

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Regulated gaming activities-transfer and consolidation.

Sponsored by: HDraft Committee

A BILL

for

1 AN ACT relating to the administration of government;
2 transferring the Wyoming gaming commission to the
3 department of revenue; making conforming amendments;
4 providing applicability; transferring positions and funds;
5 providing rulemaking authority; requiring reporting;
6 recreating, renumbering and amending statutes for the
7 regulation of gaming; repealing obsolete and conflicting
8 provisions; providing for application as specified; and
9 providing for an effective date.

10

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

12

13 **Section 1.**

1

2 (a) The Wyoming gaming commission is transferred by a
3 type 1 transfer, as defined in W.S. 9-2-1707(b)(i), to the
4 department of revenue. All positions, personnel,
5 appropriations, property, equipment and authority in
6 agencies and programs transferred to the department of
7 revenue by this act are under the control of the department
8 of revenue as provided by this act. The validity of rules,
9 regulations, contracts, agreements, licenses, permits,
10 decals or other obligations transferred by this act are not
11 affected by this act.

12

13 (b) Notwithstanding any other provision of law, the
14 governor may authorize the use of authorized positions
15 within the Wyoming gaming commission and funds appropriated
16 to the commission to staff and fund the department of
17 revenue for the remainder of the fiscal biennium ending
18 June 30, 2026. For the fiscal biennium commencing July 1,
19 2026, the director of the department of revenue shall
20 submit a budget request as provided by W.S. 9-2-1010
21 through 9-2-1014 for the functions assigned to the
22 department of revenue under this act.

23

1 (c) Upon the effective date of this act, any
 2 reference in Wyoming statutes to a function assigned to the
 3 Wyoming gaming commission shall be carried out by the
 4 department of revenue. The department of revenue shall
 5 promulgate rules to effectuate the purposes of this act.

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9 STAFF COMMENT

10 This bill draft transfers regulation of gaming to the
 11 Department of Revenue and moves all existing statutes
 12 regulating gaming activities. This bill draft is intended
 13 to be technical in nature. The structure of the new Chapter
 14 25 in Title 9 under this bill would be as follows:

15

16 CHAPTER 25 REGULATED GAMING ACTIVITIES

17 ARTICLE 1 - IN GENERAL

- 18 9-25-101. Definitions.
- 19 9-25-102. Regulation of gaming activities; rulemaking.

20 ARTICLE 2 - CHARITABLE GAMING

- 21 9-25-201. Definitions
- 22 9-25-202. Bingo games and pull tab games.
- 23 9-25-203. Calcutta wagering.

24 ARTICLE 3 - PARI-MUTUEL WAGERING

- 25 9-25-301. Definitions.
- 26 9-25-302. Financial interest in events; licenses generally;
27 rulemaking.
- 28 9-25-303. Pari-mutuel permits; fees and reports;
29 disposition of funds; enforcement of provisions.
- 30 9-25-304. Qualifications as to horses; preference to
31 Wyoming bred horses.
- 32 9-25-305. Horses to race under true name; substitution of
33 horses, concealment of identification,
34 prohibited.
- 35 9-25-306. Stimulation or retardation of animals prohibited;
36 tests.
- 37 9-25-307. Bribery, touting and betting by minors
38 prohibited.
- 39 9-25-308. County elections as to pari-mutuel events.

- 1 9-25-309. Bond of permittees; required; conditions;
- 2 prosecution of actions.
- 3 9-25-310. Penalties.
- 4 9-25-311. Removal of livestock from quarters at county or
- 5 state fairs.

6 ARTICLE 4 - SKILL BASED AMUSEMENT GAMES

- 7 9-25-401. Definitions.
- 8 9-25-402. Skill based amusement games authorization;
- 9 commission authority; applicability.
- 10 9-25-403. Laboratory report required.
- 11 9-25-404. Restrictions on operation of skill based
- 12 amusement games.
- 13 9-25-405. Required permits and licenses; applicable fees;
- 14 tax imposition; taxation rate; distribution.
- 15 9-25-406. Operator permit, vendor license and skill based
- 16 amusement game decal approval; criteria; review.
- 17 9-25-407. Penalties.

18 ARTICLE 5 - ONLINE SPORTS WAGERING

- 19 9-25-501. Definitions.
- 20 9-25-502. Online sports wagering regulation; rulemaking.
- 21 9-25-503. Permits; licenses; fees; application.
- 22 9-25-504. Distribution of revenue.
- 23 9-25-505. Age to engage in online sports wagering.
- 24 9-25-506. Penalties; compliance.

25 *****
26 *****
27

28 Section 2. W.S. 9-25-101, 9-25-102, 9-25-201 through
29 9-25-203 and 9-25-401 are created to read:

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CHAPTER 25

REGULATED GAMING ACTIVITIES

ARTICLE 1

IN GENERAL

1 **9-25-101. Definitions.**

2

3 (a) As used in this chapter:

4

5 (i) "Department" means the department of revenue;

6

7 (ii) "Net proceeds" means all revenue less the
8 payment to the player;

9

10 (iii) "Gaming activity" means all gaming
11 activities provided for and regulated by this chapter.

12

13 **9-25-102. Supervision of gaming activities;**
14 **rulemaking; prosecution.**

15

16 (a) The department shall:

17

18 (i) Supervise the conduct of all gaming
19 activities provided for and regulated by this chapter;

20

21 (ii) Administer and enforce title 6, chapter 7,
22 article 1 of the Wyoming statutes;

23

1 (iii) Designate a division to administer and
2 enforce this chapter;

3
4 (iv) Access criminal history record information
5 for all employees of the department who supervise the
6 conduct of gaming activities or administer and enforce
7 title 6, chapter 7, article 1 of the Wyoming statutes,
8 subject to W.S. 9-1-627(d).

9
10 (b) The department may make reasonable rules for the
11 control, supervision and direction of applicants,
12 permittees and licensees under this chapter.

13
14 (c) The attorney general may, at the request of the
15 department, act on behalf of the department to prosecute
16 criminal actions under W.S. 6-7-101 through 6-7-104 and 9-
17 25-301 through 9-25-407 if after a thorough investigation
18 the action is deemed advisable by the attorney general.

19 *****
20 *****

21 STAFF COMMENT

22 Note that subsection (c) above is moved from current W.S.
23 11-205-208(b). If the committee wishes to specifically
24 authorize the attorney general to also prosecute violations
25 of bingo, pull-tab, Calcutta, and online sports wagering
26 provisions, the subsection should be broadened.

27

1 With significant input from the committee, other uniform
2 provisions could be recreated in this article for general
3 subjects such as background checks, fees, reporting,
4 application procedures, etc.

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ARTICLE 2

9

CHARITABLE GAMING

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11 9-25-201. Definitions.

12

13 (a) As used in this article:

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15 (i) "Calcutta wagering" means wagering on the
16 outcome of amateur contests, cutter horse racing, dog sled
17 racing, professional rodeo events or professional golf
18 tournaments in which those who wager bid at auction for the
19 exclusive right to "purchase" or wager upon a particular
20 contestant or entrant in the event and when the outcome of
21 the event has been decided the total wagers comprising the
22 pool, less a percentage "take-out" by the event's sponsor,
23 is distributed to those who "purchased" or wagered upon the
24 winning contestants or entrants;

25

1 (ii) "Charitable or nonprofit organization"
2 means an organization recognized as a charitable or
3 nonprofit organization under Wyoming statutes and which
4 possesses a valid exemption from federal income tax issued
5 by the Internal Revenue Service under the provisions of 26
6 U.S.C. 501(c) and political parties organized under the law
7 of Wyoming and exempt from federal income tax issued by the
8 Internal Revenue Service under the provisions of 26 U.S.C.
9 527.

10

11 **9-25-202. Bingo games and pull tab games.**

12

13 (a) The department shall regulate bingo games and pull
14 tab games.

15

16 (b) Bingo games shall only be conducted and pull tab
17 games shall only be sold in accordance with this section by
18 charitable or nonprofit organizations that have been in
19 existence in this state for at least three (3) years and
20 that are licensed under this section.

21

22 (c) A charitable or nonprofit organization applying
23 for a license under this section shall do so on a uniform

1 application furnished by the department. The department
2 shall not charge applicants any fee and shall not require
3 any fee for any license issued under this section.

4

5 (d) Any person required to be licensed under this
6 section shall file an annual report with the department as
7 specified by rule.

8

9 (e) Bingo games and pull tab games authorized under
10 this section shall be subject to the following:

11

12 (i) Tickets for bingo games shall be sold only in
13 this state;

14

15 (ii) Pull tab games shall be sold only on the
16 premises owned or occupied by the charitable or nonprofit
17 organization licensed under this section;

18

19 (iii) In conducting bingo games and pull tab games
20 the charitable or nonprofit organization shall use only
21 volunteers who are bona fide members of the charitable or
22 nonprofit organization or employees or contractors who are

1 paid by the charitable or nonprofit organization to assist
2 in the operation of the game;

3

4 (iv) Players of bingo games or pull tab games
5 shall be eighteen (18) years or older;

6

7 (v) At least sixty-five percent (65%) of all gross
8 sales of bingo games and pull tab games shall be redeemed
9 as winnings each month. The net proceeds after payment of
10 winnings shall be restricted as follows:

11

12 (A) No more than forty percent (40%) of net
13 proceeds shall be paid to distributors or manufacturers of
14 supplies or equipment necessary to conduct the game; and

15

16 (B) Seventy-five percent (75%) of the net
17 proceeds remaining after payment for all costs and supplies
18 shall be donated within one (1) year by the organization to
19 a bona fide charitable or benevolent purpose.

20

21 (vi) The charitable or nonprofit organization
22 conducting the bingo game or pull tab game may purchase
23 supplies or equipment necessary to conduct the game from a

1 distributor or manufacturer at a price based on a per card
2 or pull tab basis subject to the limitations provided in
3 subparagraph (v)(A) of this subsection.

4

5 **9-25-203. Calcutta wagering.**

6

7 (a) The department shall regulate calcutta wagering on
8 contests and events.

9

10 (b) Calcutta wagering on contests or events shall only
11 be conducted by bona fide nationally chartered veterans',
12 religious, charitable, educational or fraternal
13 organizations and nonprofit local civic or service clubs
14 organized or incorporated under the laws of this state and
15 that are licensed under this section.

16

17 (c) An organization or club applying for a license
18 under this section shall do so on a uniform application
19 furnished by the department. The department shall not
20 charge applicants any fee and shall not require any fee for
21 any license issued under this section.

22

1 (d) Any person required to be licensed under this
2 section shall file an annual report with the department as
3 specified by rule.

