

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Gaming-amendments.

Sponsored by: HDraft Committee

A BILL

for

1 AN ACT relating to gaming; defining bona fide social
2 relationship for purposes of criminal gambling exceptions;
3 conforming the minimum age for specified gaming activities
4 to twenty-one; authorizing qualifying tribes to conduct
5 online sports wagering as specified; amending geolocation
6 system requirements; amending and creating definitions,
7 terms and restrictions related to skill based amusement
8 games; requiring licensure of manufacturers of skill based
9 amusement games; and providing for an effective date.

10

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

12

1 **Section 1.** W.S. 6-7-101(a) by creating a new
2 paragraph (xiv), 9-24-101(a)(x), 9-24-102(b)(i)(F),
3 9-24-105, 11-25-102(a)(xvi) through (xxii) and by creating
4 a new paragraph (xxiii), 11-25-104(k), 11-25-201(k)(v) and
5 (vi), 11-25-205(c), 11-25-301(b), 11-25-302, 11-25-303(c)
6 through (e), 11-25-304(a)(i), (ii) and by creating a new
7 paragraph (iii), (b), (d) and by creating a new paragraph
8 (e), 11-25-305(a)(intro), (c)(intro) and (iii) are amended
9 to read:

10

11 **6-7-101. Definitions.**

12

13 (a) As used in this article:

14

15 (iii) "Gambling" means risking any property for
16 gain contingent in whole or in part upon lot, chance, the
17 operation of a gambling device or the happening or outcome
18 of an event, including a sporting event, over which the
19 person taking a risk has no control, but does not include
20 any of the following:

21

22 (E) Any game, wager or transaction which is
23 incidental to a bona fide social relationship, is

1 participated in by natural persons only, and in which no
2 person is participating, directly or indirectly, in
3 professional gambling;

4

5 (xiv) "Bona fide social relationship" means a
6 genuine social relationship between two (2) or more persons
7 wherein each person has an established knowledge of the
8 other. "Bona fide social relationship" shall not include a
9 social relationship which has arisen for the purpose of
10 gambling.

11

12 *****
13 *****
14 STAFF COMMENT
15 W.S. 6-7-101(a)(iii) is included in this bill draft to show
16 the use of the term "bona fide social relationship." It
17 will be removed from the final version.
18 *****
19 *****
20

21 9-24-101. Definitions.

22

23 (a) As used in this chapter:

24

25 (x) "Qualified gaming entity" means any of the
26 following:

27

1 (A) A gaming entity that offers online
2 sports wagering through computers, digital platforms or
3 mobile applications in not less than three (3)
4 jurisdictions in the United States pursuant to a state
5 regulatory structure;

6

7 (B) The Northern Arapaho tribe and the
8 Eastern Shoshone tribe of the Wind River Reservations;

9

10 **9-24-102. Online sports wagering regulation;**
11 **rulemaking.**

12

13 (b) The commission shall promulgate rules to
14 implement this chapter. The rules the commission
15 promulgates shall establish standards and procedures for
16 online sports wagering and associated sports wagering
17 systems. The rules shall include:

18

19 (i) Governance of the conduct of online sports
20 wagering and the system of wagering associated with online
21 sports wagering, including all of the following:

22

1 (F) A requirement for each sports wagering
2 operator to use a geolocation system to ensure ~~that~~ all of
3 the following:

4
5 (I) A patron making an online sports
6 wager is physically present in the state when making the
7 wager unless otherwise authorized by the commission;

8
9 (II) No online sports wager is accepted
10 from a patron who is physically present on the lands of the
11 Northern Arapaho tribe and the Eastern Shoshone tribe of
12 the Wind River Reservation. This subdivision shall not
13 apply to online sports wagering conducted by the Northern
14 Arapaho tribe or the Eastern Shoshone tribe.

15 *****

16 *****

17 STAFF COMMENT

18 This geolocation requirement is currently found in the
19 Wyoming Gaming Commission's rules, Online Sports Wagering,
20 Ch. 5 Technical Standards, Sec. 3, which states:

21
22 (a) All online sports wagering transactions
23 must be initiated and received or otherwise made
24 by a patron located in the authorized geographic
25 boundaries within Wyoming. The authorized
26 geographic boundaries shall exclude Indian Lands
27 located in Wyoming. For purposes of these rules,
28 the intermediate routing of electronic data in
29 connection with online sports wagering, including
30 routing across state lines, does not determine
31 the location or locations in which the online

1 sports wager is initiated, received, or otherwise
2 made.

