wagering activities under the jurisdiction of the commission;
- (11) “Layoff wager,” a wager placed by a sports wagering operation with another sports operation for the purpose of offsetting patron wagers;
- (12) “Minor league sporting event,” a sporting event conducted by a sports league that has not been classified by the commission as a premier league in the sport;
- (13) “Mobile application,” an application on a mobile phone or other devices through which an individual is able to place a sports bet;
- (14) “Parlay bet,” a single sports bet that incorporates two or more individual bets for purposes of earning a higher payout if each bet wins, or a combination wager of multiple parlay bets for purposes of not necessarily winning all legs of the parlay to get a pay out;
- (15) “Patron,” a person who places a sports bet;
- (16) “Person,” an individual, partnership, corporation, association, limited liability company, or other legal entity;
- (17) “Personal identifying information,” any sensitive information that could potentially be used to identify a particular patron;
- (18) “Pool,” an offering where patrons may make selections of outcomes on a set number of sporting events on a card in order to enter for a chance to win all or a portion of the prize pool;
- (19) “Prize pool,” the prizing available for an individual tournament, contest, or pool;

- (20) "Professional sporting event," a sporting event, other than a minor league sporting event, in which two or more persons participate and receive remuneration in excess of their out-of-pocket expenses for participating in the event;
- (21) "Prohibited person," any person who:
- (A) Has been placed on the list of excluded persons pursuant to SDCL [42-7B-61](#);
 - (B) Is under the age of twenty-one;
 - (C) Is an employee of, or appointee to, the South Dakota Gaming Commission;
 - (D) Is wagering while not in the permitted boundary pursuant to SDCL [42-7B-79](#);
 - (E) Is wagering on behalf of another;
 - (F) Is wagering in violation of SDCL [42-7B-83](#);
 - (G) Is wagering in violation of state, local, or federal law;
 - (H) Is employing a wagering account in a suspended mode; or
 - (I) Is determined by the Commission to be prohibited from wagering through a contested case;
- (22) "Rake," the fee that is deducted by a licensee or sports wagering services provider from a wager made for exchange wagering, or entry fees paid by patrons who participate in a tournament, contest, or pool;
- (23) "Rake adjustment," an adjustment made by the licensee or sports wagering services provider to account for any shortfall in connection with a tournament, contest, or pool;
- (24) "Sensitive information," information such as transactional wagering data, authentication credentials, secure seeds and keys, and other data that must be handled in a secure manner;
- (25) "Shared liquidity pool," a tournament, contest, or pool conducted in South Dakota and at least one other jurisdiction;
- (26) "Sporting event," a contest or competition between individuals or teams, the results are determined at least in part by the skill or ability of an individual athlete or competitor or a team that is competing in the event;
- (27) "Sporting event official," any official as recognized by the respective sports governing body;
- (28) "Sports bet," an amount placed as a wager on the results of a sporting event, a contingency during a sporting event, or the performance or nonperformance of an athlete or competitor during a sporting event;
- (29) "Sports governing body," an organization that prescribes final rules and enforces codes of conduct for a sporting event and the athletes or competitors in the sporting event;
- (30) "Sports wagering," the acceptance of a wager on an authorized sporting event by any system of wagering authorized by the commission;
- (31) "Sports wagering area," the designated location in a gaming establishment approved by the commission, in which sports wagering may be conducted;
- (32) "Sports wagering kiosk," an automated device used by patrons to make wagers on sporting events, obtain wagering information, process sports wagering tickets and sports wagering vouchers, manage wagering accounts, and any other automated functions
- (33) "Sports wagering operation," a licensed operator in conjunction with a licensed sports wagering services provider who offers sports wagering to the public;
- (34) "Sports wagering revenue," the total of all wagers placed by patrons with a licensee, excluding free wagers and promotional play, minus all payments to patrons;

(35) "Sports wagering services provider," a person who maintains or operates the software or hardware of a sports wagering system or facilitates wagering on a sporting event by providing a service defined in SDCL subdivision [42-7B-4](#)(43);

(36) "Sports wagering system," the hardware, software, firmware, communications technology, other equipment, as well as operator procedures implemented in order to allow patron participation in sports wagering, and, if supported, the corresponding equipment related to the display of the wager outcomes, and other similar information necessary to facilitate patron participation;

(37) "Sports wagering ticket," a printed document or other electronic record that contains information pertaining to a sports bet;

(38) "Sports wagering voucher," a printed record, or digital representation thereof, issued by a sports wagering system that may be used to fund a sports bet or may be redeemable for cash;

(39) "Suspicious wagering activity," unusual wagering activity that is indicative of match fixing, the manipulation of an event, misuse of inside information, or other prohibited activity;

(40) "Unusual wagering activity," abnormal wagering activity exhibited by patrons and deemed by the sports wagering operation as a potential indicator of suspicious activity;

(41) "Voluntarily-excluded person," any individual whose name is included, at the individual's request, on a self-exclusion list;

(42) "Winnings," the total cash value of all property or sums, including currency or instruments of monetary value paid to a patron by a licensee as a direct result of a winning sports bet.

Source: 48 SDR 14, effective August 22, 2021; 48 SDR 61, effective December 8, 2021; 49 SDR 9, effective August 9, 2022.

General Authority: SDCL [42-7B-7](#), [42-7B-11](#)(13).

Law Implemented: SDCL [42-7B-2.1](#)(1), [42-7B-43](#).

Example: (3) "Event Category": Professional Hockey governed by the National Hockey League