4

5 (e) Calcutta wagering on contests or events
6 authorized under this section shall be subject to the
7 following:

8

9 (i) The contest or event shall be conducted
10 solely in this state;

11

12 (ii) Any rules affecting the contest or
13 requirements for participants shall be clearly posted;

14

15 (iii) The total prizes or prize money paid out in
16 any one (1) contest or event shall not exceed ninety
17 percent (90%) of the total wagers;

18

19 (iv) A minimum of ten percent (10%) of the total
20 wagers on each contest or event shall be donated within one
21 (1) year by the sponsoring organization or club to a bona
22 fide charitable or benevolent purpose;

23

1 (v) No separate organization, club or
2 professional person shall be employed to conduct the
3 contest or event or assist therein;

4

5 (vi) Thirty (30) days written notice of the time
6 and place of a contest or event shall be provided to the
7 governing body of the county or municipality in which the
8 organization or club intends to conduct the contest or
9 event. No contest or event shall be conducted if the
10 governing body passes a resolution objecting thereto;

11

12 (vii) The sponsoring organization or club shall
13 comply with the relevant sections of the internal revenue
14 code of 1954, as amended, relating to taxes on wagering;

15

16 (viii) Persons wagering on calcutta contests or
17 events shall be eighteen (18) years or older.

18

19 ARTICLE 4

20 SKILL BASED AMUSEMENT GAMES

21

22 **9-25-401. Definitions.**

23

1 The definitions in W.S. 9-25-301 shall apply to this
2 article.

3

4 **Section 3.** W.S. 11-25-102 as 9-25-301, 11-25-104 as
5 9-25-302, 11-25-201 through 11-25-209 as 9-25-303 through
6 9-25-311, 11-25-301 through 11-25-306 as 9-25-402 through
7 9-25-407, and 9-24-101 through 9-24-106 as 9-25-501 through
8 9-25-506 are amended and renumbered to read:

9

10

ARTICLE 3

11

PARI-MUTUEL WAGERING

12

13

~~11-25-102.~~ 9-25-301. **Definitions.**

14

15

(a) As used in ~~this act~~ this article and article 4 of
16 this chapter:

17

18

19

(i) "Breeder award" means monies collected
pursuant to W.S. ~~11-25-201(j)~~ 9-25-303(j) and distributed
20 by the ~~commission~~ department to promote the improved
21 breeding and development of the horse industry in Wyoming.

22

Breeder awards may include purse enhancement of Wyoming

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bred races;

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(ii) ~~"Commission" means the Wyoming gaming commission;~~

(iii) "Drug" means any substance foreign to a horse's body as prescribed by the ~~commission~~department;

(iv) "Event" means a pari-mutuel event;

(v) "Pari-mutuel event" means the events which are authorized by the ~~commission~~department for the conduct of horse racing (to include quarter horse, thoroughbred or other approved races), harness racing, cutter racing, chariot racing, chuckwagon racing, professional roping and rodeo events and simulcasting of dog racing and the events described in this paragraph as prescribed by the ~~commission~~department. Notwithstanding W.S. 6-7-101(a)(iv) and ~~11-25-203-9-25-305~~, the ~~commission~~department may authorize and promulgate rules providing for pari-mutuel wagering on events that have previously occurred, utilizing an electronic system or device that affords an opportunity for the exercise of skill or judgment where the outcome is not completely controlled by chance alone;

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4 STAFF COMMENT

5 Statutes governing historic horse racing
6 (simulcasting/pari-mutuel wagering on events that
7 previously occurred) are scattered within the pari-mutuel
8 statutes and could be recreated in a new standalone
9 section.

10 *****

11 *****

12

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

26

27 (vii) "Simulcasting" means the sale of pari-
28 mutuel pools electronically transmitted live or historic on

1 interstate or intrastate pari-mutuel events as prescribed
2 by the ~~commission~~department. The ~~commission~~department
3 shall authorize simulcasting subject to the following
4 conditions:

5
6 (A) Simulcasting ~~may~~shall be conducted
7 only by a holder of a permit to simulcast issued under this
8 act. The permit shall be authorized by the ~~commission~~
9 department for a period not to exceed three (3) years from
10 the date of issuance. The ~~commissioners~~department shall
11 issue a simulcast permit only to an applicant authorized
12 under this ~~act~~article to conduct a pari-mutuel event other
13 than simulcasting;

14
15 (B) Simulcasting ~~may~~shall be conducted off
16 the permitted premises only if the board of county
17 commissioners of the county in which such simulcasting will
18 be conducted grants its approval;

19
20 (C) No simulcasting ~~may~~shall be conducted
21 within one hundred (100) miles of any premises permitted
22 under this ~~act~~article, except that the ~~commission~~
23 department may waive the one hundred (100) mile limitation

1 if the simulcast permit application includes written
2 approval from the permittee whose permitted premises is
3 within the one hundred (100) mile limitation;

4

5 *****
6 *****

7 STAFF COMMENT

8 Note that subparagraph (C) above specifies simulcasting
9 shall not be conducted within 100 miles of a premises
10 permitted while Chapter 10, Section 7 of the Gaming
11 Commission rules specifies that simulcasting shall not be
12 conducted within 100 miles during the time a live pari-
13 mutuel event is held.

14 *****
15 *****

16
17 (D) The ~~commission~~department shall
18 promulgate rules for conducting simulcasting as are
19 reasonably necessary to protect the public interest.

20

21 ~~(viii) "This act" means W.S. 11-25-101 through~~
22 ~~11-25-306;~~

23

24 (ix) "Multiple wagering" means wagers which
25 consist of a single betting interest on two (2) entries;

26

27 (x) "Exotic wagering" means wagers which consist
28 of a single betting interest on three (3) or more entries;

29

1 (xi) "Advance deposit pari-mutuel wager" means a
2 wager in which a person who has opened an account in
3 advance with a licensee can place wagers from this account
4 in person, by telephone or other electronic means;

5

6 (xii) "Horsemen's association" means the
7 association that represents the majority of the owners and
8 trainers licensed by the ~~commission~~department to race
9 horses at an event;

10

11 (xiii) "Out-of-state simulcast facility" means a
12 track or other facility, located within a jurisdiction
13 other than Wyoming, at which pari-mutuel wagers are placed,
14 accepted or distributed, either in person or
15 electronically, on simulcast races pursuant to proper
16 authorization under the laws of that jurisdiction;

17

18 (xiv) "Source market fee" means a license fee,
19 assessed by the ~~commission~~department pursuant to W.S. ~~11-~~
20 ~~25-201(m)~~9-25-303(m), payable by out-of-state simulcast
21 facilities that conduct pari-mutuel wagering on simulcast
22 races and that accept wagers from Wyoming residents by
23 telephone or other electronic means at those facilities;

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~~(xv) "Net proceeds" means all revenue less the payment to the player;~~

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(xvi) "Establishment" means a single physical place of business that operates as a truck stop, smoke shop or that is licensed or permitted to sell alcoholic liquor or malt beverages under W.S. 12-2-203(g), 12-4-201, 12-4-301, 12-4-401, 12-4-407, 12-4-413, 12-4-414 or 12-4-415;

(xvii) "Operator" means a person who possesses and operates an establishment where skill based amusement games may be played for profit;

(xviii) "Skill" means a player's knowledge, dexterity or any other ability or expertise relevant to game play;

(xix) "Skill based amusement game" means a game played in exchange for consideration of cash, credit or other thing of value on a fixed, commercial electrical gaming device in which the bona fide skill of the player, determined by an individual's level of strategy and skill,

1 rather than any inherent element of chance, is the primary
2 factor in determining the outcome and for which the player
3 may be awarded a prize or other thing of value for a
4 successful outcome. "Skill based amusement game" shall not
5 include any game played for prizes of nominal value as
6 provided by rule of the ~~commission~~department;

7

8 (xx) "Vendor" means a person who owns and
9 distributes a skill based amusement game to an operator for
10 profit;

11

12 (xxi) "Truck stop" means a business premises
13 that is:

14

15 (A) Equipped with diesel islands used for
16 fueling commercial motor vehicles and that sells on average
17 one hundred twenty-five thousand (125,000) gallons of
18 diesel or biodiesel fuel each month based on the previous
19 twelve (12) months of sales; and

20

21 (B) Located on a parcel of land of not less
22 than two (2) acres that is either owned or leased by the

1 business and which includes a convenience store with
2 parking spaces dedicated to commercial motor vehicle use.

3

4 (xxii) "Smoke shop" means a retailer as defined
5 in W.S. 14-3-301(a)(iii) that derives fifty percent (50%)
6 or more of its gross annual revenue from nicotine products
7 as defined by W.S. 14-3-301(a)(vi).

8

9 ~~11-25-1049-25-302.~~ **Financial interest in events;**
10 **licenses generally; rulemaking.**

11

12 ~~(a) The commission shall annually elect from its~~
13 ~~membership a president and vice president, and may employ a~~
14 ~~director who has a working knowledge of pari-mutuel~~
15 ~~betting, horse racing and other forms of gaming regulated~~
16 ~~by the commission or an executive secretary, or both. The~~
17 ~~director may be retained on a yearly basis or for the~~
18 ~~racing season only as determined by the commission. Salary~~
19 ~~for the director or executive secretary shall be determined~~
20 ~~by the commission with the consent of the personnel~~
21 ~~division. The commission may also employ other personnel~~
22 ~~required to carry out this act.~~

23

1 ~~(b) The commission shall hold an annual fall meeting~~
2 ~~in Wyoming and shall hold special meetings at such times~~
3 ~~and places within Wyoming as the majority of the members~~
4 ~~determine. A majority of the commission constitutes a~~
5 ~~quorum and a majority vote of a quorum may act for the~~
6 ~~commission. The secretary of the commission shall keep a~~
7 ~~record of the proceedings of the commission which is open~~
8 ~~at all times for public inspection. Legislative liaisons~~
9 ~~shall be considered members of the governing body of the~~
10 ~~commission for purposes of attending executive sessions~~
11 ~~held pursuant to W.S. 16-4-405(a) only.~~

12

13 ~~(c) Any member of the commission who has a personal~~
14 ~~or private interest in any matter proposed or pending~~
15 ~~before the commission shall publicly disclose this fact to~~
16 ~~the commission and shall not vote on the matter.~~

17

18 (d) Any ~~member of the commission~~ employee of the
19 department who owns or has any interest, or whose spouse or
20 member of his immediate family has any interest, in any
21 ~~activity~~ pari-mutuel event regulated by the ~~commission~~
22 department or in an animal participating in a pari-mutuel
23 event shall disclose that interest and shall not

1 participate in any ~~commission~~department decision involving
2 a protest regarding that activity or occurring at that
3 pari-mutuel event.

4
5 (e) The ~~commission~~department may authorize by
6 license or permit and supervise all the conduct of all
7 events provided for and regulated by this ~~act~~article. The
8 ~~commission~~department may make reasonable rules for the
9 control, supervision and direction of applicants,
10 permittees and licensees. The rules shall include
11 procedures for resolving scheduling conflicts and settling
12 disputes between permittees, for the supervising,
13 disciplining, suspending, fining and barring from pari-
14 mutuel events of all persons required to be licensed or
15 permitted by this ~~act~~article, and for the holding,
16 conducting and operating of all pari-mutuel events pursuant
17 to this ~~act~~article. The ~~commission~~department may require
18 that license applicants be fingerprinted for identification
19 purposes as a condition of licensing. The ~~commission~~
20 department shall announce the place, time and duration of
21 pari-mutuel events for which license or permit fees shall
22 be required and establish reasonable fees for all licenses
23 and permits provided for by this ~~act~~article. The fees

1 shall be established to ensure that the costs of
2 administering this ~~act~~article are recovered through the
3 total revenues received under this ~~act~~article. The
4 ~~commission~~department shall establish security access
5 safeguards for licensees to use for advance deposit pari-
6 mutuel wagering. The ~~commission~~department shall prohibit
7 advance deposit pari-mutuel advertising that it determines
8 to be deceptive to the public.

9

10 (f) Each permittee, participant and employee of a
11 permittee or participant who is directly involved in the
12 horse racing or pari-mutuel wagering activities of the
13 permittee or participant, as defined in ~~commission~~
14 department rule and regulation, shall be licensed by the
15 ~~commission~~department and shall comply with all rules and
16 regulations and all orders issued by the ~~commission~~
17 department. No person shall hold any event with pari-
18 mutuel wagering without obtaining a permit.

19

20 (g) The ~~commission~~department may delegate authority
21 to enforce rules of the ~~commission~~department and this ~~act~~
22 article to three (3) stewards at each pari-mutuel event, at
23 least one (1) of whom shall be an employee of and selected

1 by the ~~commission~~department. The ~~commission~~department
2 shall require at least one (1) steward to supervise each
3 simulcast location that is approved by the ~~commission~~
4 department. Stewards shall exercise such reasonable and
5 necessary authority as is designated by rules of the
6 ~~commission~~department including the following:

7

8 (i) Enforce rules of the ~~commission~~department
9 and this ~~act~~article;

10

11 (ii) Rule on the outcome of events;

12

13 (iii) Levy fines not to exceed one thousand
14 dollars (\$1,000.00) for violations of rules of the
15 ~~commission~~department. Violations shall be reported daily
16 and fines paid to the ~~commission~~department within forty-
17 eight (48) hours of imposition and notice;

18

19 (iv) Suspend licenses not to exceed thirty (30)
20 calendar days for violations of rules of the ~~commission~~
21 department. Suspensions shall be reported to the ~~commission~~
22 department daily;

23

1 (v) Recommend the ~~commission~~department impose
2 fines or suspensions greater than permitted by paragraphs
3 (iii) and (iv) of this subsection.

4

5 (h) Only a licensed steward of the permitted event
6 may impose fines or license suspensions except that a
7 starter may impose fines when horses arrive at the gate
8 until off time in an amount not exceeding two hundred
9 dollars (\$200.00).

10

11 (j) Any fine or license suspension imposed by a
12 steward or fine imposed by a starter may be appealed in
13 writing to the ~~commission~~department within five (5) days
14 after its imposition. The ~~commission~~department may affirm
15 or reverse the decision of a steward or starter or may
16 increase or decrease any fine or suspension. A fine
17 imposed by the ~~commission~~department shall not exceed ten
18 thousand dollars (\$10,000.00). Suspensions of a license may
19 be for any period of time, but shall be commensurate with
20 the seriousness of the offense.

21

22 (k) The ~~commission~~department shall access criminal
23 history record information for ~~all operators and vendors~~

1 ~~under article 3 of this chapter and~~ all licensees, and
2 permittees under this article, ~~and employees of the~~
3 ~~commission under~~ subject to W.S. 9-1-627(d). ~~for the~~
4 ~~purposes of this act.~~ Every applicant for a permit or
5 license under this ~~act~~ article shall provide the ~~commission~~
6 department fingerprints and other information necessary for
7 a criminal history record background check as provided
8 under W.S. 7-19-201.

9

10 (m) The ~~commission~~ department shall establish the
11 number of actual live horse racing or pari-mutuel event
12 days required to qualify for a simulcasting permit. The
13 ~~commission~~ department shall adopt rules governing
14 establishment of live horse racing or pari-mutuel event
15 days required for a simulcasting permit in a manner that
16 ensures fair and equitable involvement of all affected
17 parties, including consideration of the economic viability
18 of those days to permit applicants.

19

20 ~~(n) Commencing July 1, 2020, any person conducting an~~
21 ~~activity as specified by W.S. 6-7-101(a)(iii)(D) or (F)~~
22 ~~shall first obtain a license from the commission. Under~~
23 ~~this subsection, the commission shall not charge license~~

1 ~~applicants any fee and shall not require any fee for any~~
2 ~~license issued. Any person required to be licensed under~~
3 ~~this subsection shall file an annual report with the~~
4 ~~commission as specified by rule.~~

5

6 ~~(o) In addition to all other duties, the commission,~~
7 ~~in the reasonable exercise of its discretion, shall:~~

8

9 ~~(i) Enforce W.S. 6-7-101 through 6-7-104;~~

10

11 ~~(ii) Regulate online sports wagering and sports~~
12 ~~wagering operators and vendors under W.S. 9-24-101 through~~
13 ~~9-24-106.~~

14

15 ~~11-25-201~~9-25-303. **Pari-mutuel permits; fees and**
16 **reports; disposition of funds; enforcement of provisions.**

17

18 (a) The ~~commission~~department may issue pari-mutuel
19 permits for a specified period not to exceed three (3)
20 years from the date of issuance to any Wyoming county,
21 city, incorporated town, county fair board or any
22 corporation or association which has been approved by the
23 board of county commissioners and provides a bond

1 acceptable to the ~~commission~~department. No permit shall be
2 granted to any city, town, county, county fair board or any
3 corporation or association except upon the express
4 condition that it shall not, by any lease, contract,
5 understanding or arrangement of whatever kind or nature,
6 grant, assign or turn over to any person, corporation or
7 association the operation or management of the pari-mutuel
8 event permitted under this ~~act~~article or of the pari-
9 mutuel system of wagering or in any manner permit any
10 person, corporation or association to retain any of the
11 money received for admission to the race meeting or from
12 the operations of the pari-mutuel system. The ~~commission~~
13 department shall revoke the permit of any permittee for any
14 violation of ~~the foregoing condition~~this subsection and
15 such acts are a violation of this ~~act~~article. The permit
16 is effective only for the times and at the places for which
17 issued. In addition to all other fees and charges, there
18 shall be charged before issuance of a permit a daily fee
19 established by the ~~commission~~department to defray expenses
20 of enforcing this ~~act~~article.

21

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

1

2 (i) File a report with the ~~commission~~department
3 showing the total amount of money wagered during the
4 period;

5

6 (ii) Pay an amount equal to one-quarter percent
7 (1/4%) of the total amount wagered attributable to historic
8 pari-mutuel events and one and one-half percent (1 1/2%) of
9 the total amount wagered attributable to live pari-mutuel
10 events, shown by the report to the ~~commission~~department,
11 to be credited by the state treasurer to a separate
12 account, in the manner indicated in subsection (d) of this
13 section;

14

15 (iii) Pay an amount equal to one percent (1%) of
16 the total amount wagered attributable to historic pari-
17 mutuel events, shown by the report to the ~~commission~~
18 department, to be transferred by the ~~commission~~department
19 to the county and the city or town in which the permittee
20 is located, in equal shares, or to the county alone if the
21 permittee is not located within the boundaries of a city or
22 town. The county, city or town receiving an amount under
23 this paragraph may credit that amount to the state fair

1 account upon a majority vote of the county's, city's or
2 town's governing body; and

3

4 (iv) Pay an amount equal to one-quarter percent
5 (1/4%) of the total amount wagered attributable to historic
6 pari-mutuel events, shown by the report to the ~~commission~~
7 department, to be credited to the legislative stabilization
8 reserve account.

9

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

19

20 (d) All sums paid to the ~~commission~~department under
21 this ~~act~~article except contributions from permittees to
22 the breeder award fund, amounts paid under paragraphs
23 (b)(iii) and (iv) of this section, fines and penalties

1 shall be credited to the pari-mutuel account which shall be
2 used by the ~~commission~~department for the payment of all
3 expenses incurred in enforcing this ~~act~~article. On a
4 quarterly basis, the ~~commission~~department shall transfer
5 amounts within the account in excess of one million five
6 hundred thousand dollars (\$1,500,000.00) to the state
7 treasurer for credit to the legislative stabilization
8 reserve account. All fines and penalties collected under
9 this ~~act~~article shall be paid to the state treasurer and
10 credited as provided in W.S. 8-1-109. The state treasurer
11 shall pay out of the account all warrants drawn by the
12 state auditor, upon vouchers issued and signed by the
13 ~~president, vice president or executive secretary of the~~
14 ~~commission~~director of the department or the director's
15 designee. The ~~commission~~department shall keep an accurate
16 and true account of all funds received and all vouchers
17 issued by the ~~commission~~department. All funds received and
18 all vouchers issued by the ~~commission~~department shall be
19 audited at least biennially by the director of the state
20 department of audit or his designee and a copy of the audit
21 shall be delivered within thirty (30) days after completion
22 to the governor and the ~~commission~~department. The costs of
23 the audit shall be borne by the ~~commission~~department. ~~The~~

1 ~~members of the commission shall receive per diem and~~
2 ~~mileage as provided in W.S. 33-1-302(a)(vii), and~~
3 ~~compensation of fifty dollars (\$50.00) for each day during~~
4 ~~which they are actually engaged in the discharge of their~~
5 ~~duties.~~ The total expenses incurred by the ~~commission~~
6 department under this article shall not exceed the total
7 amount in the pari-mutuel account.

8
9 (e) Applications for permits shall be made to the
10 ~~commission~~ department and shall fully identify the
11 applicant, include a proper financial statement showing the
12 financial responsibility of the applicant, show the purpose
13 and use of the permit and describe the events to be
14 conducted and the arrangements therefor, the manner of
15 wagering and the names and identification of those to
16 supervise the manner of wagering and the controls and
17 supervision by the permittee.

18
19 (f) The ~~commission~~ department may issue, amend or
20 refuse to issue permits in its discretion.

21
22 (g) The rules of racing set forth by the ~~commission~~
23 department shall be made available to all participants of

1 each event, and violations shall be misdemeanors punishable
2 as provided herein.

3

4 (h) The ~~commission~~department shall observe and
5 supervise the conduct of pari-mutuel wagering under permits
6 issued by the ~~commission~~department and shall ~~appoint one~~
7 ~~(1) of its members or~~ employ one (1) or more persons to
8 represent the ~~commission~~department in the administration
9 and enforcement of this ~~act~~article and in the supervision
10 of the conduct of pari-mutuel wagering and the events in
11 connection therewith under each permit issued.
12 ~~Representatives of the commission~~The department shall have
13 access to the events and to the pari-mutuel booths and
14 records. ~~and shall be paid an amount determined by the~~
15 ~~commission plus expenses and mileage as fixed by law for~~
16 ~~state officers, payment therefor to be made by the state~~
17 ~~auditor.~~

18

19 (j) As a condition of receiving a pari-mutuel permit,
20 the permittee shall agree to and shall contribute to the
21 breeder award fund administered by the ~~commission~~
22 department an amount equal to four-tenths of one percent
23 (0.40%) of the total handle wagered during the pari-mutuel

1 event and an additional sum equal to twenty percent (20%)
2 of the additional amount retained pursuant to subsection
3 (c) of this section on multiple or exotic wagers. The
4 contribution shall be derived from the net proceeds of the
5 race meet revenues, other than the permittee's share of the
6 pari-mutuel wagering handle. Contributions shall be used
7 only for breeder awards.

