

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Gaming-amendments.

Sponsored by: Joint Appropriations 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; creating licensure and fee requirements for
9 manufacturers of specified gaming devices; and providing
10 for an effective date.

11

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

13

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(e) and (k), 11-25-
5 201(k)(v) and (vi), 11-25-205(c), 11-25-301(b), 11-25-302,
6 11-25-303(c) through (e), 11-25-304(a)(i), (ii) and by
7 creating a new paragraph (iii), (b), (d) and by creating a
8 new paragraph (e), 11-25-305(a)(intro), (c)(intro) and
9 (iii) are amended to read:

10

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

12

13 (a) As used in this article:

14

15 (xiv) "Bona fide social relationship" means a
16 genuine social relationship between two (2) or more persons
17 wherein each person has an established knowledge of the
18 other. "Bona fide social relationship" shall not include a
19 social relationship which has arisen for the purpose of
20 gambling.

21

22 **9-24-101. Definitions.**

23

1 (a) As used in this chapter:

2

3 (x) "Qualified gaming entity" means any of the
4 following:

5

6 (A) A gaming entity that offers online
7 sports wagering through computers, digital platforms or
8 mobile applications in not less than three (3)
9 jurisdictions in the United States pursuant to a state
10 regulatory structure;

11

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

14

15 **9-24-102. Online sports wagering regulation;**
16 **rulemaking.**

17

18 (b) The commission shall promulgate rules to
19 implement this chapter. The rules the commission
20 promulgates shall establish standards and procedures for
21 online sports wagering and associated sports wagering
22 systems. The rules shall include:

23

1 (i) Governance of the conduct of online sports
2 wagering and the system of wagering associated with online
3 sports wagering, including all of the following:

4

5 (F) A requirement for each sports wagering
6 operator to use a geolocation system to ensure ~~that~~ all of
7 the following:

8

9 (I) A patron making an online sports
10 wager is physically present in the state when making the
11 wager unless otherwise authorized by the commission;

12

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

19

20 **9-24-105. Age to engage in online sports wagering.**

21

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

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2

11-25-102. Definitions.

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4

(a) As used in this act:

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(xvi) "~~Establishment~~ Location" 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;

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

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

(xxii) "Smoke shop" means a ~~retailer as defined in W.S. 14-3-301(a)(iii) that~~ business that derives fifty percent (50%) or more of its gross annual revenue from

1 nicotine products ~~as defined by W.S. 14-3-301(a)(vi)~~ and
2 that contains a humidor on the premises of the business.
3 "Smoke shop" shall not include a business that sells only
4 the following product categories: electronic cigarettes,
5 edible products, vapor material or tetrahydrocannabinol.
6 The definitions in W.S. 14-3-301(a) shall apply to this
7 paragraph;

8
9 (xxiii) "Manufacturer" means a person engaged in
10 the business of constructing skill based amusement games or
11 software or selling skill based amusement games or software
12 to skill based amusement game vendors.

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

17
18 (e) The commission may authorize by license or permit
19 and supervise all the conduct of all events provided for
20 and regulated by this act. The commission may make
21 reasonable rules for the control, supervision and direction
22 of applicants, permittees and licensees. The rules shall
23 include procedures for resolving scheduling conflicts and

1 settling disputes between permittees, for the supervising,
2 disciplining, suspending, fining and barring from pari-
3 mutuel events of all persons required to be licensed or
4 permitted by this act, and for the holding, conducting and
5 operating of all pari-mutuel events pursuant to this act.
6 The rules shall include requirements for internal controls
7 for all aspects of pari-mutuel wagering, including
8 procedures for system integrity, system security,
9 operations and accounting. The commission may require that
10 license applicants be fingerprinted for identification
11 purposes as a condition of licensing. The commission shall
12 announce the place, time and duration of pari-mutuel events
13 for which license or permit fees shall be required and
14 establish reasonable fees for all licenses and permits
15 provided for by this act. The fees shall be established to
16 ensure that the costs of administering this act are
17 recovered through the total revenues received under this
18 act. License and permit fees and terms established by the
19 commission for persons engaged in the business of
20 constructing or selling electronic devices or software for
21 simulcasting of pari-mutuel events shall be commensurate
22 with the fees and terms for sports wagering vendors
23 specified in W.S. 9-4-103(e). The commission shall

1 establish security access safeguards for licensees to use
2 for advance deposit pari-mutuel wagering. The commission
3 shall prohibit advance deposit pari-mutuel advertising that
4 it determines to be deceptive to the public.

