

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Wyoming gaming commission composition.

Sponsored by: HDraft Committee

A BILL

for

1 AN ACT relating to the Wyoming gaming commission; amending
2 the composition, qualifications, salaries, officers, duties
3 and powers of the Wyoming gaming commission; making
4 conforming amendments; repealing provisions; providing for
5 appointments and terminating terms of existing
6 appointments; providing an appropriation; and providing for
7 an effective date.

8

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

10

11 **Section 1.** W.S. 11-25-101, 11-25-104(a) and (b) and
12 11-25-201(d) are amended to read:

13

1 11-25-101. Wyoming gaming commission created;
2 composition; qualifications; personal or private interest;
3 salaries; officers; terms; vacancies; liaisons.
4

5 (a) The Wyoming gaming commission is created. ~~to be~~
6 ~~composed of nine (9) persons who have resided in the state~~
7 ~~for four (4) years and are qualified electors of Wyoming.~~
8 The commission shall consist of [REDACTED] members
9 appointed by the governor, by and with the advice and
10 consent of the senate in accordance with W.S. 28-12-101
11 through 28-12-103.
12

13 (b) Each member of the commission shall have not less
14 than five (5) years of professional experience in [REDACTED]
15 [REDACTED].
16

17 *****
18 *****

19 STAFF COMMENT

20 Broad qualifications for the Gaming Commission could
21 include "professional experience in gaming industries or
22 the regulation thereof, responsible gaming and associated
23 professions, law enforcement or tribal gaming."
24

25 The existing requirements for current members of the Gaming
26 Commission include:

- 27 • Residence in the state for four (4) years;
- 28 • Qualified elector of Wyoming;

- 1 • Seven (7) of the nine (9) members shall be appointed
- 2 from each appointment district under W.S. 9-1-218;
- 3 • One (1) member shall be, at the time of appointment
- 4 and during the term of appointment, an active county
- 5 or municipal law enforcement officer;
- 6 • One (1) member shall be an enrolled member of the
- 7 Northern Arapaho or Eastern Shoshone Indian tribe with
- 8 not less than five (5) years of regulatory gaming
- 9 experience.

10
 11 The existing requirement for the Director of the Gaming
 12 Commission is to have "a working knowledge of pari-mutuel
 13 betting, horse racing and other forms of gaming regulated
 14 by the commission."
 15

16 Note that the Public Service Commission (PSC), upon which
 17 this bill draft is modeled, is comprised of three (3)
 18 members. The only requirement specified for the PSC
 19 membership is that "Not more than seventy-five percent
 20 (75%) of the members of the commission shall at any time be
 21 members of the same political party."
 22

23 *****
 24 *****

25 (c) Each member of the commission shall receive an
 26 annual salary as provided by law, to be paid in equal
 27 monthly installments in the same manner that other state
 28 salaries are paid.
 29

30 (d) Biennially the members shall elect from among
 31 their number a chairman and a deputy chairman who shall
 32 serve in these offices for a period of two (2) years.
 33

1 (e) Upon the expiration of the term of any member,
2 the member shall be reappointed or a successor shall be
3 appointed for a term of six (6) years, except in case of a
4 vacancy. Each member shall hold office until a successor is
5 appointed and qualified. The governor may remove any member
6 as provided in W.S. 9-1-202.

7
8 (f) Any vacancy shall be filled by appointment by the
9 governor in accordance with W.S. 28-12-101.

10
11 (g) Each member, within thirty (30) days after notice
12 of appointment and before commencement of the member's
13 duties, shall take, subscribe and file with the secretary
14 of state the oath of office prescribed by the constitution
15 of this state.

16
17 (h) No member of the commission or family member of a
18 member, as defined in W.S. 9-13-102(a)(v), shall own or
19 have any personal or private interest in any activity
20 regulated by the commission or in any animal participating
21 in a pari-mutuel event.

22

1 (j) One (1) senator appointed by the president of the
2 senate, one (1) representative appointed by the speaker of
3 the house and one (1) person appointed by the governor
4 shall be appointed to serve as ex officio nonvoting
5 liaisons to the commission. The legislative liaisons shall
6 serve two (2) year terms but are eligible for reappointment
7 and may be removed by the officer appointing the member.
8 The gubernatorial liaison shall serve for the term of
9 office of the governor and may be removed by the governor.
10 Legislative liaisons shall be paid salary, per diem and
11 mileage as provided in W.S. 28-5-101 when attending
12 meetings of the commission.

13

14 **11-25-104. Gaming commission; director; employees;**
15 **meetings; quorum; records; licenses generally.**

16

17 (a) The commission ~~shall annually elect from its~~
18 ~~membership a president and vice president, and~~ may employ a
19 director who has a working knowledge of pari-mutuel
20 betting, horse racing and other forms of gaming regulated
21 by the commission or an executive secretary, or both. The
22 director may be retained on a yearly basis or for the
23 racing season only as determined by the commission. Salary

1 for the director or executive secretary shall be determined
2 by the commission with the consent of the personnel
3 division. ~~The commission may also employ other personnel~~
4 ~~required to carry out this act.~~ The commission is
5 authorized to employ other persons as may be necessary to
6 enable it to perform the duties imposed upon it by this act
7 and to designate the duties of employees. The state shall
8 provide the commission with offices, equipment and
9 facilities as may be necessary for the performance of its
10 duties.

