

SENATE FILE NO. SF0045

Local approval for simulcasting.

Sponsored by: Management Council

A BILL

for

1 AN ACT relating to pari-mutuel wagering; specifying
2 requirements for simulcasting permits, including historic
3 horse racing terminals; requiring approval by a city, town
4 or county for the issuance of a simulcasting permit as
5 specified; authorizing conditions and revocation of
6 approval; authorizing appeals; amending enforcement
7 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

14 **11-25-210. Simulcasting permits; rulemaking; local**
15 **approval; permit conditions; revocation; judicial review.**

16

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

5

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

9

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

16

17 (d) A simulcasting permit issued or renewed by the
18 commission shall be subject to the following:

19

20 (i) If the simulcasting will be conducted within
21 the corporate limits of any city or town the permit or
22 renewal shall be subject to approval by the governing body

1 of that city or town, subject to paragraph (iii) of this
2 subsection;

3

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

10

11 (iii) If the simulcasting will be conducted
12 within the corporate limits of any city or town, the permit
13 or renewal application shall be subject to review and
14 objection by the board of county commissioners of the
15 county in which the simulcasting will be conducted. If the
16 simulcasting will be conducted within one-half (1/2) mile
17 of the corporate limits of any city that has exercised the
18 authority granted under W.S. 15-3-202(b)(ii), the permit or
19 renewal application shall be subject to review and
20 objection by the governing body of that city or town. Any
21 city, town or county that objects under this paragraph
22 shall submit written findings stating the basis for the
23 objection, including impacts on land use, public safety,

1 taxation or other substantial interests. The objection
2 shall be transmitted to the local approving authority
3 within thirty (30) days of the objecting city, town or
4 county receiving the permit or renewal application. An
5 objection shall be deemed addressed once the local
6 approving authority places it on a public agenda, considers
7 the written findings and takes formal action to sustain,
8 modify or overrule the objection. No permit or renewal
9 shall be approved until all timely submitted objections
10 have been addressed;

11

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

19

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

1

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

4

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

9

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

13

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

18

19 (f) After receipt of an approval or renewal
20 application, the local approving authority shall promptly
21 prepare and publish notice of the application in a
22 newspaper of general circulation in the state once a week
23 for two (2) consecutive weeks and shall post the notice on

1 its official website. The notice shall state that the named
2 applicant has applied for approval or renewal of a
3 simulcasting permit, that protests against the issuance or
4 renewal of the permit, if any, will be heard at a
5 designated meeting of the local approving authority, and
6 shall include the date, time and meeting place of the
7 designated meeting. For a renewal application, the local
8 approving authority shall hold the designated meeting not
9 later than thirty (30) days prior to expiration of the
10 permit.

11

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

15

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

19

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

23

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

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

10
11 (B) Designation of areas within the
12 permitted premises where historic horse racing terminals
13 may be located, to the extent the designations are not
14 inconsistent with rules of the commission.

15
16 (iv) May modify any condition imposed under
17 paragraph (iii) of this subsection only upon a showing of
18 good cause;

19
20 (v) Shall grant approval for the same term as is
21 granted by the commission for the simulcasting permit, if
22 the application is approved;

23

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

3

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

7

8 (A) A breach of a reasonable condition
9 imposed by the local approving authority or the commission,
10 if the permitholder fails to take reasonable steps to cure
11 the breach within ten (10) business days after receiving
12 written notice of the breach from the local approving
13 authority or the commission, or a date agreed upon by the
14 permitholder and the local approving authority or
15 commission;

16

17 (B) Notification from the commission that
18 the permitholder has acted in violation of any Wyoming
19 gaming law specified in this chapter, W.S. 6-7-101 through
20 6-7-104 or 9-24-101 through 9-24-106;

21

22 (C) Failure to demonstrate commencement of
23 simulcasting at the permitted location within two (2) years

1 after the permit is issued. Upon a showing of good cause by
2 the permitholder, the local approving authority and
3 commission may extend the period for commencement of
4 simulcasting for one (1) additional year;

5

6 (D) The welfare of the people residing in
7 the jurisdiction of the permitted premises is adversely and
8 seriously affected by the permitted premises.

9

10 (h) A simulcasting permitholder may appeal a denial
11 of renewal or revocation of approval by the local approving
12 authority to the district court in the county where the
13 permitted premises are located. During the pendency of the
14 appeal, the approval of the local approving authority for
15 the person to conduct simulcasting shall remain in full
16 force and effect.

17

18 (j) An applicant for a new simulcasting permit may
19 appeal a decision of the local approving authority to the
20 district court in the county where the application is filed
21 only if that authority has previously granted approval for
22 a simulcasting permit within its jurisdiction. If the
23 local approving authority has not previously granted an

1 approval for a simulcasting permit, the applicant shall
2 have no right of appeal from the decision of the local
3 approving authority.

4
5 (k) A change in the location of simulcasting by an
6 existing simulcasting permitholder shall be treated by the
7 commission as a renewal of the simulcasting permit and
8 shall require approval by the local approving authority
9 under this section.

10
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:

14
15 **11-25-102. Definitions.**

16
17 (a) As used in this act:

18
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
22 prescribed by the commission; ~~The commission shall~~
23 ~~authorize simulcasting subject to the following conditions:~~

1

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

6

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

9

10 **11-25-104. Gaming commission; officers; director;**
11 **meetings; quorum; records; licenses generally; effect of**
12 **financial interest in events.**

13

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

23

1 **11-25-201. Pari-mutuel permits; fees and reports;**
2 **disposition of funds; enforcement of provisions.**

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

1 a violation of this act. The permit is effective only for
2 the times and at the places for which issued. In addition
3 to all other fees and charges, there shall be charged
4 before issuance of a permit a daily fee established by the
5 commission to defray expenses of enforcing this act.

6
7 **Section 3.** W.S. 11-25-102(a)(vii)(A) through (D) is
8 repealed.

9
10 **Section 4.**

11
12 (a) Notwithstanding W.S. 11-25-210, as created by
13 this act, a person holding a simulcasting permit as of the
14 effective date of this act shall be authorized to continue
15 operations through June 30, 2027, subject to the conditions
16 of the existing permit and approval.

17
18 (b) Subject to this subsection, on and after July 1,
19 2027, a person holding a simulcasting permit as of the
20 effective date of this act shall be subject to the
21 requirements of W.S. 11-25-210. A city, town or county may
22 deny or withhold approval of a simulcasting facility
23 permitted as of the effective date of this act, only upon a

1 showing of good cause, as specified in W.S.
2 11-25-210(g)(vii).

3

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

5

6 (END)