

ENROLLED ACT NO. 51, SENATE

SIXTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2026 BUDGET SESSION

AN ACT relating to pari-mutuel wagering; specifying requirements for simulcasting permits, including historic horse racing terminals; requiring approval by a city, town or county for the issuance of a simulcasting permit as specified; authorizing conditions and revocation of approval; authorizing appeals; amending enforcement requirements; conforming provisions; specifying applicability; and providing for an effective date.

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

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

11-25-210. Simulcasting permits; rulemaking; local approval; permit conditions; revocation; judicial review.

(a) Simulcasting shall be conducted only by a person holding a simulcasting permit issued by the commission and approved by the local approving authority under this section.

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

(c) A simulcasting permit is a type of pari-mutuel event permit and, except as specifically provided for in this section, is subject to the same terms and conditions, and shall be issued and renewed by the commission in the same manner as pari-mutuel event permits issued under this act.

(d) A simulcasting permit issued or renewed by the commission off the permitted premises shall be subject to the following:

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(i) If the simulcasting will be conducted within the corporate limits of any city or town the permit or renewal shall be subject to approval by the governing body of that city or town, subject to paragraph (iii) of this subsection;

(ii) If the simulcasting will be conducted outside the corporate limits of any city or town the permit or renewal shall be subject to approval by the board of county commissioners of the county in which the simulcasting will be conducted, subject to paragraph (iii) of this subsection;

(iii) If the simulcasting will be conducted within the corporate limits of any city or town, the permit or renewal application shall be subject to review and objection by the board of county commissioners of the county in which the simulcasting will be conducted. If the simulcasting will be conducted within one-half (1/2) mile of the corporate limits of any city that has exercised the authority granted under W.S. 15-3-202(b)(ii), the permit or renewal application shall be subject to review and objection by the governing body of that city or town. Any city, town or county that objects under this paragraph shall submit written findings stating the basis for the objection, including impacts on land use, public safety, taxation or other substantial interests. The objection shall be transmitted to the local approving authority within thirty (30) days of the objecting city, town or county receiving the permit or renewal application. An objection shall be deemed addressed once the local approving authority places it on a public agenda, considers the written findings and takes formal action to sustain, modify or overrule the objection. No permit or renewal

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shall be approved until all timely submitted objections have been addressed;

(iv) No simulcasting may be conducted within one hundred (100) miles of any live pari-mutuel event permitted under this act during the time the event is being held, except that the commission may waive the one hundred (100) mile limitation if the simulcasting permitholder obtains written approval from the live pari-mutuel event permitholder conducting the event;

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

(vi) Except as provided by paragraph (e)(ii) of this section, counties, towns and municipalities shall not charge a monetary fee to obtain a simulcasting permit or renewal that exceeds the actual costs of issuing the permit or renewal.

(e) An applicant for a simulcasting permit or renewal shall:

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

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

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(iii) Identify in the application the specific location in the city, town or county where simulcasting will be conducted and the number of historic horse racing terminals to be permitted at that location.

(f) After receipt of an approval or renewal application, the local approving authority shall promptly prepare and publish notice of the application in a newspaper of general circulation in the state once a week for two (2) consecutive weeks and shall post the notice on its official website. The notice shall state that the named applicant has applied for approval or renewal of a simulcasting permit, that protests against the issuance or renewal of the permit, if any, will be heard at a designated meeting of the local approving authority, and shall include the date, time and meeting place of the designated meeting. For a renewal application, the local approving authority shall hold the designated meeting not later than thirty (30) days prior to expiration of the permit.

(g) A local approving authority, in considering the approval or renewal of simulcasting permits issued by the commission:

(i) Shall not approve or deny an application before the date set for the designated meeting in the published notice of the application;

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

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(iii) May impose reasonable conditions on approval or renewal, which shall be negotiated in good faith with the applicant, including the following:

(A) A schedule of operating hours for the permitted premises, provided the hours of operation shall not be more restrictive than the hours of operation for alcohol sales set pursuant to W.S. 12-5-101 for the holder of a retail liquor license under W.S. 12-4-201;

(B) Designation of areas within the permitted premises where historic horse racing terminals may be located, to the extent the designations are not inconsistent with rules of the commission.

