

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Local approval for simulcasting.

Sponsored by: Joint Appropriations Committee

A BILL

for

1 AN ACT relating to pari-mutuel wagering; specifying
2 provisions for permitting simulcasting and historic horse
3 racing machines; requiring approval by a city, town or
4 county for the issuance of a simulcasting permit;
5 authorizing conditions and revocation of approval; amending
6 enforcement requirements; conforming provisions; specifying
7 applicability; and providing for an effective date.

8

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

10

11 **Section 1.** W.S. 11-25-210 is created to read:

1

2 **11-25-210. Simulcasting permits; rulemaking; approval**
3 **by a city, town or county; conditions; revocation; judicial**
4 **review.**

5

6 (a) Simulcasting shall be conducted only by the
7 holder of a simulcasting permit issued by the commission
8 and approved by the applicable city, town or county, as
9 specified by this section.

10

11 (b) The commission shall promulgate rules for
12 simulcasting as reasonably necessary to protect the public
13 interest.

14

15 (c) Except as specifically provided in this section,
16 a simulcasting permit shall be subject to the same terms
17 and conditions and issued in the same manner as a pari-
18 mutuel permit issued under this act.

19

20 (d) A simulcasting permit or renewal issued by the
21 commission shall be subject to the following:

1

2 (i) A permit or renewal shall be subject to
3 approval by the governing body of the city or town, if the
4 simulcasting will be conducted within the corporate limits
5 of any city or town, or the board of county commissioners,
6 if the simulcasting will be conducted outside the corporate
7 limits of any city or town;

8

9 (ii) A permit or renewal shall be authorized by
10 the commission for a term not to exceed three (3) years
11 from the date of issuance;

12

13 (iii) A permit or renewal shall be issued by the
14 commission only to an applicant authorized under this act
15 to conduct a pari-mutuel event other than simulcasting.

16

17 (e) An applicant for a simulcasting permit or renewal
18 issued by the commission shall file an application for
19 approval with the applicable city, town or county. Each
20 applicant shall, at the time of filing the application, pay
21 an amount sufficient to cover the costs of publishing

1 notice of the application as determined by rule of the
2 commission.

3

4 (f) After receipt of an application under subsection
5 (e) of this section, the applicable city, town or county
6 shall promptly prepare and publish notice of the
7 application in a newspaper of local circulation once a week
8 for two (2) consecutive weeks and post the notice on its
9 official website. The notice shall state that the named
10 applicant has applied for approval of a simulcasting permit
11 or renewal and that protests against the issuance or
12 renewal of approval, if any, will be heard at a designated
13 meeting of the applicable governing body.

14

15 (g) With respect to approval and renewal of
16 simulcasting permits issued by the commission, the
17 applicable city, town or county:

18

19 (i) Shall not approve or deny an application
20 until on or after the date set in its notice for hearing
21 protests;

1

2 (ii) Shall not consider, modify or impose
3 conditions that are solely within the jurisdiction of the
4 commission;

5

6 (iii) May impose only the following conditions:

7

8 (A) A schedule of operating hours for the
9 permitted premises, provided the hours of operation shall
10 not be more restrictive than the hours of operation for
11 alcohol sales set pursuant to W.S. 12-5-101 for holders of
12 retail liquor licenses under W.S. 12-4-201;

13

14 (B) Designations within the permitted
15 premises relating to areas historic horse racing machines
16 may be located, to the extent the designations are not
17 inconsistent with rules of the commission.

