

RAFFLES & BINGO

South Dakota has specific laws to conduct both raffles and bingos (SDCL 22-25-23 through SDCL 22-25-25). Under South Dakota State Law, games of chance are prohibited in the state, except if an exemption is granted, such as for Deadwood gaming or the state lottery. Other exemptions include bingo and lottery for charitable purposes.

Raffle Drawing Requirements

A raffle must be conducted by a non-profit or charity. It must also be registered at county/city level where the drawing is held thirty (30) days in advance of selling tickets. If tickets are sold state-wide, written notice must also be provided to the South Dakota Secretary of State.

Under state law, the 3 elements necessary for a lottery are:

1. Prize
2. Chance (not everyone will win) and
3. Consideration (a person has to pay to be eligible)

EXAMPLE:

Question: I am planning on selling raffle tickets for a drawing of a prize. The money made from the sale of the tickets will go towards a charitable cause. Is this legal under South Dakota law?

Answer: No, according to South Dakota law this would be considered an illegal lottery. Only non-profits and charities are allowed to conduct the type of drawing you describe. Raffles conducted by a non-profit or charitable entity must give written notice to the governing body of the municipality or county in which it intends to hold the drawing, at least thirty (30) days in advance of selling any tickets. Also, if the tickets are sold state-wide, written notice must also be provided to the South Dakota Secretary of State. The municipality has the right to disapprove of the raffle.

If you have questions regarding bingos and raffles, you can contact the South Dakota Secretary of State at 605-773-3537 or the Attorney General's Office, Division of Consumer Protection at 1-800-300-1986.

SOUTH DAKOTA OFFICE OF ATTORNEY GENERAL

**CONSUMER
PROTECTION**

1302 E Hwy 14 Ste 3 • Pierre SD 57501   consumerhelp@state.sd.us

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This handout is for informational purposes and should not be construed as legal advice or as a policy of the South Dakota Attorney General. If you need advice on a particular issue, you should consult a private attorney or other experts.

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