(iv) May modify any condition imposed under paragraph (iii) of this subsection only upon a showing of good cause;

(v) Shall grant approval for the same term as is granted by the commission for the simulcasting permit, if the application is approved;

(vi) Shall issue written findings and conclusions if the application is denied;

(vii) Shall have the right to revoke approval or deny a renewal only for good cause, which shall be limited to any of the following:

(A) A breach of a reasonable condition imposed by the local approving authority or the commission, if the permitholder fails to take reasonable steps to cure the breach within ten (10) business days after receiving written notice of the breach from the local approving

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authority or the commission, or a date agreed upon by the permitholder and the local approving authority or commission;

(B) Notification from the commission that the permitholder has been found in violation of any Wyoming gaming law specified in this chapter, W.S. 6-7-101 through 6-7-104 or 9-24-101 through 9-24-106;

(C) Failure to demonstrate commencement of simulcasting at the permitted location within two (2) years after the permit is issued. Upon a showing of good cause by the permitholder, the local approving authority and commission may extend the period for commencement of simulcasting for one (1) additional year;

(D) The welfare of the people residing in the vicinity of the permitted premises is adversely and seriously affected by the permitted premises.

(h) A simulcasting permitholder may appeal a denial of renewal or revocation of approval by the local approving authority to the district court in the county where the permitted premises are located.

(j) An applicant for a new simulcasting permit may appeal a decision of the local approving authority to the district court in the county where the application is filed only if that authority has previously granted approval for a simulcasting permit within its jurisdiction. If the local approving authority has not previously granted an approval for a simulcasting permit, the applicant shall have no right of appeal from the decision of the local approving authority.

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(k) Subject to the approval of the local approving authority, the transfer of an existing simulcasting permit involving a change of location within the same local approving authority's area of jurisdiction shall be treated as a renewal of a simulcasting permit. A transfer involving a change of location outside of the current local approving authority's area of jurisdiction shall be treated as a new application and shall be subject to all application, review and approval requirements applicable to a new simulcasting permit.

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

11-25-102. Definitions.

(a) As used in this act:

(vii) "Simulcasting" means the sale of pari-mutuel pools electronically transmitted live or historic on interstate or intrastate pari-mutuel events as prescribed by the commission; ~~The commission shall authorize simulcasting subject to the following conditions:~~

(xxiii) "Local approving authority" means the local authority with responsibility to approve, deny or revoke a site-specific application or renewal for a simulcasting permit issued by the commission;

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

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

(g) The commission may delegate authority to enforce rules of the commission and this act to three (3) stewards at each live pari-mutuel event, at least one (1) of whom shall be an employee of and selected by the commission. ~~The commission shall require at least one (1) steward to supervise each simulcast location that is approved by the commission.~~ Stewards shall exercise such reasonable and necessary authority as is designated by rules of the commission including the following:

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

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

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The commission shall revoke the permit of any permittee for any violation of the foregoing condition and such acts are a violation of this act. The permit is effective only for the times and at the places for which issued. In addition to all other fees and charges, there shall be charged before issuance of a permit a daily fee established by the commission to defray expenses of enforcing this act.

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

Section 4.

(a) Notwithstanding W.S. 11-25-210, as created by this act, a person holding a simulcasting permit as of the effective date of this act shall be authorized to continue operations through December 31, 2027, subject to the conditions of the existing permit and approval.

(b) Subject to this subsection, on and after July 1, 2027, a person holding a simulcasting permit as of the effective date of this act shall be subject to the requirements of W.S. 11-25-210. A city, town or county may deny or withhold approval of a simulcasting facility permitted as of the effective date of this act, only upon a showing of good cause, as specified in W.S. 11-25-210(g)(vii).

ORIGINAL SENATE
FILE NO. SF0045

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Section 5. This act is effective July 1, 2026.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk