

## HOUSE BILL NO. HB0085

Local approval for simulcasting.

Sponsored by: Joint Appropriations Committee

A BILL

for

1 AN ACT relating to pari-mutuel wagering; specifying  
2 requirements for permitting simulcasting and historic horse  
3 racing machines; requiring approval, review and objection  
4 by a city, town or county for the issuance of a  
5 simulcasting permit as specified; authorizing conditions  
6 and revocation of approval; authorizing appeals; amending  
7 enforcement requirements; conforming provisions; specifying  
8 applicability; and providing for an effective date.

9

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

11

12 **Section 1.** W.S. 11-25-210 is created to read:

13

1           11-25-210. Simulcasting           permits;           rulemaking;  
2 approval, review and objection by a city, town or county;  
3 conditions; revocation; judicial review.

4

5           (a) Simulcasting shall be conducted only by the  
6 holder of a simulcasting permit issued by the commission  
7 and approved by the local approving authority, as specified  
8 by this section.

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10          (b) The commission shall promulgate rules for  
11 simulcasting that are reasonably necessary to protect the  
12 public interest.

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14          (c) Except as specifically provided in this section,  
15 simulcasting permits shall be subject to the same terms and  
16 conditions and issued in the same manner as a pari-mutuel  
17 permit issued under this act.

18

19          (d) A simulcasting permit or renewal issued by the  
20 commission shall be subject to the following:

21

1           (i) If the simulcasting will be conducted within  
2 the corporate limits of any city or town, the permit or  
3 renewal shall be subject to approval by the governing body  
4 of the city or town and review and objection by the board  
5 of county commissioners of the county in which the  
6 simulcasting will be conducted;

7  
8           (ii) If the simulcasting will be conducted  
9 outside the corporate limits of any city or town, the  
10 permit or renewal shall be subject to approval by the board  
11 of county commissioners of the county in which the  
12 simulcasting will be conducted. If the simulcasting will  
13 be conducted within one-half (1/2) mile of the corporate  
14 limits of a city that has exercised the authority granted  
15 under W.S. 15-3-202(b)(ii), the permit or renewal shall be  
16 subject to review and objection by the governing body of  
17 that city;

18  
19           (iii) A permit or renewal shall be issued by the  
20 commission for a term not to exceed three (3) years from  
21 the date of issuance;

22

1           (iv) A permit or renewal shall be issued by the  
2 commission only to an applicant authorized under this act  
3 to conduct a pari-mutuel event other than simulcasting.

4  
5           (e) An applicant for a simulcasting permit or renewal  
6 issued by the commission shall:

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8           (i) File an application for approval with the  
9 local approving authority. Renewal applications shall be  
10 filed not later than ninety (90) days prior to expiration  
11 of the permit;

12  
13           (ii) At the time of filing the application, pay  
14 an amount sufficient to reimburse the actual cost of  
15 publishing notice of the application;

16  
17           (iii) If the permit or renewal is subject to  
18 review and objection by a second local authority under  
19 paragraph (d)(i) or (ii) of this section, the applicant  
20 shall notify that local authority of its application.

21

1           (f) After receipt of an approval or renewal  
2 application under paragraph (e)(i) of this section, the  
3 local approving authority shall promptly prepare and  
4 publish notice of the application in a newspaper of local  
5 circulation once a week for two (2) consecutive weeks and  
6 post the notice on its official website. The notice shall  
7 state that the named applicant has applied for approval or  
8 renewal of a simulcasting permit and that protests against  
9 the issuance or renewal of approval, if any, will be heard  
10 at a designated meeting of the local approving authority.  
11 For a renewal application, the local approving authority  
12 shall hold the designated meeting not later than thirty  
13 (30) days prior to expiration of the permit and the holder  
14 of the permit to simulcast may, in advance of the  
15 designated meeting, request a contested case hearing.

16

17           (g) With respect to approval and renewal of  
18 simulcasting permits issued by the commission, the local  
19 approving authority:

20

1           (i) Shall not approve or deny an application  
2 until on or after the date set in its notice for hearing  
3 protests;

4

5           (ii) Shall not consider, modify or impose  
6 conditions that are solely within the jurisdiction of the  
7 commission;

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9           (iii) May impose reasonable conditions on its  
10 approval, which shall be negotiated in good faith with an  
11 applicant, including:

12

13           (A) A schedule of operating hours for the  
14 permitted premises, provided the hours of operation shall  
15 not be more restrictive than the hours of operation for  
16 alcohol sales set pursuant to W.S. 12-5-101 for holders of  
17 retail liquor licenses under W.S. 12-4-201;

18

19           (B) Designations within the permitted  
20 premises relating to areas historic horse racing machines  
21 may be located, to the extent the designations are not  
22 inconsistent with rules of the commission.

1

2           (iv) May modify the reasonable conditions  
3 imposed under paragraph (iii) of this subsection only upon  
4 a showing of good cause;

5

6           (v) Shall require the applicant to identify the  
7 specific location in the city, town or county where  
8 simulcasting will be conducted and the number of historic  
9 horse racing machines to be permitted at that location;

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11           (vi) Shall grant approval for the same term as  
12 is granted by the commission for a simulcasting permit;

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14           (vii) Shall issue written findings and  
15 conclusions in the event of a denial of an application;

16

17           (viii) Shall have the right to revoke its  
18 approval or deny a renewal of approval for a simulcasting  
19 permit only for good cause, which shall be limited to any  
20 of the following:

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1                   (A) A breach by the holder of the permit of  
2 any reasonable conditions imposed by the local approving  
3 authority or the commission for which reasonable steps to  
4 cure the issue are not initiated by the holder of the  
5 permit within ten (10) business days of receiving written  
6 notice of the breach from the local approving authority or  
7 the commission, or the date agreed upon by the holder of  
8 the permit and the local approving authority or commission;

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10                   (B) Notification by the commission that the  
11 holder of the permit has acted in violation of any Wyoming  
12 gaming law specified in this chapter, W.S. 6-7-101 through  
13 6-7-104 or 9-24-101 through 9-24-106;

14

15                   (C) The holder of the permit fails to  
16 demonstrate commencement of simulcasting at the approved  
17 location within two (2) years after the permit is issued.  
18 Upon a showing of good cause by the holder of the permit,  
19 the local approving authority may extend the period for  
20 commencement of simulcasting for one (1) additional year.