18

19 (iv) May modify the conditions imposed under
20 paragraph (iii) of this subsection only upon a showing of
21 good cause;

1

2 (v) Shall identify the specific location in the
3 city, town or county where simulcasting is approved to be
4 conducted and the number of historic horse racing machines
5 to be permitted at that location, if any;

6

7 (vi) Shall grant approval for the same term as is
8 granted by the commission for a simulcasting permit;

9

10 (vii) Shall issue written findings and
11 conclusions in the event of a denial of an application;

12

13 (viii) Shall have the right to revoke its
14 approval or deny a renewal of approval for a simulcasting
15 permit only for good cause, which shall be limited to any
16 of the following:

17

18 (A) A breach by the holder of the permit of
19 any conditions imposed by the applicable city, town, county
20 or the commission that are not cured by the holder of the
21 permit within sixty (60) business days of receiving written

1 notice of the breach from the city, town or county or the
2 commission;

3

4 (B) A determination by the applicable city,
5 town, county or commission that the holder of the permit,
6 or any employee or agent thereof, has acted in violation of
7 any Wyoming gaming law specified in this chapter, W.S. 6-7-
8 101 through 6-7-104 or W.S. 9-24-101 through 9-24-106;

9

10 (C) The welfare of the people residing in
11 the immediate vicinity of the permitted premises is
12 adversely and seriously affected by the permitted premises.

13

14 (h) An applicant for renewal of a city, town or
15 county's approval for a simulcasting permit shall file the
16 application with the applicable city, town or county not
17 later than ninety (90) days prior to expiration of the
18 permit. After receipt of a renewal application, the city,
19 town or county shall hold a properly noticed public
20 hearing.

21

1 (j) An applicant for a city, town or county's approval
2 for a simulcasting permit or the holder of a permit may
3 appeal to the district court in the county where the
4 permitted premises are or will be located from an adverse
5 decision or revocation by the applicable city, town or
6 county.

7

8 **Section 2.** W.S. 11-25-102(a)(v), (vii)(intro) and by
9 creating a new paragraph (xxiii), 11-25-104(g) and
10 11-25-201(a) and (b)(ii) through (iv) are amended to read:

11

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

13

14 (a) As used in this act:

15

16 (v) "Pari-mutuel event" means the events which
17 are authorized by the commission for the conduct of horse
18 racing (to include quarter horse, thoroughbred or other
19 approved races), harness racing, cutter racing, chariot
20 racing, chuckwagon racing, professional roping and rodeo
21 events and simulcasting of dog racing and the events

1 described in this paragraph as prescribed by the
2 commission, including wagering on historic horse racing
3 machines; ~~Notwithstanding W.S. 6-7-101(a)(iv) and 11-25-~~
4 ~~203, the commission may authorize and promulgate rules~~
5 ~~providing for pari-mutuel wagering on events that have~~
6 ~~previously occurred, utilizing an electronic system or~~
7 ~~device that affords an opportunity for the exercise of~~
8 ~~skill or judgment where the outcome is not completely~~
9 ~~controlled by chance alone;~~

10
11 (vii) "Simulcasting" means the sale of
12 pari-mutuel pools electronically transmitted live or
13 historic on interstate or intrastate pari-mutuel events as
14 prescribed by the commission; ~~The commission shall~~
15 ~~authorize simulcasting subject to the following conditions:~~

16
17 (xxiii) "Historic horse racing machine" means a
18 commercial electrical gaming device approved by the
19 commission by which a person can engage in pari-mutuel
20 wagering on the outcome of a horse race that has previously
21 occurred and that affords an opportunity for the exercise

1 of skill or judgment where the outcome is not completely
2 controlled by chance alone.

3

4 11-25-104. Gaming commission; officers; director;
5 meetings; quorum; records; licenses generally; effect of
6 financial interest in events.

7

8 (g) The commission may delegate authority to enforce
9 rules of the commission and this act to three (3) stewards
10 at each live pari-mutuel event, at least one (1) of whom
11 shall be an employee of and selected by the commission. ~~The~~
12 ~~commission shall require at least one (1) steward to~~
13 ~~supervise each simulcast location that is approved by the~~
14 ~~commission.~~ Stewards shall exercise such reasonable and
15 necessary authority as is designated by rules of the
16 commission including the following:

17

18 11-25-201. Pari-mutuel permits; fees and reports;
19 disposition of funds; enforcement of provisions.

