



2024 South Dakota Legislature  
**Senate Bill 35**  
**ENROLLED**

AN ACT

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

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

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

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

Terms used in this section mean:

- (1) "Personal information," the prize winner's name, address, gender, age, and photograph; and
- (2) "Promotional drawing," a second-chance drawing or a public contest or other giveaway that does not require payment to participate.

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

\_\_\_\_\_  
I certify that the attached Act originated in  
the:  
Senate as Bill No. 35

\_\_\_\_\_  
Received at this Executive Office  
this \_\_\_\_ day of \_\_\_\_\_,  
2024 at \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of the Senate

By \_\_\_\_\_  
for the Governor

\_\_\_\_\_  
President of the Senate

The attached Act is hereby  
approved this \_\_\_\_ day of  
\_\_\_\_\_, A.D., 2024

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Governor

**STATE OF SOUTH DAKOTA,**

ss.

Office of the Secretary of State

\_\_\_\_\_  
Speaker of the House

Attest:

Filed \_\_\_\_\_, 2024  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
Secretary of State

Senate Bill No. 35  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

By \_\_\_\_\_  
Asst. Secretary of State