8

9 (k) The ~~commission~~department may authorize advance
10 deposit pari-mutuel wagering at any premise where a pari-
11 mutuel event is authorized, provided that the licensee
12 shall:

13

14 (i) Only accept an advance deposit pari-mutuel
15 wager made by the person owning the account;

16

17 (ii) Ensure the identification of the account
18 owner by using methods and technologies approved by the
19 ~~commission~~department;

20

21 (iii) Provide a full accounting and verification
22 of the sources of wagers at the request of, and in the form
23 provided by, the ~~commission~~department;

1

2 (iv) Allow the ~~commission and agents of the~~
3 ~~commission~~ department access to its premises to determine
4 that the rules and regulations are being followed;

5

6 (v) Not allow minors to open, own or have access
7 to advance deposit pari-mutuel wagering accounts;

8

9 (vi) Include a statement in all forms of
10 advertising for advance deposit pari-mutuel wagering
11 accounts that "minors are not allowed to open or have
12 access to advance deposit pari-mutuel wagering accounts."

13

14 (m) The ~~commission~~ department may license, regulate
15 and charge a source market fee to persons outside of
16 Wyoming who conduct pari-mutuel wagering on simulcast races
17 and who accept wagers from Wyoming residents at out-of-
18 state simulcast facilities, and shall require out-of-state
19 simulcast facilities licensed under this ~~section~~ article to
20 be maintained and operated in accordance with the laws of
21 this state and rules of the ~~commission~~ department. Source
22 market fees imposed on persons licensed under this
23 subsection shall not exceed ten percent (10%) of the gross

1 receipts of all pari-mutuel wagering by Wyoming residents
2 conducted by such persons at out-of-state simulcast
3 facilities. Source market fees collected annually under
4 this subsection shall be distributed as follows:

5

6 (i) Seventy-five percent (75%) to the live flat
7 track permittees in this state on a number of live days
8 basis, to be used to enhance purses at those tracks;

9

10 (ii) Ten percent (10%) to in-state Wyoming
11 simulcast permittees, weighted by the annual simulcast
12 handle other than the advanced deposit wagering handle;

13

14 (iii) Ten percent (10%) to the breeder award
15 fund created under subsection (j) of this section; and

16

17 (iv) Five percent (5%) to the ~~commission~~
18 department for administrative expenses.

19

20 ~~11-25-2029-25-304.~~ **Qualifications as to horses;**
21 **preference to Wyoming bred horses.**

22

1 (a) Every horse entered in any race authorized by a
2 permit issued under this ~~act~~article shall be a
3 thoroughbred horse which means any horse (including mare,
4 gelding, colt and filly) that meets the requirements of and
5 is registered by the Jockey Club of New York, including
6 racing permits issued to foreign thoroughbred horses, or
7 registered as an American quarter horse in the official
8 stud book and registry of the American Quarter Horse
9 Association, or registered as one (1) of another breed
10 which maintains a recognized national stud book and
11 registry.

12

13 (b) Every permittee conducting a pari-mutuel event
14 shall provide each day for the running of at least one (1)
15 race preferred to Wyoming bred horses if Wyoming bred
16 horses are available.

17

18 ~~11-25-2039-25-305.~~ 11-25-2039-25-305. Horses to race under true name;
19 substitution of horses, concealment of identification,
20 prohibited.

21

22 Every horse participating in any event authorized by a
23 permit issued under this ~~act~~article shall participate

1 under its true and registered name, shall be fully and
2 truly identified and shall not participate under any other
3 name or identification. There shall be no substitution of
4 horses nor shall any device whatsoever be used to conceal
5 or confuse the name and identification of any horse.

6

7 ~~11-25-204~~9-25-306. Stimulation or retardation of
8 animals prohibited; tests.

9

10 It is unlawful for any person to use or permit to be used
11 any mechanical or electrical device, or drug of any kind,
12 to stimulate or retard any animal in any event authorized
13 by this ~~act~~article except as prescribed by the ~~commission~~
14 department. ~~A commission member~~The department, a roping
15 judge or race steward may cause such tests to be made as
16 they deem proper to determine whether any animal has been
17 stimulated or retarded. Tests performed in furtherance of
18 this section shall be conducted by or under the supervision
19 of a qualified Wyoming veterinarian.

20

21 ~~11-25-205~~9-25-307. Bribery, touting and betting by
22 minors prohibited.

23

1 (a) It is unlawful for any person to give or promise
2 to give or attempt to give or for any person to receive or
3 agree to receive or attempt to receive, any money, bribe or
4 thing of value with intent to influence any person to
5 dishonestly umpire, manage, direct, judge, preside,
6 officiate at or participate in any event conducted under
7 this ~~act~~article with the intention or purpose that the
8 result of the event will be affected or influenced thereby.
9 Violation of this subsection is a felony punishable by
10 imprisonment for not more than five (5) years, a fine of
11 not more than five thousand dollars (\$5,000.00), or both.

12

13 (b) Any person who knowingly and designedly
14 persuades, procures or causes, or attempts to persuade,
15 procure or cause another person to wager on an animal or
16 roper in any event authorized by this ~~act~~article and asks
17 or demands compensation as a reward for information or
18 purported information given in such case is guilty of
19 unlawful touting. ~~The representative of the commission~~The
20 department may exclude from attendance at or near any event
21 authorized by this ~~act~~article any person who has been
22 convicted of touting and any person who refuses to leave

1 when ordered to do so by the representative is guilty of a
2 misdemeanor.

3

4 (c) No person under the age of eighteen (18) years
5 shall place or be allowed to place a bet under this
6 article.

7

8 (d) Any person who has been convicted of bookmaking,
9 bribery, touting or drugging animals may be evicted from a
10 pari-mutuel event authorized under this article by a
11 steward or roping judge.

12

13 ~~11-25-206~~9-25-308. **County elections as to pari-mutuel**
14 **events.**

15

16 No pari-mutuel event shall be held in any county until the
17 question has been put to the people of the county to accept
18 or reject pari-mutuel wagering. If the election fails no
19 other election shall be held for two (2) years.

20

21 ~~11-25-207~~9-25-309. **Bond of permittees; required;**
22 **conditions; prosecution of actions.**

23

1 (a) The ~~commission~~department may require any
2 permittee other than a political subdivision licensed to
3 conduct an event to provide and deliver to the ~~commission~~
4 department a bond signed by a surety company authorized to
5 do business in this state in such form and amount as
6 specified by the ~~commission~~department, or certificate of
7 deposit, or irrevocable letter of credit, but not less than
8 five thousand dollars (\$5,000.00), conditioned that the
9 permittee will pay to the state of Wyoming all monies due
10 it under this ~~act~~article and will perform such other
11 obligations as may be imposed by the ~~commission~~department.

12

13 (b) The county attorney of the county in which an
14 event is held shall prosecute all action on the bonds on
15 behalf of the state against any permittee for any reason
16 whatever except a cause of action covered by public
17 liability insurance.

18

19 ~~11-25-2089-25-310.~~ Penalties.

20

21 (a) Any person holding or conducting any pari-mutuel
22 event in connection with the pari-mutuel system of wagering
23 without a permit issued ~~in accordance with this act~~under

1 this article, or any person who violates any other
2 provision of this ~~act~~article is guilty of a misdemeanor
3 and shall be fined not more than ten thousand dollars
4 (\$10,000.00), imprisoned for not more than six (6) months,
5 or both.

6
7 ~~(b) The attorney general may, at the request of the~~
8 ~~commission, act on behalf of the commission to prosecute~~
9 ~~criminal actions under this chapter or title 6, chapter 7,~~
10 ~~article 1 of the Wyoming statutes if after a thorough~~
11 ~~investigation the action is deemed advisable by the~~
12 ~~attorney general.~~

13
14 ~~11-25-2009~~9-25-311. **Removal of livestock from quarters**
15 **at county or state fairs.**

16
17 At no time and under no conditions shall any livestock at
18 any county or state fair that are there to be shown be
19 removed from quarters provided for them in order to place
20 ~~pari-mutuel~~ horses competing in pari-mutuel events in the
21 stalls or quarters. Removal shall be cause for rescinding
22 the permit for the pari-mutuel event.

23

1 ~~11-25-301~~9-25-402. Skill based amusement games
2 authorization; department authority; applicability.

3

4 (a) Skill based amusement games operating in the
5 state in accordance with the provisions of 2020 Wyoming
6 Session Laws, Chapter 114 shall be allowed to continue
7 operation in accordance with the requirements of this
8 article and rules of the ~~commission~~department.

9

10 (b) A skill based amusement game that meets the
11 requirements of this article shall be approved by the
12 ~~commission~~department to operate in the state or it shall
13 be removed from the state by the vendor.

14

15 (c) The ~~commission~~department shall promulgate any
16 necessary rules to administer and enforce this article. The
17 rules may include provisions for the control, supervision,
18 direction, discipline, suspension or fining of any person
19 for violation of this article or rules adopted in
20 accordance with this article.

21

22 ~~11-25-302~~9-25-403. Laboratory report required.

23

1 (a) Each vendor shall provide for a nationally
2 recognized, independent gaming laboratory approved by the
3 ~~commission~~department to submit to the ~~commission~~
4 department a general functional evaluation laboratory
5 report regarding the software installed on each skill based
6 amusement game indicating whether the skill based amusement
7 game is in compliance with this article. Any skill based
8 amusement game that does not meet the requirements of this
9 article shall immediately be removed from the state by the
10 vendor.

11

12 (b) Any alterations, modifications or updates to the
13 software or hardware of any skill based amusement game
14 shall require the vendor to submit to the ~~commission~~
15 department a new laboratory report as required under
16 subsection (a) of this section before the game may be used
17 for play at an establishment.

18

19 ~~11-25-3039-25-404.~~ **Restrictions on operation of skill**
20 **based amusement games.**

21

22 (a) No skill based amusement game shall allow a game
23 play of more than three dollars (\$3.00) per play.

1

2 (b) No skill based amusement game shall allow a
3 payout of more than three thousand dollars (\$3,000.00) per
4 play.

5

6 (c) No establishment shall have more than four (4)
7 skill based amusement games operating for play at any one
8 (1) time.

9

10 (d) Skill based amusement games shall only be located
11 for play at an establishment, except as provided in
12 subsection (e) of this section. An operator shall not
13 locate a skill based amusement game in an area of the
14 establishment into which a person under the age of twenty-
15 one (21) years may enter. An operator shall conspicuously
16 mark each area of the establishment containing a skill
17 based amusement game as an age restricted area. The
18 operator shall not allow a person under the age of twenty-
19 one (21) years to play a skill based amusement game.

20

21 (e) Any operator who, before September 14, 2022 had a
22 skill based amusement game located at a place of business
23 that does not meet the definition of "establishment" in

1 W.S. 11-25-102(a)(xvi) as it existed on April 1, 2023 shall
2 be authorized to continue operating skill based amusement
3 games if the operator otherwise meets the requirements to
4 operate a skill based amusement game.

5

6 ~~11-25-304~~9-25-405. Required permits and licenses;
7 applicable fees; tax imposition; taxation rate;
8 distribution.