11

12 (b) The commission shall ~~hold an annual fall meeting~~
13 ~~in Wyoming and shall hold special~~ be subject to all of the
14 following:

15

16 (i) The commission shall hold meetings at ~~such~~
17 times and places within Wyoming as the majority of the
18 members determine ~~;~~

19

20 (ii) A majority of the commission constitutes a
21 quorum and a majority vote of a quorum may act for the
22 commission ~~;~~

23

1 (iii) Any investigation, inquiry or hearing that
2 the commission has power to hold may be held by or before
3 any commissioner, or an employee of the commission acting
4 in the capacity of a hearing officer, when an order
5 authorizing that action is entered in the records of the
6 commission, and any such investigation, inquiry or hearing
7 when approved and confirmed by the commission shall be the
8 investigation, inquiry or hearing of the commission. No
9 finding or order of the commission shall be effective
10 without the concurrence of a majority of the commission;

11
12 (iv) The secretary or director of the commission
13 shall keep a record of the proceedings of the commission
14 which is open at all times for public inspection;
15

16 (v) Legislative liaisons shall be considered
17 members of the governing body of the commission for
18 purposes of attending executive sessions held pursuant to
19 W.S. 16-4-405(a) only.

20
21 **11-25-201. Pari-mutuel permits; fees and reports;**
22 **disposition of funds; enforcement of provisions.**

23

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

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

9
 10 **Section 2.** W.S. 11-25-103 and 11-25-104(c) and (d)
 11 are repealed.

12 *****
 13 *****
 14 **STAFF COMMENT**
 15 The repealed provisions are copied below:

16
 17 11-25-103. Gaming commission; appointment, terms of
 18 office and political affiliation of members; vacancies;
 19 appointment districts.

20
 21 The governor with the consent of the senate shall appoint
 22 the nine (9) members of the commission in accordance with
 23 W.S. 28-12-101 through 28-12-103. Seven (7) of the nine (9)
 24 members shall be appointed from each appointment district
 25 under W.S. 9-1-218. One (1) of the remaining members shall
 26 be, at the time of appointment and during the term of
 27 appointment, an active county or municipal law enforcement
 28 officer certified under title 9, chapter 1, article 7 of
 29 the Wyoming statutes. One (1) of the remaining members
 30 shall be an enrolled member of the Northern Arapaho or
 31 Eastern Shoshone Indian tribe with not less than five (5)
 32 years of regulatory gaming experience. Members shall be
 33 appointed for terms of four (4) years and until their
 34 successor is appointed and qualified. Any vacancy shall be

1 filled by appointment by the governor as provided in W.S.
 2 28-12-101. A member of the commission may succeed himself
 3 for one (1) full four (4) year term. The governor may
 4 remove any member as provided in W.S. 9-1-202.
 5 Additionally, one (1) senator appointed by the president of
 6 the senate, one (1) representative appointed by the speaker
 7 of the house and one (1) gubernatorial representative shall
 8 serve as liaisons to the commission. Legislative liaisons
 9 shall be paid salary, per diem and mileage as provided in
 10 W.S. 28-5-101 when attending meetings of the commission.

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

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

20
 21 (d) Any member of the commission who owns or has any
 22 interest, or whose spouse or member of his immediate family
 23 has any interest, in any activity regulated by the
 24 commission or in an animal participating in a pari-mutuel
 25 event shall disclose that interest and shall not
 26 participate in any commission decision involving a protest
 27 regarding that activity or occurring at that pari-mutuel
 28 event.

29
 30 *****
 31 *****
 32

33 Section 3.

34
 35 (a) The president and two (2) members of the Wyoming
 36 gaming commission designated by the governor on or before
 37 the effective date of this act, or their successors in the
 38 event of a vacancy or the expiration of a member's term,

1 shall comprise the Wyoming gaming commission until February
2 28, 2026.

3

4 (b) Except as provided for the members specified in
5 subsection (a) of this section, the terms of the Wyoming
6 gaming commission members appointed under W.S. 11-25-103
7 prior to the effective date of this act shall terminate on
8 the effective date of this act.

9

10 (c) The governor shall submit appointments or
11 reappointments to the Wyoming gaming commission by the date
12 specified in W.S. 28-12-101(a)(ii) during the 2026 budget
13 session.

14

15 (d) Notwithstanding W.S. 11-25-101(e), as created in
16 section 1 of this act, the terms of appointments to the
17 Wyoming gaming commission specified by subsection (c) of
18 this section shall commence on March 1, 2026, with one (1)
19 of the appointments appointed to a term of two (2) years,
20 one (1) of the appointments appointed to a term of four (4)
21 years, and the remaining appointment appointed to a term of
22 six (6) years, as designated by the governor.

23

1 **Section 4.** There is appropriated XXXXX dollars (\$XXXX)
2 from the pari-mutuel account to the Wyoming gaming
3 commission for purposes of providing salaries and benefits
4 to the members of the Wyoming gaming commission under W.S.
5 11-25-101, as amended by section 1 of this act. This
6 appropriation shall be for the period beginning with the
7 effective date of this act and ending June 30, 2026. This
8 appropriation shall not be transferred or expended for any
9 other purpose and any unexpended, unobligated funds
10 remaining from this appropriation shall revert as provided
11 by law on June 30, 2026.

12

13 **Section 5.** This act is effective July 1, 2025.

14

15

(END)