

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Wyoming gaming commission-modifications and corrections.

Sponsored by: Joint Travel, Recreation, Wildlife & Cultural
Resources Interim Committee

A BILL

for

1 AN ACT relating to gaming; modifying skill based amusement
2 game laboratory reporting requirements; amending rulemaking
3 authority of the Wyoming gaming commission; providing and
4 amending definitions; providing for criminal background
5 checks as specified; extending the sunset date applicable
6 to skill based amusement games; requiring applicable fees
7 to be paid on an annual basis; classifying peace officers
8 employed by the Wyoming gaming commission as law
9 enforcement officers under the Wyoming Retirement Act.
10 making conforming amendments; and providing for an
11 effective date.

12

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

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3 **Section 1.** 2020 Wyoming Session Laws, Chapter 114,
4 Section 1(a), (c), (d), (e), (k), (n), (p)(iii), (v), by
5 creating new paragraphs (vi) and (vii), by creating a new
6 subsection (r) and by amending and renumbering (r) as (s)
7 is amended to read:

8

9

Section 1.

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11 (a) Notwithstanding W.S. 6-7-102, skill
12 based amusement games operating in the state
13 prior to ~~the effective date of this section~~ March
14 17, 2020 shall be allowed to continue operation
15 until ~~June 30, 2021~~ July 1, 2023 in accordance
16 with the requirements of this section.

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18 (c) ~~Within sixty (60) days of the effective~~
19 ~~date of this section~~ A skill based amusement game
20 that meets the requirements of this section shall
21 be approved by the commission to continue
22 operating in the state or it shall be removed
23 from the state by the operator.

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(d) Each ~~operator~~manufacturer shall provide for a nationally recognized, independent gaming laboratory approved by the commission to directly submit to the commission a general functional evaluation laboratory report regarding the software installed on each skill based amusement game indicating whether the skill based amusement game is in compliance with this section. The commission shall review each laboratory report to determine if the skill based amusement game meets the requirements of this section. Any skill based amusement game that does not meet the requirements of this section as ~~indicated by the laboratory report~~determined by the commission shall immediately be removed from the state by the operator.

(e) Skill based amusement games that meet the requirements of this section shall bear a commission issued decal that identifies the operator of the game. Each decal shall be valid for one (1) year. No skill based amusement game

1 shall be operational unless it bears a current
2 commission issued decal. The commission shall
3 charge ~~a~~ an annual fee of fifty dollars (\$50.00)
4 for a decal. Each decal shall include the bucking
5 horse and rider emblem. The fee required under
6 this section shall be paid on or before July 1 of
7 each year. Fees collected shall be deposited to
8 the commission gaming account, which is hereby
9 created. ~~For the period from the effective date~~
10 ~~of this section~~ Beginning on March 17, 2020
11 through ~~June 30, 2021,~~ June 30, 2023, funds
12 within the account are continuously appropriated
13 to the commission to pay for reasonable expenses
14 incurred to administer this section.

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16 (k) An establishment shall pay the
17 commission ~~a~~ an annual fee of two hundred fifty
18 dollars (\$250.00) to continue to have skill based
19 amusement games in the establishment until ~~June~~
20 ~~30, 2021~~ July 1, 2023. Operators of skill based
21 amusement games shall pay the commission ~~a~~ an
22 annual fee of two thousand five hundred dollars
23 (\$2,500.00) to operate skill based amusement

1 games until ~~June 30, 2021. Fees paid pursuant to~~
2 ~~this subsection~~ July 1, 2023. The fees required
3 under this section shall be paid on or before
4 July 1 of each year and shall be deposited into
5 the commission gaming account.

6
7 (n) The commission ~~may~~ shall promulgate any
8 necessary rules to implement and administer this
9 section. The rules may include provisions for the
10 control, supervision, direction, discipline,
11 suspension or fining of manufacturers, operators
12 and establishments for violations under this
13 section.

14
15 (p) As used in this section:

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17 (iii) "Net proceeds" means all revenue
18 less the payments to the player;

19
20 (v) "Skill based amusement game" means
21 a game played in exchange for consideration of
22 cash, credit or other thing of value on a fixed,
23 commercial electrical gaming device in which the

1 bona fide skill of the player, determined by an
2 individual's level of strategy and skill, rather
3 than any inherent element of chance, is the
4 primary factor in determining the outcome and for
5 which the player may be awarded a prize or other
6 thing of value for a successful outcome. "Skill
7 based amusement game" shall not include any
8 amusement game or device accessible at a family
9 oriented establishment as provided by rule of the
10 commission.

11
12 (vi) "Manufacturer" means a person
13 engaged in the business of constructing skill
14 based amusement games or selling skill based
15 amusement games and software to operators;

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17 (vii) "Skill" means the knowledge,
18 dexterity or any other ability or expertise of a
19 natural person.

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21 (r) The commission is authorized to access
22 criminal history record information for all
23 manufacturers, operators and establishments under

1 this section. Every manufacturer, operator and
2 establishment shall provide the commission
3 fingerprints and other information necessary for
4 a criminal history record background check as
5 provided under W.S. 7-19-201.

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7 ~~(r)~~(s) This section is repealed effective
8 ~~July 1, 2021~~July 1, 2025.

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10 **Section 2.** W.S. 6-7-101(a)(xiii), 7-19-201(a)(vi) and
11 9-3-402(a)(xviii) are amended to read:

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13 **6-7-101. Definitions.**

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15 (a) As used in this article:

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17 (xiii) "Skill based amusement game" means a game
18 played in exchange for consideration of cash, credit or
19 other thing of value on a fixed, commercial electrical
20 gaming device in which the bona fide skill of the player,
21 determined by an individual's level of strategy and skill,
22 ~~is a~~rather than any inherent element of chance, is the
23 primary factor in determining the outcome and for which the

1 player may be awarded a prize or other thing of value for a
2 successful outcome. "Skill based amusement game" shall not
3 include any amusement device accessible at a family
4 oriented establishment as provided by rule of the Wyoming
5 gaming commission.

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7 **7-19-201. State or national criminal history record**
8 **information.**

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10 (a) The following persons shall be required to submit
11 to fingerprinting in order to obtain state and national
12 criminal history record information:

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14 (vi) Persons applying for a permit or license
15 under W.S. 11-25-104(f), ~~or if otherwise if~~ required under
16 title 11, chapter 25 of the Wyoming statutes or if
17 otherwise required by the Wyoming gaming commission as
18 provided for by law;

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20 **9-3-402. Definitions.**

21

22 (a) As used in this article:

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1 (xviii) "Law enforcement officer" or "officer"
2 means any member who is a county sheriff, deputy county
3 sheriff, municipal police officer, duly authorized
4 investigator of the Wyoming livestock board meeting the
5 specifications of W.S. 7-2-101(a)(iv)(E), duly authorized
6 personnel of the Wyoming gaming commission meeting the
7 specifications of W.S. 7-2-101(a)(iv)(P), investigator
8 employed by the Wyoming state board of outfitters and
9 professional guides meeting the specifications of W.S. 7-2-
10 101(a)(iv)(J), Wyoming correctional officer, probation and
11 parole agent employed by the Wyoming department of
12 corrections, Wyoming law enforcement academy instructor,
13 University of Wyoming campus police officer, community
14 college police officer, detention officer or dispatcher for
15 law enforcement agencies;

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17 **Section 3.** This act is effective immediately upon
18 completion of all acts necessary for a bill to become law
19 as provided by Article 4, Section 8 of the Wyoming
20 Constitution.

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22

(END)