9

10 (a) Any person seeking to obtain or renew any
11 license, permit or decal as required under this section
12 article shall submit an application to the ~~commission~~
13 department on a form prescribed by the ~~commission~~
14 department. Upon approval of an application by the
15 ~~commission~~department:

16

17 (i) An operator shall be issued a permit and
18 required to pay an annual fee of two hundred fifty dollars
19 (\$250.00) to have skill based amusement games operating for
20 play in the operator's establishment;

21

22 (ii) A vendor shall be issued a license and
23 required to pay an annual fee of two thousand five hundred

1 dollars (\$2,500.00) to possess and distribute skill based
2 amusement games.

3

4 (b) Skill based amusement games that meet the
5 requirements of this article shall bear a ~~commission~~
6 department issued decal that identifies the vendor of the
7 game. Each decal shall be valid for one (1) year. No skill
8 based amusement game shall be operational unless it bears a
9 current ~~commission~~department issued decal. The ~~commission~~
10 department shall charge the vendor a fee of fifty dollars
11 (\$50.00) for a decal. Each decal shall include the bucking
12 horse and rider emblem.

13

14 (c) The fees required under subsections (a) and (b)
15 of this section shall be paid on or before July 1 of each
16 year and shall be deposited in the commission gaming
17 account created under 2020 Wyoming Session Laws, Chapter
18 114 and hereby continued and renamed as the skill based
19 amusement gaming account under this subsection. Funds
20 within the account are continuously appropriated to the
21 ~~commission~~department to pay for reasonable expenses
22 incurred to administer this article.

23

1 (d) Taxes shall be calculated and paid on a weekly
2 basis based on the net proceeds earned during the prior
3 week on skill based amusement games. On a weekly basis, the
4 vendor shall remit to the ~~commission~~department an amount
5 equivalent to twenty percent (20%) of the net proceeds
6 earned during the prior week on the vendor's skill based
7 amusement games. The taxes imposed under this subsection
8 may be prepaid as provided by rule of the ~~commission~~
9 department. The ~~commission~~department shall remit these
10 monies to the state treasurer for deposit in the ~~commission~~
11 skill based amusement gaming account and for distribution
12 of the tax as follows:

13

14 (i) Forty-five percent (45%) to the county and
15 the city or town in which the skill based amusement game is
16 located, in equal shares, or to the county alone if the
17 skill based amusement game is not located within the
18 boundaries of a city or town;

19

20 (ii) Forty-five percent (45%) to the school
21 foundation program account;

22

1 (iii) Ten percent (10%) to the ~~commission~~skill
2 based amusement gaming account.

3

4 (e) The department shall access criminal history
5 record information for all licensees and permittees under
6 this article, subject to W.S. 9-1-627(d). Every applicant
7 for a permit or license under this article shall provide
8 the department fingerprints and other information necessary
9 for a criminal history record background check as provided
10 under W.S. 7-19-201.

11

12 ~~11-25-3059-25-406.~~ **Operator permit, vendor license**
13 **and skill based amusement game decal approval; criteria;**
14 **review.**

15

16 (a) The ~~commission~~department shall, not more than
17 sixty (60) days after the date of receipt of an application
18 or application for renewal for an operator permit, vendor
19 license or skill based amusement game decal under W.S. ~~11-~~
20 ~~25-304-9-25-405~~ either:

21

22 (i) Issue the permit, license or decal; or

23

1 (ii) Deny the application based on the grounds
2 that the applicant failed to qualify as provided by
3 subsection (b) of this section.

4

5 (b) The ~~commission~~department shall deny any
6 application under this article upon finding any of the
7 following:

8

9 (i) The applicant has been convicted of,
10 forfeited bail on or pleaded guilty within ten (10) years
11 before the date of filing the application to:

12

13 (A) A crime involving theft, dishonesty or
14 fraud;

15

16 (B) Bribery or unlawfully influencing a
17 public official;

18

19 (C) A felony involving physical harm to an
20 individual; or

21

22 (D) Any other crime identified by
23 ~~commission~~department rules that negatively impacts the

1 applicant's credibility or the security, integrity or
2 fairness of play of skill based amusement games operated by
3 the applicant.

4

5 (ii) The applicant tampered with submitted
6 documentation or concealed, failed to disclose or otherwise
7 attempted to mislead the ~~commission~~department with respect
8 to any material fact contained in the application or
9 contained in any other information required of or submitted
10 by an applicant to the ~~commission~~department;

11

12 (iii) The applicant failed or refused to
13 cooperate in the investigation of a crime relating to
14 gambling, corruption of a public official or any organized
15 criminal activity;

16

17 (iv) The applicant failed to otherwise meet the
18 requirements imposed under this article.

19

20 (c) Operators shall have a continuing duty to
21 disclose in writing any material change in the information
22 provided in the application to the ~~commission~~department,
23 including:

1

2 (i) Changes to names and contact information;

3

4 (ii) Arrests, convictions, guilty pleas,
5 disciplinary actions or license denials in Wyoming and any
6 other jurisdiction;

7

8 (iii) Any civil action brought against the
9 operator or establishment; and

10

11 (iv) Any other information required by
12 ~~commission~~department rules.

13

14 (d) If the ~~commission~~department denies an
15 application or intends to revoke or suspend a license or
16 permit issued under this article, it shall notify the
17 applicant, licensee or permittee in writing, stating the
18 grounds for denial, revocation or suspension and informing
19 the person of a right to submit, before not more than
20 thirty (30) days, any additional documentation relating to
21 the grounds of denial, revocation or suspension. Upon
22 receiving any additional documentation, the ~~commission~~
23 department shall reconsider its decision and inform the

1 applicant before not more than twenty (20) days of the
2 result of the reconsideration. A denial of an application
3 under this article shall be subject to the contested case
4 procedures of the Wyoming Administrative Procedure Act.

5

6 ~~11-25-306~~9-25-407. **Penalties.**

7

8 Any person who violates any provision of this article is
9 guilty of a misdemeanor and shall be fined not more than
10 ten thousand dollars (\$10,000.00), imprisoned for not more
11 than six (6) months, or both. Each violation of this
12 ~~section~~article shall constitute a separate offense.

13

14 ARTICLE 5

15 ONLINE SPORTS WAGERING

16

17 ~~9-24-101~~9-25-501. **Definitions.**

18

19 (a) As used in this ~~chapter~~article:

20

21 (i) "Cash equivalent" means an asset that is
22 convertible to cash and approved for use in connection with
23 online sports wagering. Approved cash equivalents include:

1

2

(A) Travelers checks;

3

4

(B) Foreign currency and coin;

5

6

7

(C) Certified checks, cashier's checks and
money orders;

8

9

(D) Personal checks and drafts;

10

11

(E) Digital, crypto and virtual currencies;

12

13

14

(F) Online and mobile payment systems that
support online money transfers;

15

16

(G) Credit cards and debit cards;

17

18

(H) Prepaid access instruments;

19

20

21

22

23

(J) Any other form of asset that is
convertible to cash approved by ~~commission~~department
rules.

1 ~~(ii) "Commission" means the Wyoming gaming~~
2 ~~commission;~~

3
4 ~~(iii) "Director" means the executive director of~~
5 ~~the commission;~~

6
7 (iv) "Fantasy sports contest" means a simulated
8 game or contest with an entry fee that meets all of the
9 following conditions:

10

11 (A) No fantasy sports contest team is
12 composed entirely of individual contestants who are members
13 of the same real world sports team;

14

15 (B) Each prize and award or the value of
16 all prizes and awards offered to winning fantasy sports
17 contest players is made known to the fantasy sports contest
18 players in advance of the fantasy sports contest;

19

20 (C) Each winning outcome reflects the
21 relative knowledge and skill of the fantasy sports contest
22 players and is determined by the aggregated statistical
23 results of the performance of multiple individual

1 contestants who each fantasy sports contest player has
2 selected to form that player's fantasy sports contest team.
3 The individual performances of the individual contestants
4 in the fantasy sports contest directly correspond with the
5 actual performances of those contestants in a real world
6 sporting event in which those individuals participated;

7

8 (D) A winning outcome is not based on the
9 performance of a single real world sports team, any
10 combination of real world sports teams or a single
11 contestant in a real world sporting event, nor is it based
12 on the score or point spread of one (1) or more real world
13 sporting events;

14

15 (E) The fantasy sports contest does not
16 constitute or involve a slot machine or a fixed, commercial
17 electrical gaming device.

18

19 (v) "Fantasy sports contest player" means a
20 person who engages in selecting individual contestants to
21 comprise a team for a fantasy sports contest;

22

1 (vi) "Online sports wagering" means engaging in
2 sports wagering conducted by a sports wagering operator
3 through a sports wagering account over the internet by use
4 of a computer, digital platform or mobile application on a
5 mobile device, any of which uses communications technology
6 to accept sports wagers or any system or method of
7 electronic sports wagering approved by commission
8 department rules. "Online sports wagering" shall not
9 include or be conducted from any physical location created
10 by a sports wagering operator or vendor for a patron to
11 physically visit to place a wager;

12

13 (vii) "Online sports wagering revenue" means the
14 total of all wagers placed by patrons with an online sports
15 wagering operator, excluding the actual dollar value of
16 free wagers and promotional play provided, minus all
17 payments to patrons and minus any applicable federal excise
18 taxes. Payments to patrons include all payments of cash,
19 cash equivalents, merchandise and any other thing of value;

20

21 (viii) "Patron" means a person who places an
22 online sports wagering wager;

23

1 (ix) "Prohibited sports wager" means:

2

3 (A) A wager involving any sporting event or
4 other event where the majority of contestants or athletes
5 in the sporting event are under the age of eighteen (18)
6 years;

7

8 (B) Any wagering category not authorized by
9 law or ~~commission~~department rules adopted in compliance
10 with law.

11

12 (x) "Qualified gaming entity" means a gaming
13 entity that offers online sports wagering through
14 computers, digital platforms or mobile applications in not
15 less than three (3) jurisdictions in the United States
16 pursuant to a state regulatory structure;

17

18 (xi) "Sporting event" means any professional
19 sports event or athletic event, any Olympic or
20 international sports event or athletic event, any amateur
21 sports event or athletic event, any collegiate sports event
22 or athletic event, electronic sports, or any portion
23 thereof, including the individual performance statistics of

1 contestants or athletes in sports events, athletic events
2 or a combination of sports and athletic events, or any
3 other event approved by ~~commission~~department rules;

4

5 (xii) "Sports wagering" means the business of
6 accepting wagers from patrons on sporting events through
7 online sports wagering. "Sports wagering" wagers include
8 single game bets, teaser bets, parlays, over-under,
9 moneyline, pools, exchange wagering, in-game wagering, in-
10 play bets, proposition bets and straight bets. "Sports
11 wagering" shall not include any of the following:

12

13 (A) Activities other than online sports
14 wagering that are exempted from criminal penalties under
15 W.S. 6-7-101 through 6-7-104;

16

17 (B) Activities outside of this ~~chapter~~
18 article authorized or regulated by the ~~commission~~
19 department;

20

21 (C) Lotteries authorized by law;

22

23 (D) Fantasy sports contests;

1

2

(E) Prohibited sports wagers.