20

1 (a) The commission may issue pari-mutuel permits for
2 a specified period not to exceed three (3) years from the
3 date of issuance to any Wyoming county, city, incorporated
4 town, county fair board or any corporation or association
5 ~~which~~that has been approved by the board of county
6 commissioners, except as provided for simulcasting permits
7 in W.S. 11-25-210, and that provides a bond acceptable to
8 the commission. No permit shall be granted to any city,
9 town, county, county fair board or any corporation or
10 association except upon the express condition that it shall
11 not, by any lease, contract, understanding or arrangement
12 of whatever kind or nature, grant, assign or turn over to
13 any person, corporation or association the operation or
14 management of the pari-mutuel event permitted under this
15 act or of the pari-mutuel system of wagering or in any
16 manner permit any person, corporation or association to
17 retain any of the money received for admission to the race
18 meeting or from the operations of the pari-mutuel system.
19 The commission shall revoke the permit of any permittee for
20 any violation of the foregoing condition and such acts are
21 a violation of this act. The permit is effective only for

1 the times and at the places for which issued. In addition
2 to all other fees and charges, there shall be charged
3 before issuance of a permit a daily fee established by the
4 commission to defray expenses of enforcing this act.

5

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

8

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

17

18 (iii) Pay an amount equal to one percent (1%) of
19 the total amount wagered attributable to historic ~~pari-~~
20 ~~mutuel events~~ horse racing machines, shown by the report to
21 the commission, to be transferred by the commission to the

1 county and the city or town in which the permittee is
 2 located, in equal shares, or to the county alone if the
 3 permittee is not located within the boundaries of a city or
 4 town. The county, city or town receiving an amount under
 5 this paragraph may credit that amount to the state fair
 6 account upon a majority vote of the county's, city's or
 7 town's governing body; and

8

9 (iv) Pay an amount equal to one-quarter percent
 10 (1/4%) of the total amount wagered attributable to historic
 11 ~~pari-mutuel events~~ horse racing machines, shown by the
 12 report to the commission, to be credited to the legislative
 13 stabilization reserve account.

14

15 **Section 3.** W.S. 11-25-102(a)(vii)(A) through (D) are
 16 repealed.

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

19 STAFF COMMENT

20 The repealed (and stricken) paragraph is included below for
 21 reference:

22

23 11-25-102. Definitions.

24

(a) As used in this act:

25

(vii) "Simulcasting" means the sale of

26

pari-mutuel pools electronically transmitted live or

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

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

11 ~~(B) Simulcasting may be conducted off the~~
12 ~~permitted premises only if the board of county~~
13 ~~commissioners of the county in which such simulcasting will~~
14 ~~be conducted grant [grants] its approval;~~

15 ~~(C) No simulcasting may be conducted within~~
16 ~~one hundred (100) miles of any premises permitted under~~
17 ~~this act, except that the commission may waive the one~~
18 ~~hundred (100) mile limitation if the simulcast permit~~
19 ~~application includes written approval from the permittee~~
20 ~~whose permitted premises is within the one hundred (100)~~
21 ~~mile limitation;~~

22 ~~(D) The commission shall promulgate rules~~
23 ~~for conducting simulcasting as are reasonably necessary to~~
24 ~~protect the public interest.~~

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

28 **Section 4.**

29
30 (a) Notwithstanding W.S. 11-25-210, as created by
31 section 1 of this act, the holder of a simulcasting permit
32 issued before the effective date of this act by the Wyoming
33 gaming commission shall be authorized to continue operation

1 subject to the conditions of the permit until June 30,
2 2026.

3

4 (b) On and after July 1, 2026, all applicants for a
5 simulcasting permit or renewal shall be subject to the
6 requirements of W.S. 11-25-210, as created by section 1 of
7 this act, except as provided in this subsection. A city,
8 town or county may deny or refuse to renew its approval for
9 an application filed by the holder of a permit issued
10 before the effective date of this act by the Wyoming gaming
11 commission to conduct simulcasting in that city, town or
12 county only upon a showing of good cause, as specified in
13 W.S. 11-25-210(g)(viii), as created by section 1 of this
14 act.

15

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

17

18

(END)