

HOUSE BILL NO. HB0094

Pull tab authorized sales.

Sponsored by: Representative(s) Diercks, Hageman and
McMurtrey and Senator(s) Cathcart and
Schiffer

A BILL

for

1 AN ACT relating to gaming; authorizing the sale of pull
2 tabs under certain conditions; providing definitions;
3 providing penalties; and providing for an effective date.

4

5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.** W.S. 11-25-114 is created to read:

8

9 **11-25-114. Pull tab selling permits; authorized**
10 **sales; penalties.**

11

12 (a) The commission may issue permits to sell pull
13 tabs at any premise where a pari-mutual event is
14 authorized. The commission shall supervise the conduct of
15 all pull tab permittees provided for and regulated by this
16 section and shall make reasonable rules and regulations for

1 the control, supervision and direction of applicants and
2 permittees. The commission may require that permit
3 applicants be fingerprinted for identification purposes as
4 a condition of receiving a permit. The commission shall
5 establish reasonable fees for permits provided for by this
6 section. The fees shall be established to ensure that the
7 costs of administering this section are recovered through
8 the permit fees.

9

10 (b) Each permittee and all permittee employees shall
11 be licensed by the commission and shall comply with all
12 rules and regulations and all orders issued by the
13 commission. No person shall sell any pull tabs pursuant to
14 this section without obtaining a permit. The commission is
15 authorized to access criminal history record information in
16 accordance with W.S. 9-1-627(d) for all licensees and
17 permittees selling pull tabs.

18

19 (c) The commission may designate a representative to
20 enforce rules of the commission and this section. The
21 representative shall exercise such reasonable and necessary
22 authority as is designated by rules of the commission
23 including the following:

24

1 (i) Enforce rules of the commission and this
2 section;

3

4 (ii) Report infractions to the commission.

5

6 (d) No permit shall be granted to any person or any
7 corporation or association except upon the express
8 condition that it shall not, by any lease, contract,
9 understanding or arrangement of whatever kind or nature,
10 grant, assign or turn over to any other person, corporation
11 or association the operation or management of the pull tab
12 sales permitted under this section or permit any other
13 person, corporation or association to retain any of the
14 monies received from the sale of pull tabs. The commission
15 shall revoke the permit of any permittee for any violation
16 of the foregoing condition and such acts are a violation of
17 this section.

18

19 (e) Applications for permits to sell pull tabs shall
20 be made to the commission and shall fully identify the
21 applicant, include a proper financial statement showing the
22 financial responsibility of the applicant, and the
23 arrangements for the payment due on the sale of pull tabs,
24 the names and identification of those to supervise the sale

1 of pull tabs and the controls and supervision by the
2 permittee. The commission shall approve all equipment used
3 in the sale of pull tabs.

4

5 (f) The commission may issue, amend or refuse to
6 issue permits or licenses in its discretion.

7

8 (g) The commission or representatives of the
9 commission shall have access to the books and records of
10 the pull tab permittees regarding the sale and payouts of
11 permittees authorized under this section.

12

13 (h) It is unlawful for any person to give or promise
14 to give or attempt to give or for any person to receive or
15 agree to receive or attempt to receive, any money, bribe or
16 thing of value with intent to influence any person to
17 dishonestly permit, manage, direct or participate in the
18 sale of any pull tab sold under this section with the
19 intention or purpose that the randomly selected result of
20 the pull tab will be affected. Violation of this
21 subsection is a felony punishable by imprisonment for not
22 more than five (5) years, a fine of not more than five
23 thousand dollars (\$5,000.00), or both.

24

1 (j) The commission or the representative of the
2 commission may exclude from attendance at or near any pull
3 tab selling premises as authorized by this section any
4 person who has been convicted of violating subsection (h)
5 of this section and any person who refuses to leave when
6 ordered to do so by the commission or representative of the
7 commission is guilty of a misdemeanor.

8

9 (k) Any person, corporation or association selling
10 pull tabs pursuant to this section without a permit issued
11 in accordance with this section or any person, corporation
12 or association who violates any other provision of this
13 section except as provided for in subsection (h) of this
14 section is guilty of a misdemeanor and shall be fined not
15 more than ten thousand dollars (\$10,000.00), imprisoned for
16 not more than six (6) months, or both.

17

18 **Section 2.** W.S. 6-7-101(a)(iii)(E), (G) and by
19 creating a new subparagraph (H), 9-1-627(d),
20 11-25-102(a)(viii) and by creating a new paragraph (xi) and
21 11-25-109(c) are amended to read:

22

23 **6-7-101. Definitions.**

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1 (a) As used in this article:

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3 (iii) "Gambling" means risking any property for
4 gain contingent in whole or in part upon lot, chance, the
5 operation of a gambling device or the happening or outcome
6 of an event, including a sporting event, over which the
7 person taking a risk has no control, but does not include:

8

9 (E) Any game, wager or transaction which is
10 incidental to a bona fide social relationship, is
11 participated in by natural persons only, and in which no
12 person is participating, directly or indirectly, in
13 professional gambling;~~or~~

14

15 (G) Display or private use of antique
16 gambling devices in the owner's residence;~~;~~ or

17

18 (H) Pull tab sales authorized by the
19 Wyoming pari-mutuel commission under W.S. 11-25-114.

20

21 **9-1-627. Authority to compile, disseminate and**
22 **exchange information; immunity; access to information**
23 **limited; security precautions.**

24

1 (d) Access to criminal history record information is
2 available to the Wyoming pari-mutuel commission as provided
3 by W.S. 11-25-104(j) and 11-25-114(b). The commission
4 shall take reasonable security precautions to prevent
5 unauthorized persons from gaining access to criminal
6 history record information in accordance with rules and
7 regulations established by the Wyoming division of criminal
8 investigation. For the purpose of this subsection
9 "criminal history record information" means information,
10 records and data compiled by criminal justice agencies on
11 individuals for the purpose of identifying criminal
12 offenders consisting of identifiable descriptions of the
13 offenders and notations or a summary of arrests,
14 detentions, indictments, information, pre-trial
15 proceedings, nature and disposition of criminal charges,
16 sentencing, rehabilitation, incarceration, correctional
17 supervision and release. Criminal history record
18 information is limited to information recorded as the
19 result of the initiation of criminal proceedings. It does
20 not include intelligence data, analytical prosecutorial
21 files, investigative reports and files of statistical
22 records and reports in which individual identities are not
23 ascertainable.

24

1 **11-25-102. Definitions.**

2

3 (a) As used in this act:

4

5 (viii) "This act" means W.S. 11-25-101 through

6 ~~11-25-113~~ 11-25-114;

7

8 (xi) "Pull tab" means a ticket with its face

9 covered to conceal one (1) or more numbers or symbols,

10 where one (1) or more tickets in each set have been

11 designated in advance as a winner.

12

13 **11-25-109. Bribery, touting and betting by minors**
14 **prohibited.**

15

16 (c) No person under the age of eighteen (18) years

17 shall place or be allowed to place a bet or buy a pull tab

18 from a permittee under this act.

19

20 **Section 3.** This act is effective July 1, 2003.

21

22

(END)