3

4

(xiii) "Sports wagering account" means a financial record established by a sports wagering operator for an individual patron into which the patron may deposit and from which the patron may withdraw funds for sports wagering and other purchases, and into which the sports wagering operator may credit winnings or other amounts due to that patron or authorized by that patron. In compliance with any other applicable law, a sports wagering account may be established electronically through an approved mobile application or digital platform;

14

15

(xiv) "Sports wagering operator" means any qualified gaming entity authorized by the ~~commission~~ department to accept online sports wagers;

18

19

(xv) "Sports wagering vendor" means a vendor that provides services to a sports wagering operator that the sports wagering operator uses to accept online sports wagers, including geolocation services, know your customer services, payment processors, server host providers,

23

1 integrity monitoring services, cyber security services and
2 data providers;

3

4 (xvi) "Critical component" means any part or
5 component of a mobile application or digital platform that:

6

7 (A) Records, stores, processes, shares,
8 transmits or receives sensitive information, including
9 validation numbers and personal identification numbers; or

10

11 (B) Stores the results or the current
12 status of a patron's wager with an online sports wagering
13 operator.

14

15 (xvii) "Key personnel" means any person employed
16 in an executive or supervisory capacity by a license
17 holder, permit holder or applicant and who is authorized to
18 make discretionary decisions that exhibit influence or
19 control over gaming operations.

20

21 ~~9-24-102~~9-25-502. Online sports wagering regulation;
22 rulemaking.

23

1 (a) The ~~commission~~department shall regulate online
2 sports wagering and sports wagering operators and vendors.

3

4 (b) The ~~commission~~department shall promulgate rules
5 to implement this ~~chapter~~article. The rules the ~~commission~~
6 department promulgates shall establish standards and
7 procedures for online sports wagering and associated sports
8 wagering systems. The rules shall include:

9

10 (i) Governance of the conduct of online sports
11 wagering and the system of wagering associated with online
12 sports wagering, including all of the following:

13

14 (A) Terms and conditions for online sports
15 wagering that are compliant with all applicable federal
16 laws;

17

18 (B) Identification of the sporting events
19 upon which online sports wagers may be accepted and methods
20 of play;

21

22 (C) The manner in which online sports
23 wagers are received and payoffs are remitted;

1

2 (D) Procedures for managing and resolving
3 suspected cheating, sports wagering irregularities and
4 complaints;

5

6 (E) A requirement that for a patron to make
7 a lawful wager the patron must be physically present in the
8 state when making the wager unless otherwise authorized by
9 the ~~commission~~department;

10

11 (F) A requirement for each sports wagering
12 operator to use a geolocation system to ensure that a
13 patron making an online sports wager is physically present
14 in the state when making the wager unless otherwise
15 authorized by the ~~commission~~department;

16

17 (G) Internal controls for all aspects of
18 online sports wagering, including procedures for system
19 integrity, system security, operations and accounting;

20

21 (H) Operational controls for online gaming
22 accounts;

23

1 (J) Procedures to ensure that sports
2 wagering operators do not offer prohibited sports wagers.

3

4 (ii) Establishing the method for calculating
5 online sports wagering revenue and standards for the
6 counting and recording of cash and cash equivalents
7 received in the conduct of online sports wagering, to
8 include methods for ensuring that internal controls are
9 followed, financial records are maintained and audits are
10 conducted;

11

12 (iii) Reasonable minimum qualifications for
13 sports wagering operators;

14

15 (iv) Any other matters necessary for overseeing
16 online sports wagering and sports wagering operators and
17 vendors.

18

19 (c) In promulgating rules pursuant to this ~~section~~
20 article, the ~~commission~~department shall examine the
21 regulations implemented in other states where online sports
22 wagering is conducted and shall, as far as practicable,

1 adopt a similar regulatory framework to maximize revenue
2 generated for the state.

3

4 ~~9-24-103~~9-25-503. **Permits; licenses; fees;**
5 **application.**

6

7 (a) A sports wagering operator shall possess a permit
8 issued by the ~~commission~~department to accept online sports
9 wagers. No person shall accept online sports wagers without
10 holding a valid permit issued by the ~~commission~~department.

11

12 (b) A qualified gaming entity applying for a sports
13 wagering operator permit shall do so on a uniform
14 application furnished by the ~~commission~~department. The fee
15 for both an initial application and renewal application
16 shall be two thousand five hundred dollars (\$2,500.00). The
17 application shall require an applicant, at a minimum, to
18 provide:

19

20 (i) The full name, current address and contact
21 information of the applicant;

22

1 (ii) Disclosure of each person who has control
2 of the applicant as described in subsection (g) of this
3 section;

4

5 (iii) The applicant's fingerprints and the
6 fingerprints of individuals identified in subsection (g) of
7 this section considered to have control of an applicant or
8 permit holder;

9

10 (iv) Allowance for the ~~commission~~department to
11 obtain fingerprints and to conduct a national criminal
12 history record check of the applicant, each individual
13 disclosed under subsection (g) of this section and each
14 person required to be licensed under subsections (p) and
15 (q) of this section in accordance with procedures
16 established by the ~~commission~~department. This subsection
17 shall not require an applicant or individual who has
18 submitted to a criminal background check in this or any
19 other state within the twelve (12) months before submitting
20 the application to resubmit to another criminal background
21 check provided that the applicant or individual submits the
22 results of the previous criminal background check and
23 affirms that there has been no material change in the

1 criminal history since the time of the criminal background
2 check. The cost of the criminal history record background
3 check shall be paid using a portion of the applicant's
4 application fee;

5

6 (v) Other information and permissions as
7 requested by the ~~commission~~department;

8

9 (vi) For the applicant and each person disclosed
10 under subsection (g) of this section, a record of previous
11 issuances and denials of any gambling related license or
12 application under Wyoming statutes or in any other
13 jurisdiction in the United States;

14

15 (vii) Any additional information required by
16 ~~commission~~department rules.

17

18 (c) The ~~commission~~department shall charge a permit
19 fee of one hundred thousand dollars (\$100,000.00) for an
20 initial sports wagering operator permit. An initial permit
21 and any renewal permit shall each be valid for five (5)
22 years. The ~~commission~~department shall charge a fee of

1 fifty thousand dollars (\$50,000.00) for a sports wagering
2 operator permit renewal.

3

4 (d) A sports wagering vendor shall possess a permit
5 issued by the ~~commission~~department to conduct business in
6 the state. No person shall provide vendor services to a
7 sports wagering operator without holding a valid permit
8 issued by the ~~commission~~department.

9

10 (e) The ~~commission~~department shall charge a fee of
11 ten thousand dollars (\$10,000.00) for an initial sports
12 wagering vendor permit. An initial permit and any renewal
13 permit shall each be valid for five (5) years. The
14 ~~commission~~department shall charge a fee of five thousand
15 dollars (\$5,000.00) for a sports wagering vendor permit
16 renewal.

17

18 (f) Sports wagering operator fees, sports wagering
19 vendor permit fees and license fees charged pursuant to
20 subsections (c), (e), (p) and (q) of this section shall be
21 deposited in the sports wagering account, which is hereby
22 created. Subject to legislative appropriation, amounts
23 within the account may be used by the ~~commission~~department

1 for all expenses incurred in administering this ~~chapter~~
2 article. On a quarterly basis, the ~~commission~~department
3 shall transfer amounts within the account in excess of five
4 hundred thousand dollars (\$500,000.00) to the state
5 treasurer for credit to the general fund.

6

7 (g) The following persons are considered to have
8 control of a sports wagering operator permit applicant or
9 permit holder:

10

11 (i) Each holding company, parent company or
12 subsidiary company of the applicant or permit holder;

13

14 (ii) Each person, except for a bank or other
15 licensed lending institution that holds a mortgage or other
16 lien acquired in the ordinary course of business, who owns
17 fifteen percent (15%) or more of a corporate applicant or
18 permit holder and has the ability to:

19

20 (A) Control the activities of the corporate
21 applicant or permit holder; or

22

1 (B) Elect a majority of the board of
2 directors of that corporate applicant or permit holder.

3

4 (iii) Each person associated with a noncorporate
5 applicant or permit holder who directly or indirectly holds
6 a beneficial or proprietary interest in the noncorporate
7 applicant's or permit holder's business operations or who
8 the ~~commission~~department otherwise determines has the
9 ability to control the noncorporate applicant or permit
10 holder;

11

12 (iv) Key personnel of an applicant or permit
13 holder, including any executive, employee or agent having
14 the power to exercise ultimate decision making authority
15 over the applicant's or permit holder's sports wagering
16 operations in this state.

17

18 (h) The ~~commission~~department shall, not more than
19 ninety (90) days after the date of receipt of an
20 application for a permit or license or application for
21 renewal of a permit or license under this ~~section~~article,
22 either:

23

1 (i) Issue the permit or license; or

2

3 (ii) Deny the application based on the grounds
4 that the applicant failed to qualify as provided by
5 subsection (j) of this section.

6

7 (j) The ~~commission~~department shall deny an
8 application under this article upon finding any of the
9 following:

10

11 (i) The applicant or permit holder has been
12 convicted of, forfeited bail on or pleaded guilty to:

13

14 (A) A crime involving theft, dishonesty or
15 fraud;

16

17 (B) Bribery or unlawfully influencing a
18 public official;

19

20 (C) A felony crime involving physical harm
21 to a person; or

22

1 (D) Any other crime identified by rule of
2 the ~~commission~~department that negatively impacts the
3 applicant's credibility or the security, integrity or
4 fairness of online sports wagering.

5
6 (ii) The applicant tampered with submitted
7 documentation or concealed, failed to disclose or otherwise
8 attempted to mislead the ~~commission~~department with respect
9 to any material fact contained in the application or
10 contained in any other information required of or submitted
11 by an applicant to the ~~commission~~department;

12
13 (iii) The applicant, license holder or permit
14 holder failed or refused to cooperate in the investigation
15 of a crime related to gambling, corruption of a public
16 official or any organized criminal activity;

17
18 (iv) The applicant, license holder or permit
19 holder has intentionally not disclosed the existence or
20 identity of other persons who have control of the applicant
21 or permit holder as required by this section;

22

1 (v) The applicant, license holder or permit
2 holder has had a permit or license revoked by any
3 government authority responsible for the regulation of
4 sports wagering;

5

6 (vi) The applicant, license holder or permit
7 holder has not demonstrated financial responsibility
8 sufficient to adequately meet the requirements of this
9 ~~chapter~~article, as specified by rule of the ~~commission~~
10 department; or

11

12 (vii) The applicant, license holder or permit
13 holder has not met the requirements of this section, any
14 other provision of this ~~chapter, commission~~article,
15 department rules or any applicable federal laws.

16

17 (k) Given a sufficient number of applicants, at any
18 one (1) time the ~~commission~~department shall issue not less
19 than five (5) sports wagering operator permits to
20 applicants that satisfy the requirements under this ~~chapter~~
21 article. If an insufficient number of applicants apply for
22 a sports wagering operator permit, this provision shall not

1 be interpreted to direct the ~~commission~~department to issue
2 a permit to an unqualified applicant.

3

4 (m) The ~~commission~~department shall issue a permit to
5 a sports wagering vendor that is currently operating in
6 good standing in a similar role in at least three (3)
7 jurisdictions in the United States under a state regulatory
8 structure and that has paid all required fees under
9 subsection (e) of this section.