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1           (h) For simulcasting permits or renewals that require  
2 the review and objection of a second local authority, the  
3 second local authority shall notify the applicant, the  
4 commission and the local approving authority of any  
5 objections or concerns in writing not later than thirty  
6 (30) days after receipt of the notification of an  
7 application under paragraph (e)(iii) of this section. The  
8 commission and the local approving authority shall not  
9 approve a permit or renewal unless all objections and  
10 concerns raised by the second local authority have been  
11 considered and settled, as determined by the local  
12 approving authority.

13

14           (j) An applicant for renewal of a simulcasting permit  
15 or the holder of a simulcasting permit may appeal to the  
16 district court in the county where the permitted premises  
17 are located from an adverse decision or revocation by the  
18 local approving authority. During the pendency of the  
19 appeal, the approval of the local approving authority for  
20 the applicant to conduct simulcasting shall remain in full  
21 force and effect.

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1           (k) No applicant for approval by a local approving  
2 authority for a new simulcasting permit shall have a right  
3 of appeal from the decision of the local approving  
4 authority.

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6           (m) Subject to local authority approval of a transfer  
7 of location, the transfer of an existing simulcasting  
8 permit shall be treated as a renewal of approval for a  
9 simulcasting permit.

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11           **Section 2.** W.S. 11-25-102(a)(vii)(intro) and by  
12 creating new paragraphs (xxiii) and (xxiv),  
13 11-25-104(g)(intro) and 11-25-201(a) are amended to read:

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15           **11-25-102. Definitions.**

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17           (a) As used in this act:

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19                   (vii) "Simulcasting" means the sale of  
20 pari-mutuel pools electronically transmitted live or  
21 historic on interstate or intrastate pari-mutuel events as

1 prescribed by the commission; ~~The commission shall~~  
2 ~~authorize simulcasting subject to the following conditions:~~

3  
4 (xxiii) "Local approving authority" means the  
5 local authority with responsibility to approve or deny an  
6 application or renewal of a simulcasting permit issued by  
7 the commission;

8  
9 (xxiv) "Local authority" means the governing  
10 body of a city, town or county in Wyoming.

11  
12 **11-25-104. Gaming commission; officers; director;**  
13 **meetings; quorum; records; licenses generally; effect of**  
14 **financial interest in events.**

15  
16 (g) The commission may delegate authority to enforce  
17 rules of the commission and this act to three (3) stewards  
18 at each live pari-mutuel event, at least one (1) of whom  
19 shall be an employee of and selected by the commission. ~~The~~  
20 ~~commission shall require at least one (1) steward to~~  
21 ~~supervise each simulcast location that is approved by the~~  
22 ~~commission.~~ Stewards shall exercise such reasonable and

1 necessary authority as is designated by rules of the  
2 commission including the following:

3

4 **11-25-201. Pari-mutuel permits; fees and reports;**  
5 **disposition of funds; enforcement of provisions.**

6

7 (a) The commission may issue pari-mutuel permits for  
8 a specified period not to exceed three (3) years from the  
9 date of issuance to any Wyoming county, city, incorporated  
10 town, county fair board or any corporation or association  
11 ~~which~~ that has been approved by the board of county  
12 commissioners, except as provided for simulcasting permits  
13 in W.S. 11-25-210, and that provides a bond acceptable to  
14 the commission. No permit shall be granted to any city,  
15 town, county, county fair board or any corporation or  
16 association except upon the express condition that it shall  
17 not, by any lease, contract, understanding or arrangement  
18 of whatever kind or nature, grant, assign or turn over to  
19 any person, corporation or association the operation or  
20 management of the pari-mutuel event permitted under this  
21 act or of the pari-mutuel system of wagering or in any  
22 manner permit any person, corporation or association to

1 retain any of the money received for admission to the race  
2 meeting or from the operations of the pari-mutuel system.  
3 The commission shall revoke the permit of any permittee for  
4 any violation of the foregoing condition and such acts are  
5 a violation of this act. The permit is effective only for  
6 the times and at the places for which issued. In addition  
7 to all other fees and charges, there shall be charged  
8 before issuance of a permit a daily fee established by the  
9 commission to defray expenses of enforcing this act.

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11 **Section 3.** W.S. 11-25-102(a)(vii)(A) through (D) is  
12 repealed.

13

14 **Section 4.**

15

16 (a) Notwithstanding W.S. 11-25-210, permitted  
17 simulcasting facilities as of the effective date of this  
18 act shall be authorized to continue operations until June  
19 30, 2026, subject to the conditions of their existing  
20 approvals and permits.

21

1           (b) On and after July 1, 2026, all simulcasting  
2 facilities that were permitted as of the effective date of  
3 this act shall be subject to the requirements of W.S.  
4 11-25-210 and a city, town or county may deny or refuse to  
5 provide its approval of such simulcasting facilities  
6 pursuant to the requirements of W.S. 11-25-210 only upon a  
7 showing of good cause, as specified in W.S.  
8 11-25-210(g)(viii).

9

10           **Section 5.** This act is effective July 1, 2025.

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(END)