3
4 Note that by definition in rule, "Indian lands" has the
5 meaning provided in the Indian Gaming Regulatory Act of
6 1988, 25 USC § 2703(4).

7 *****
8 *****
9

10 9-24-105. Age to engage in online sports wagering.

11

12 No person under the age of ~~eighteen (18)~~ twenty-one (21)
13 years shall engage in online sports wagering.

14

15 *****
16 *****

17 STAFF COMMENT
18 This bill draft raises the minimum age for online sports
19 wagering and pari-mutuel wagering (horse racing, historic
20 horse racing, simulcasting, advance deposit wagering, etc.)
21 to 21. Skills-based amusement games are already limited to
22 persons 21 and older in statute.

23

24 Note that the draft does not change the minimum age for
25 charitable bingo and pull tabs (18 by statute), the Wyoming
26 Lottery (18 by statute) or specify an age for Calcutta
27 wagering and other exempted gambling (e.g., societal
28 gaming, raffles, fantasy sports contests).

29 *****
30 *****

31

32 11-25-102. Definitions.

33

34 (a) As used in this act:

35

1 (xvi) "~~Establishment~~ Location" means a single
2 physical place of business that operates as a truck stop,
3 smoke shop or that is licensed or permitted to sell
4 alcoholic liquor or malt beverages under W.S. 12-2-203(g),
5 12-4-201, 12-4-301, 12-4-401, 12-4-407, 12-4-413, 12-4-414
6 or 12-4-415;

7
8 (xvii) "~~Operator~~ Establishment" means a person
9 who possesses and operates ~~an establishment~~ a location
10 where skill based amusement games may be played for profit;

11
12 (xx) "Skill based amusement game vendor" means a
13 person who owns and distributes a skill based amusement
14 game to an ~~operator~~ establishment for profit;

15
16 (xxii) "Smoke shop" means a ~~retailer as defined~~
17 ~~in W.S. 14-3-301(a)(iii) that~~ business that derives fifty
18 percent (50%) or more of its gross annual revenue from
19 nicotine products ~~as defined by W.S. 14-3-301(a)(vi) and~~
20 that contains a humidor on the premises of the business.
21 "Smoke shop" shall not include a business that sells only
22 the following product categories: electronic cigarettes,
23 edible products, vapor material or tetrahydrocannabinol.

1 The definitions in W.S. 14-3-301(a) shall apply to this
2 paragraph;-

3
4 (xxiii) "Manufacturer" means a person engaged in
5 the business of constructing skill based amusement games or
6 software or selling skill based amusement games or software
7 to skill based amusement game vendors.

8 *****
9 *****
10 STAFF COMMENT
11 At the June meeting, the Committee also discussed defining
12 "manufacturer" as "a person that manufactures a skill based
13 amusement game for distribution to a skill based amusement
14 game vendor."
15
16 *****
17 *****
18

19 11-25-104. Gaming commission; officers; director;
20 meetings; quorum; records; licenses generally; effect of
21 financial interest in events.

22
23 (k) The commission shall access criminal history
24 record information for all ~~operators~~establishments and
25 skill based amusement game vendors under article 3 of this
26 chapter and all licensees, permittees and employees of the
27 commission under W.S. 9-1-627(d) for the purposes of this
28 act. Every applicant for a permit or license under this act

1 shall provide the commission fingerprints and other
2 information necessary for a criminal history record
3 background check as provided under W.S. 7-19-201.

4

5 **11-25-201. Pari-mutuel permits; fees and reports;**
6 **disposition of funds; enforcement of provisions.**

7

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

11

12 (v) Not allow ~~minors~~ persons under the age of
13 twenty-one (21) to open, own or have access to advance
14 deposit pari-mutuel wagering accounts;

15

16 (vi) Include a statement in all forms of
17 advertising for advance deposit pari-mutuel wagering
18 accounts that "~~minors~~ persons under the age of twenty-one
19 (21) are not allowed to open or have access to advance
20 deposit pari-mutuel wagering accounts."

21

22 **11-25-205. Bribery, touting and betting by minors**
23 **prohibited.**

1

2 (c) No person under the age of ~~eighteen (18)~~ twenty-
3 one (21) years shall place or be allowed to place a bet.