10

11 (n) Permit holders and license holders under this
12 article shall have an ongoing obligation to disclose in
13 writing any material change in the information provided in
14 the application to the ~~commission~~department, including:

15

16 (i) Changes to names and contact information;

17

18 (ii) Arrests, convictions, guilty pleas,
19 disciplinary actions or license denials in Wyoming or any
20 other jurisdiction;

21

22 (iii) Any civil action brought against the
23 permit holder or license holder; and

1

2 (iv) Any other information specified by rule of
3 the ~~commission~~department.

4

5 (o) If the ~~commission~~department denies an
6 application or intends to revoke or suspend a permit or
7 license issued under this article, it shall notify the
8 applicant, licensee or permittee in writing, stating the
9 grounds for denial, revocation or suspension and informing
10 the person of a right to submit, within not more than
11 thirty (30) days, any additional documentation relating to
12 the grounds for denial, revocation or suspension. Upon
13 receiving any additional documentation, the ~~commission~~
14 department shall reconsider its decision and inform the
15 applicant of its decision within not more than twenty (20)
16 days of the submission of information for reconsideration.
17 A denial of an application or a revocation or suspension of
18 a permit or license under this article shall be subject to
19 the contested case procedures of the Wyoming Administrative
20 Procedure Act.

21

22 (p) Key personnel of an applicant, license holder or
23 permit holder who may exercise ultimate decision making

1 authority over the applicant's, permit holder's or license
2 holder's online sports wagering operations in this state
3 shall be licensed by the ~~commission~~department. The
4 ~~commission~~department shall charge a fee of two hundred
5 fifty dollars (\$250.00) for an initial license and renewal
6 application under this subsection. An initial license and
7 any renewal license issued under this subsection shall each
8 be valid for five (5) years.

9

10 (q) Any employee of an applicant, license holder or
11 permit holder who is not subject to licensure under
12 subsection (p) of this section and who is authorized to
13 change and is capable of changing play or outcome of wagers
14 through the deployment of code to production for any
15 critical component of the applicant's, permit holder's or
16 license holder's mobile application or digital platform in
17 this state shall be licensed by the ~~commission~~department.
18 The ~~commission~~department shall charge a fee of two hundred
19 fifty dollars (\$250.00) for an initial license and renewal
20 application under this subsection. An initial license and
21 any renewal license issued under this subsection shall each
22 be valid for five (5) years.

23

1 ~~9-24-104~~9-25-504. **Distribution of revenue.**

2

3 (a) Not later than the fifteenth day of each month,
4 in accordance with ~~commission~~department rules, a sports
5 wagering operator shall remit ten percent (10%) of online
6 sports wagering revenue from the prior month to the
7 ~~commission~~department, except as provided in subsection (b)
8 of this section. Each fiscal year, the first three hundred
9 thousand dollars (\$300,000.00) of revenue generated under
10 this section is continuously appropriated to the department
11 of health to be distributed to the counties for the purpose
12 of funding county health programs to prevent and treat
13 problematic gambling behavior and the remainder of monies
14 remitted to the ~~commission~~department shall be deposited by
15 the state treasurer into the general fund.

16

17 (b) If the amount of online sports wagering revenue
18 for any month is a negative figure, the sports wagering
19 operator shall not remit a sports wagering payment under
20 subsection (a) of this section for that month. The sports
21 wagering operator may carry over and calculate the online
22 sports wagering loss for that month in accordance with the
23 following:

1

2 (i) The loss for that month may be carried over
3 and calculated as a deduction against online sports
4 wagering revenue for the immediately succeeding month,
5 provided that no operator shall carry over more than the
6 total amount of loss for that month;

7

8 (ii) The loss for that month may be carried over
9 and deducted until the negative figure has been brought to
10 a balance of zero dollars (\$0.00);

11

12 (iii) After the negative figure is brought to a
13 balance of zero dollars (\$0.00) or after the immediately
14 succeeding month, whichever is earlier, no amount of that
15 month's loss shall be carried over or deducted under this
16 subsection.

17

18 ~~9-24-105~~9-25-505. Age to engage in online sports
19 wagering.

20

21 No person under the age of eighteen (18) years shall engage
22 in online sports wagering authorized under this article.

23

1 ~~9-24-106~~9-25-506. Penalties; compliance.

2

3 (a) Any person who knowingly accepts online sports
4 wagers or otherwise operates a business of sports wagering
5 and does not possess a valid permit or license issued by
6 the ~~commission~~department under this ~~chapter~~article shall
7 be subject to the following, in addition to any penalty
8 imposed under W.S. 6-7-102:

9

10 (i) For a first offense, a civil penalty of
11 twenty-five thousand dollars (\$25,000.00);

12

13 (ii) For a second or subsequent offense, a civil
14 penalty of fifty thousand dollars (\$50,000.00).

15

16 (b) When a series of similar events result in a
17 violation under this ~~chapter or commission~~article or
18 department rules, those events that occur within the same
19 month shall be treated as one offense and not separate and
20 distinct offenses.

21

22 (c) The ~~commission~~department shall develop a
23 compliance program that includes establishing procedures to

1 review online sports wagering and related activities
2 occurring in the state to ensure compliance with and
3 enforcement of this ~~chapter~~article. The program shall
4 include review and evaluation of the conduct of:

5

6 (i) Sports wagering operators, sports wagering
7 vendors, qualified gaming entities, patrons and any other
8 person permitted or authorized to engage in activities
9 under this ~~chapter~~article; and

10

11 (ii) Persons operating without a valid permit or
12 license under this ~~chapter~~article, engaging in activities
13 not authorized or regulated under this ~~chapter~~article or
14 pursuing or engaging in activities otherwise in violation
15 of this ~~chapter~~article.

16

17 **Section 3.** W.S. 6-1-104(a)(vi)(R), 6-7-101(a)(iii)(M),
18 7-2-101(a)(iv)(P), 7-19-106(a)(xxxv), 7-19-201(a)(vi), 9-1-
19 627(d), 9-2-2007(c) by creating a new paragraph (iii), 9-3-
20 402(a)(xviii), 33-1-202(a)(i) and (ii)(intro), 33-1-301(a),
21 33-1-302(a)(intro) and (vii), 33-1-303(a)(intro) and 33-1-
22 304(a)(intro), (c) and (e) are amended to read:

23

1 **6-1-104. Definitions.**

2

3 (a) As used in this act, unless otherwise defined:

4

5 (vi) "Peace officer" includes the following
6 officers assigned to duty in the state of Wyoming:

7

8 (R) Any person qualified pursuant to W.S.
9 9-1-701 through 9-1-707 and employed by the ~~Wyoming gaming~~
10 ~~commission~~ department of revenue to administer and enforce
11 W.S. 6-7-101 through 6-7-104 or to supervise the conduct of
12 gaming activities under W.S. 9-25-101 through 9-25-506,
13 when engaged in the performance of that person's duties or
14 when responding to a request to assist other peace officers
15 acting within the scope of their official duties in their
16 own jurisdiction.

17

18 **6-7-101. Definitions.**

19

20 (a) As used in this article:

21

22 (iii) "Gambling" means risking any property for
23 gain contingent in whole or in part upon lot, chance, the

1 operation of a gambling device or the happening or outcome
2 of an event, including a sporting event, over which the
3 person taking a risk has no control, but does not include
4 any of the following:

5

6 (M) Activities authorized by the ~~Wyoming~~
7 ~~gaming commission~~ department of revenue under ~~title 11,~~
8 ~~chapter 25~~ title 9, chapter 25 of the Wyoming statutes;

9

10 **7-2-101. Definitions.**

11

12 (a) As used in W.S. 7-2-101 through 7-2-107:

13

14 (iv) "Peace officer" means:

15

16 (P) Any person qualified pursuant to W.S.
17 9-1-701 through 9-1-707 and employed by the ~~Wyoming gaming~~
18 ~~commission~~ department of revenue to supervise the conduct
19 of gaming activities under title 9, chapter 25 of the
20 Wyoming Statutes or to administer and enforce title 6,
21 chapter 7, article 1 of the Wyoming statutes, when engaged
22 in the performance of that person's duties or when
23 responding to a request to assist other peace officers

1 acting within the scope of their official duties in their
2 own jurisdiction.

3

4 7-19-106. Access to, and dissemination of,
5 information.

6

7 (a) Criminal history record information shall be
8 disseminated by criminal justice agencies in this state,
9 whether directly or through any intermediary, only to:

10

11 (xxxv) The ~~Wyoming~~ department of revenue for
12 purposes of licensing and permitting gaming activities;
13 commission;

14

15 7-19-201. State or national criminal history record
16 information.

17

18 (a) The following persons shall be required to submit
19 to fingerprinting in order to obtain state and national
20 criminal history record information:

21

1 (vi) Persons ~~applying for a permit or license~~
2 ~~under W.S. 11-25-104(f) or if required under W.S. 11-25-~~
3 ~~104(k)~~ title 9, chapter 25 of the Wyoming statutes;

4

5 **9-1-627. Authority to compile, disseminate and**
6 **exchange information; immunity; access to information**
7 **limited; security precautions.**

8

9 (d) Access to criminal history record information is
10 available to the ~~Wyoming gaming commission~~ department of
11 revenue as provided for by law. The ~~commission~~ department
12 of revenue shall take reasonable security precautions to
13 prevent unauthorized persons from gaining access to
14 criminal history record information in accordance with
15 rules and regulations established by the Wyoming division
16 of criminal investigation. For the purpose of this
17 subsection "criminal history record information" means
18 information, records and data compiled by criminal justice
19 agencies on individuals for the purpose of identifying
20 criminal offenders consisting of identifiable descriptions
21 of the offenders and notations or a summary of arrests,
22 detentions, indictments, information, pre-trial
23 proceedings, nature and disposition of criminal charges,

1 sentencing, rehabilitation, incarceration, correctional
2 supervision and release. Criminal history record
3 information is limited to information recorded as the
4 result of the initiation of criminal proceedings. It does
5 not include intelligence data, analytical prosecutorial
6 files, investigative reports and files of statistical
7 records and reports in which individual identities are not
8 ascertainable.

9

10 **9-2-2007. Department of revenue created; director**
11 **appointed; structure.**

12

13 (c) The following agencies are assigned to the
14 department of revenue under a Type 1 transfer:

15

16 (iii) The Wyoming gaming commission.

17

18 **9-3-402. Definitions.**

19

20 (a) As used in this article:

21

22 (xviii) "Law enforcement officer" or "officer"
23 means any member who is a county sheriff, deputy county

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

15

16 **33-1-202. Disposition of fees and interest.**

17

18 (a) Except as otherwise specifically provided by
19 statute:

20

21 (i) All fees and monies received and
22 collected by the boards or commissions under this title and
23 under W.S. ~~11-25-201(d)~~, 21-2-802(d) and 23-2-414(d) shall

1 be deposited into the state treasury and credited to each
2 board's or commission's respective account as created by
3 statute;

4

5 (ii) The interest on all fees and monies
6 collected by the boards or commissions under this title and
7 under W.S. ~~11-25-201(d)~~, 21-2-802(d) and 23-2-414(d) shall
8 be credited as follows:

9

10 **33-1-301. Purpose and scope.**

11

12 (a) The purpose of this article is to establish
13 procedures for the operation of boards authorized to
14 establish examination, inspection, permit or license fees
15 for any profession or occupation regulated under this title
16 or under W.S. ~~11-25-201~~, 21-2-802 and 23-2-414.

