

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE BILL NO.

Pari-mutuel wagering-breakage.

Sponsored by: HDraft Committee

A BILL

for

1 AN ACT relating to pari-mutuel wagering; requiring  
2 distribution of historic pari-mutuel event breakage amounts  
3 as specified; creating a definition; and providing for an  
4 effective date.

5

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

7

8 **Section 1.** W.S. 11-25-102(a) by creating a new  
9 paragraph (xxiii), 11-25-201(b)(iii), (iv) and by creating  
10 a new paragraph (v) and (d) are amended to read:

11

12 **11-25-102. Definitions.**

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1 \*\*\*\*\*  
2 \*\*\*\*\*

3 STAFF COMMENT

4 The Wyoming Gaming Commission rules, Pari-Mutuel, Chapter 1  
5 define breakage as follows:

6  
7 BREAKAGE is the odd cents on any sum otherwise  
8 distributable in a pari-mutuel pool. Also the  
9 difference between the amount contributed to the  
10 pari-mutuel pool and the total of the commissions  
11 (takeouts) and the sums redistributed to the  
12 contributors.

13  
14 Note that the definition of pari-mutuel wagering also  
15 references breakage:

16  
17 11-25-102. Definitions.

18 (a) As used in this act:

19 (vi) "Pari-mutuel wagering" means  
20 wagering on the outcome of pari-mutuel events in  
21 which those who wager purchase tickets of various  
22 denominations on entrants in the events and all  
23 wagers for each event are pooled and held by the  
24 permittee for distribution, and when the outcome  
25 of the event has been decided, the permittee  
26 distributes the total wagers comprising the pool,  
27 less an amount not greater than twenty-five and  
28 nine-tenths percent (25.90%) for live racing and  
29 in the event of simulcasting an amount not to  
30 exceed the percentage allowed at the host track  
31 or thirty-five percent (35%), whichever is less  
32 and less the amount for breakage to holders of  
33 tickets on the winning entries;

34  
35  
36 \*\*\*\*\*  
37 \*\*\*\*\*  
38

39 (a) As used in this act:

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1           (xxiii) "Breakage" means the odd cents by which  
2 the amount distributable on each dollar wagered on the  
3 outcome of a pari-mutuel event exceeds a multiple of ten  
4 cents (\$.10).

5

6           **11-25-201. Pari-mutuel permits; fees and reports;**  
7 **disposition of funds; enforcement of provisions.**

8

9           (b) Every Wednesday following any pari-mutuel event,  
10 the permittee shall:

11

12           (i) File a report with the commission showing  
13 the total amount of money wagered during the period;

14

15           (ii) Pay an amount equal to one-quarter percent  
16 (1/4%) of the total amount wagered attributable to historic  
17 pari-mutuel events and one and one-half percent (1 1/2%) of  
18 the total amount wagered attributable to live pari-mutuel  
19 events, shown by the report to the commission, to be  
20 credited by the state treasurer to a separate account, in  
21 the manner indicated in subsection (d) of this section;

22

1           (iii) Pay an amount equal to one percent (1%) of  
2 the total amount wagered attributable to historic pari-  
3 mutuel events, shown by the report to the commission, to be  
4 transferred by the commission to the county and the city or  
5 town in which the permittee is located, in equal shares, or  
6 to the county alone if the permittee is not located within  
7 the boundaries of a city or town. The county, city or town  
8 receiving an amount under this paragraph may credit that  
9 amount to the state fair account upon a majority vote of  
10 the county's, city's or town's governing body; ~~and~~

11

12           (iv) Pay an amount equal to one-quarter percent  
13 (1/4%) of the total amount wagered attributable to historic  
14 pari-mutuel events, shown by the report to the commission,  
15 to be credited to the legislative stabilization reserve  
16 account-~~;~~ and

17

18           (v) Pay an amount equal to the breakage on  
19 historic pari-mutuel events retained under subsection (c)  
20 of this section to the legislative stabilization reserve  
21 account.

22

1           (c) The permittee may retain an amount equal to  
2 nineteen and four-tenths percent (19.40%) of the total  
3 amount wagered shown by the report and may retain up to an  
4 additional five percent (5%) of the amount wagered on  
5 multiple or exotic wagers. The permittee shall retain the  
6 breakage on not more than ten cents (\$.10) and retain  
7 unclaimed tickets not claimed within one (1) year following  
8 the event for the expenses of the race meet and purses and  
9 for the promotion of the racing industry.

10

11           (d) All sums paid to the commission under this act  
12 except contributions from permittees to the breeder award  
13 fund, amounts paid under paragraphs (b)(iii) ~~and (iv)~~  
14 through (v) of this section, fines and penalties shall be  
15 credited to the pari-mutuel account which shall be used by  
16 the commission for the payment of all expenses incurred in  
17 enforcing this act. On a quarterly basis, the commission  
18 shall transfer amounts within the account in excess of one  
19 million five hundred thousand dollars (\$1,500,000.00) to  
20 the state treasurer for credit to the legislative  
21 stabilization reserve account. All fines and penalties  
22 collected under this act shall be paid to the state  
23 treasurer and credited as provided in W.S. 8-1-109. The

1 state treasurer shall pay out of the account all warrants  
2 drawn by the state auditor, upon vouchers issued and signed  
3 by the president, vice-president or executive secretary of  
4 the commission. The commission shall keep an accurate and  
5 true account of all funds received and all vouchers issued  
6 by the commission. All funds received and all vouchers  
7 issued by the commission shall be audited at least  
8 biennially by the director of the state department of audit  
9 or his designee and a copy of the audit shall be delivered  
10 within thirty (30) days after completion to the governor  
11 and the commission. The costs of the audit shall be borne  
12 by the commission. The members of the commission shall  
13 receive per diem and mileage as provided in W.S. 33-1-  
14 302(a)(vii), and compensation of fifty dollars (\$50.00) for  
15 each day during which they are actually engaged in the  
16 discharge of their duties. The total expenses incurred by  
17 the commission shall not exceed the total amount in the  
18 pari-mutuel account.

19

20 **Section 2.** This act is effective July 1, 2025.

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22

(END)