4

5 **11-25-301. Skill based amusement games authorization;**
6 **commission authority; applicability.**

7

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

12

13 **11-25-302. Laboratory report required.**

14

15 (a) Each skill based amusement game vendor shall
16 provide for a nationally recognized, independent gaming
17 laboratory approved by the commission to submit to the
18 commission a general functional evaluation laboratory
19 report regarding the software installed on each skill based
20 amusement game indicating whether the skill based amusement
21 game is in compliance with this article. Any skill based
22 amusement game that does not meet the requirements of this

1 article shall immediately be removed from the state by the
2 skill based amusement game vendor.

3

4 (b) Any alterations, modifications or updates to the
5 software or hardware of any skill based amusement game
6 shall require the skill based amusement game vendor to
7 submit to the commission a new laboratory report as
8 required under subsection (a) of this section before the
9 game may be used for play at ~~an establishment~~ any location.

10

11 **11-25-303. Restrictions on operation of skill based**
12 **amusement games.**

13

14 (c) No establishment shall have more than four (4)
15 skill based amusement games operating for play ~~at any one~~
16 ~~(1) time~~ on the premises of the address of any location. An
17 establishment shall not operate multiple businesses at any
18 location for purposes of avoiding the restrictions of this
19 subsection.

20

21 (d) Skill based amusement games shall only be located
22 for play at ~~an establishment~~ a location, except as provided
23 in subsection (e) of this section. An operator

1 establishment shall not locate a skill based amusement game
2 in an area of ~~the establishment~~ a location into which a
3 person under the age of twenty-one (21) years may enter. An
4 ~~operator~~ establishment shall conspicuously mark each area
5 of the ~~establishment~~ location containing a skill based
6 amusement game as an age restricted area. The ~~operator~~
7 establishment shall not allow a person under the age of
8 twenty-one (21) years to play a skill based amusement game.

9

10 (e) Any ~~operator~~ person who, before September 14,
11 2022 had a skill based amusement game located at a place of
12 business that ~~does~~ did not meet the definition of
13 "establishment" in W.S. 11-25-102(a)(xvi), as defined on
14 April 1, 2023, shall be authorized to continue operating
15 skill based amusement games if the ~~operator~~ person
16 otherwise meets the requirements to operate a skill based
17 amusement game.

18

19 **11-25-304. Required permits and licenses; applicable**
20 **fees; tax imposition; taxation rate; distribution.**

21

22 (a) Any person seeking to obtain or renew any
23 license, permit or decal as required under this section

1 shall submit an application to the commission on a form
2 prescribed by the commission. Upon approval of an
3 application by the commission:

4

5 (i) An ~~operator establishment~~ shall be issued a
6 permit and required to pay an annual fee of two hundred
7 fifty dollars (\$250.00) to have skill based amusement games
8 operating for play in ~~the operator's establishment~~ a
9 location;

10

11 (ii) A skill based amusement game vendor shall
12 be issued a license and required to pay an annual fee of
13 two thousand five hundred dollars (\$2,500.00) to possess
14 and distribute skill based amusement games.

15

16 (iii) A manufacturer shall be issued a license
17 to construct skill based amusement games or software or
18 sell skill based amusement games or software operated in
19 Wyoming and shall be required to pay an initial license fee
20 of ten thousand dollars (\$10,000.00) and then an annual
21 license renewal fee of five thousand dollars (\$5,000.00).

22

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

10

11 (d) Taxes shall be calculated and paid on a weekly
12 basis based on the net proceeds earned during the prior
13 week on skill based amusement games. On a weekly basis, the
14 skill based amusement game vendor shall remit to the
15 commission an amount equivalent to twenty percent (20%) of
16 the net proceeds earned during the prior week on the skill
17 based amusement game vendor's skill based amusement games.
18 The taxes imposed under this subsection may be prepaid as
19 provided by rule of the commission. The commission shall
20 remit these monies to the state treasurer for deposit in
21 the commission gaming account and for distribution of the
22 tax as follows:

23

1 (e) As part of the licensing process and before
 2 receiving or renewing a license specified in paragraph
 3 (a)(iii) of this section, each manufacturer shall provide
 4 to the commission a written certification that the
 5 manufacturer's skill based amusement games do not possess
 6 any hardware feature that can be manually activated, or a
 7 software feature that can be altered, by the skill based
 8 amusement game vendor.

9

10 **11-25-305. Establishment permit, game supplier**
 11 **license and skill based amusement game decal approval;**
 12 **criteria; review.**

13

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

19

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

1

2

(iii) Any civil action brought against the

3

~~operator or~~ establishment or location; and

4

5

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

6

7

(END)