5

6 (k) The commission shall access criminal history
7 record information for all ~~operators~~establishments and
8 skill based amusement game vendors under article 3 of this
9 chapter and all licensees, permittees and employees of the
10 commission under W.S. 9-1-627(d) for the purposes of this
11 act. Every applicant for a permit or license under this act
12 shall provide the commission fingerprints and other
13 information necessary for a criminal history record
14 background check as provided under W.S. 7-19-201.

15

16 **11-25-201. Pari-mutuel permits; fees and reports;**
17 **disposition of funds; enforcement of provisions.**

18

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

22

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

4
5 (vi) Include a statement in all forms of
6 advertising for advance deposit pari-mutuel wagering
7 accounts that "~~minors~~ persons under the age of twenty-one
8 (21) are not allowed to open or have access to advance
9 deposit pari-mutuel wagering accounts."

10
11 **11-25-205. Bribery, touting and betting by minors**
12 **prohibited.**

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

16
17 **11-25-301. Skill based amusement games authorization;**
18 **commission authority; applicability.**

19
20 (b) A skill based amusement game that meets the
21 requirements of this article shall be approved by the
22 commission to operate in the state or it shall be removed
23 from the state by the skill based amusement game vendor.

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2 **11-25-302. Laboratory report required.**

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

14

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

21

22 **11-25-303. Restrictions on operation of skill based**
23 **amusement games.**

1

2 (c) No establishment shall have more than four (4)
3 skill based amusement games operating for play ~~at any one~~
4 ~~(1) time on the premises of the address of any location.~~ An
5 establishment shall not operate multiple businesses at any
6 location for purposes of avoiding the restrictions of this
7 subsection.

8

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

20

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

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

6

7 **11-25-304. Required permits and licenses; applicable**
8 **fees; tax imposition; taxation rate; distribution.**

9

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

15

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

21

22 (ii) A skill based amusement game vendor shall
23 be issued a license and required to pay an annual fee of

1 two thousand five hundred dollars (\$2,500.00) to possess
2 and distribute skill based amusement games;

3
4 (iii) A manufacturer shall be issued a license
5 to construct or sell skill based amusement games or
6 software operated in Wyoming. The commission shall
7 establish by rule the fees and terms for manufacturer
8 licenses, which shall be commensurate with the fees and
9 terms for sports wagering vendors specified in W.S. 9-4-
10 103(e).

11
12 (b) Skill based amusement games that meet the
13 requirements of this article shall bear a commission issued
14 decal that identifies the skill based amusement game vendor
15 of the game. Each decal shall be valid for one (1) year. No
16 skill based amusement game shall be operational unless it
17 bears a current commission issued decal. The commission
18 shall charge the skill based amusement game vendor a fee of
19 fifty dollars (\$50.00) for a decal. Each decal shall
20 include the bucking horse and rider emblem.

21
22 (d) Taxes shall be calculated and paid on a weekly
23 basis based on the net proceeds earned during the prior

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

11
 12 (e) As part of the licensing process and before
 13 receiving or renewing a license specified in paragraph
 14 (a)(iii) of this section, each manufacturer shall provide
 15 to the commission a written certification that the
 16 manufacturer's skill based amusement games do not possess
 17 any hardware feature that can be manually activated, or a
 18 software feature that can be altered, by the skill based
 19 amusement game vendor.

20
 21 **11-25-305. Establishment permit, game supplier**
 22 **license and skill based amusement game decal approval;**
 23 **criteria; review.**

1

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

7

8 (c) ~~Operators~~An establishment shall have a
9 continuing duty to disclose in writing any material change
10 in the information provided in the application to the
11 commission, including:

12

13 (iii) Any civil action brought against the
14 ~~operator or~~ establishment or location; and

15

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

17

18 (END)