17

18 **33-1-302. Duties of licensure boards.**

19

20 (a) Except as otherwise specifically provided by
21 statute, a board authorized to establish examination,
22 inspection, permit or license fees for any profession or

1 occupation regulated under this title or under W.S. ~~11-25-~~
2 ~~201,~~ 21-2-802 or 23-2-414 shall:

3

4 (vii) Compensate each member for per diem and
5 mileage for attending and traveling to and from meetings,
6 hearings and other activities necessary in the performance
7 of the duties of the office in the same manner and amount
8 as members of the Wyoming legislature. Members who are
9 state employees that receive compensation from their
10 employers for activities performed pursuant to this title
11 or under W.S. ~~11-25-201,~~ 21-2-802 or 23-2-414 shall not
12 receive additional compensation but shall receive mileage
13 and per diem as provided under this paragraph if they are
14 not reimbursed by their employers;

15

16 **33-1-303. Powers of licensure boards.**

17

18 (a) Except as otherwise specifically provided by
19 statute, a board authorized to establish examination,
20 inspection, permit or license fees for any profession or
21 occupation regulated under this title or under W.S. ~~11-25-~~
22 ~~201,~~ 21-2-802 or 23-2-414 may:

23

1

2 **33-1-304. Considering criminal convictions; pre-**
3 **application determinations.**

4

5 (a) Except as specifically required by its licensure,
6 certification or registration statutes, every board,
7 commission, commissioner or authority authorized to
8 establish examination, inspection, permit, license,
9 certification or registration requirements or fees for any
10 profession or occupation regulated under this title or
11 under W.S. 7-4-211, ~~11-25-201~~, 15-5-103, 17-4-406, 21-2-
12 802, 23-2-414, 26-4-101 or 40-22-109 and who considers
13 criminal convictions as part of its regulatory duties shall
14 not consider prior convictions that do not affect the
15 practice of the profession or occupation or the ability to
16 practice the profession or occupation regulated by the
17 board, commission, commissioner or authority. Specifically,
18 the board, commission, commissioner or authority may cite
19 as state policy the following:

20

21 (c) No board, commission, commissioner or authority
22 authorized to regulate through licensure, certification or
23 registration a profession or occupation under this title,

1 or under W.S. 7-4-211, ~~11-25-201,~~ 15-5-103, 17-4-406, 21-2-
2 802, 23-2-414, 26-4-101 or 40-22-109, shall consider
3 evidence of any conviction more than twenty (20) years old,
4 or for a lesser period of time if expressly provided by
5 statute, when analyzing a person's criminal history
6 pursuant to the board's, commission's, commissioner's or
7 authority's regulatory duties, except when:

8
9 (e) Any person who has been previously convicted of a
10 crime may at any time apply to a board, commission,
11 commissioner or authority authorized to establish
12 examination, inspection, permit, license, certification or
13 registration requirements for any profession or occupation
14 regulated under this title or under W.S. 7-4-211, ~~11-25-~~
15 ~~201,~~ 15-5-103, 17-4-406, 21-2-802, 23-2-414, 26-4-101 or
16 40-22-103 for a determination as to whether one (1) or more
17 of the person's criminal convictions will prevent the
18 person from receiving a license, certification or
19 registration. Each board, commission, commissioner or
20 authority may by rule establish a procedure by which an
21 application submitted under this subsection is reviewed and
22 may by rule delegate the authority to review an application
23 to a staff member of the board, commission, commissioner or

1 authority. A board, commission, commissioner or authority
2 may request criminal history background information for
3 purposes of reviewing an application under this subsection
4 in accordance with W.S. 7-19-106(a)(xxxix). The board,
5 commission, commissioner or authority may by rule establish
6 and charge a reasonable fee to recover the costs of
7 researching and developing a determination under this
8 subsection, provided that any fee shall not exceed the
9 costs of providing the determination under this subsection.
10 A determination made by a board, commission, commissioner
11 or authority under this subsection shall not be binding
12 upon the board, commission, commissioner or authority.

13

14 **Section 4.** W.S. 6-7-101(a)(i) and (iii)(D) and (F), 9-
15 2-2008(e)(xiii), 9-24-101(a)(ii) and (iii) renumbered as 9-
16 25-501(a)(ii) and (iii) by this act, 11-25-101, 11-25-
17 102(a)(ii), (viii) and (xv) renumbered as 9-25-301(a)(ii),
18 (viii) and (xv) by this act, 11-25-103, 11-25-104(a)
19 through (c), (n) and (o) renumbered as 9-25-302(a) through
20 (c), (k), (n) and (o) by this act and 11-25-208(b)
21 renumbered as 9-25-310(b) by this act are repealed.

22

1 *****
2 *****

3 STAFF COMMENT

4 The renumbered and repealed provisions are included within
5 the text of this bill draft as stricken text. In addition,
6 Section 4 repeals the following provisions that are not
7 renumbered and are not otherwise included in the text of
8 this bill:

9
10 6-7-101. Definitions.

11
12 (a) As used in this article:

13
14 ~~(i) "Calcutta wagering" means wagering on the~~
15 ~~outcome of amateur contests, cutter horse racing, dog sled~~
16 ~~racing, professional rodeo events or professional golf~~
17 ~~tournament in which those who wager bid at auction for the~~
18 ~~exclusive right to "purchase" or wager upon a particular~~
19 ~~contestant or entrant in the event and when the outcome of~~
20 ~~the event has been decided the total wagers comprising the~~
21 ~~pool, less a percentage "take-out" by the event's sponsor,~~
22 ~~is distributed to those who "purchased" or wagered upon the~~
23 ~~winning contestants or entrants;~~

24
25 ~~(iii) "Gambling" means risking any property for~~
26 ~~gain contingent in whole or in part upon lot, chance, the~~
27 ~~operation of a gambling device or the happening or outcome~~
28 ~~of an event, including a sporting event, over which the~~
29 ~~person taking a risk has no control, but does not include~~
30 ~~any of the following:~~

31
32 ~~(D) Bingo games conducted, or pull tabs~~
33 ~~sold, by charitable or nonprofit organizations where the~~
34 ~~tickets for the bingo are sold only in this state and the~~
35 ~~pull tabs are sold only on the premises owned or occupied~~
36 ~~by the charitable or nonprofit organization provided that:~~

37
38 ~~(I) Bingo games and pull tab games~~
39 ~~shall only be conducted by charitable or nonprofit~~
40 ~~organizations, which have been in existence in this state~~
41 ~~for at least three (3) years and, commencing July 1, 2020,~~
42 ~~are licensed by the Wyoming gaming commission under W.S.~~
43 ~~11-25-104(n) to conduct bingo or pull tab games;~~

44

1 ~~(II) In conducting bingo games and~~
2 ~~pull tab games the organization shall use only volunteers~~
3 ~~who are bona fide members of the charitable or nonprofit~~
4 ~~organization or employees or contractors who are paid by~~
5 ~~the organization to assist in the operation of the game;~~

6
7 ~~(III) Players of bingo games or pull~~
8 ~~tab games shall be eighteen (18) years or older;~~

9
10 ~~(IV) At least sixty-five percent (65%)~~
11 ~~of all gross sales shall be redeemed as winnings each~~
12 ~~month. The net proceeds after payment of winnings shall be~~
13 ~~restricted as follows:~~

14
15 ~~(1) No more than forty percent~~
16 ~~(40%) of net proceeds shall be paid to distributors or~~
17 ~~manufacturers of supplies or equipment necessary to conduct~~
18 ~~the game; and~~

19
20 ~~(2) Seventy-five percent (75%) of~~
21 ~~the net proceeds remaining after payment for all costs and~~
22 ~~supplies shall be donated within one (1) year by the~~
23 ~~organization to a bona fide charitable or benevolent~~
24 ~~purpose.~~

25
26 ~~(F) Calcutta wagering on contests or events~~
27 ~~conducted by a bona fide nationally chartered veterans',~~
28 ~~religious, charitable, educational or fraternal~~
29 ~~organization or nonprofit local civic or service club~~
30 ~~organized or incorporated under the laws of this state and,~~
31 ~~commencing July 1, 2020, licensed by the Wyoming gaming~~
32 ~~commission under W.S. 11-25-104(n) to conduct calcutta~~
33 ~~wagering on contests or events, provided that:~~

34
35 ~~(I) The contest or event is conducted~~
36 ~~solely in this state;~~

37
38 ~~(II) Any rules affecting the contest~~
39 ~~or requirements for participants are clearly posted;~~

40
41 ~~(III) The total prizes or prize money~~
42 ~~paid out in any one (1) contest or event does not exceed~~
43 ~~ninety percent (90%) of the total wagers;~~

44

1 ~~(IV) A minimum of ten percent (10%) of~~
2 ~~the total wagers on each contest or event is donated within~~
3 ~~one (1) year by the sponsoring organization to a bona fide~~
4 ~~charitable or benevolent purpose;~~

5
6 ~~(V) No separate organization or~~
7 ~~professional person is employed to conduct the contest or~~
8 ~~event or assist therein;~~

9
10 ~~(VI) The sponsoring organization~~
11 ~~before conducting the contest or event gives thirty (30)~~
12 ~~days written notice of the time and place thereof to the~~
13 ~~governing body of the county or municipality in which it~~
14 ~~intends to conduct the contest or event and the governing~~
15 ~~body does not pass a resolution objecting thereto;~~

16
17 ~~(VII) The sponsoring organization has~~
18 ~~complied with the relevant sections of the internal revenue~~
19 ~~code of 1954, as amended, relating to taxes on wagering.~~

20
21 **9-2-2008. Department of administration and**
22 **information created; director appointed; structure.**

23
24 (e) The following functions or programs shall be
25 transferred from the department of commerce to the
26 department of administration and information under a Type 3
27 transfer:

28
29 ~~(xiii) Gaming commission;~~

30 *****
31 *****
32

33 **Section 5.** The department of revenue shall report to
34 the joint appropriations committee on all aspects of the
35 transfer authorized under this act not later than December
36 1, 2025. The report shall include any additional statutory
37 changes needed to fully effectuate the purposes of this
38 act. The joint appropriations committee may introduce

1 legislation during the 2026 budget session of the Wyoming
2 legislature pursuant to a report received under this
3 section or on its own initiative to fully effectuate this
4 act.

5 **Section 6.** It is the intent of the legislature that
6 this act consolidates statutes related to the regulation of
7 gaming activities in the state of Wyoming by repealing,
8 creating, renumbering and amending statutes. Any other act
9 adopted by the Wyoming legislature during the same session
10 in which this act is adopted shall be given precedence and
11 shall prevail over the amendments in this act to the extent
12 that such acts are in conflict with this act. Where
13 applicable, the provisions of other acts adopted during the
14 same session in which this act is adopted shall be
15 incorporated into the appropriate renumbered statutes
16 adopted in this act.

17

18 **Section 7.** This act is effective July 1, 2025.

19

20

(END)