

**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 requirements for permitting simulcasting and historic horse  
3 racing machines; requiring approval and consent by a city,  
4 town or county for the issuance of a simulcasting permit as  
5 specified; authorizing conditions and revocation of  
6 approval; authorizing appeals; amending enforcement  
7 requirements; conforming provisions; specifying  
8 applicability; and providing for an effective date.

9

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

11

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

2

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

6

7           (a) Simulcasting shall be conducted only by the  
8 holder of a simulcasting permit issued by the commission  
9 and approved by the local approving authority, as specified  
10 by this section.

11

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

15

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

20

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

3

4           (i) If the simulcasting will be conducted within  
5 the corporate limits of any city or town, the permit or  
6 renewal shall be subject to approval by the governing body  
7 of the city or town and consent by the board of county  
8 commissioners of the county in which the simulcasting will  
9 be conducted;

10

11           (ii) If the simulcasting will be conducted  
12 outside the corporate limits of any city or town, the  
13 permit or renewal shall be subject to approval by the board  
14 of county commissioners of the county in which the  
15 simulcasting will be conducted. If the simulcasting will  
16 be conducted within one-half (1/2) mile of the corporate  
17 limits of a city that has exercised the authority granted  
18 under W.S. 15-3-202(b)(ii), the permit of renewal shall be  
19 subject to consent by the governing body of that city;

20

1           (iii) A permit or renewal shall be issued by the  
2 commission for a term not to exceed three (3) years from  
3 the date of issuance;

4

5           (iv) A permit or renewal shall be issued by the  
6 commission only to an applicant authorized under this act  
7 to conduct a pari-mutuel event other than simulcasting.

8

9           (e) An applicant for a simulcasting permit or renewal  
10 issued by the commission shall:

11

12           (i) File an application for approval with the  
13 local approving authority. Renewal applications shall be  
14 filed not later than ninety (90) days prior to expiration  
15 of the permit;

16

17           (ii) At the time of filing the application, pay  
18 an amount sufficient to reimburse the actual cost of  
19 publishing notice of the application;

20

1           (iii) If the permit or renewal is subject to  
2 consent by a second local authority under paragraphs (d)(i)  
3 or (ii) of this section, the applicant shall notify that  
4 local authority of its application.

5

6           (f) After receipt of an approval or renewal  
7 application under paragraph (e)(i) of this section, the  
8 local approving authority shall promptly prepare and  
9 publish notice of the application in a newspaper of local  
10 circulation once a week for two (2) consecutive weeks and  
11 post the notice on its official website. The notice shall  
12 state that the named applicant has applied for approval or  
13 renewal of a simulcasting permit that protests against the  
14 issuance or renewal of approval, if any, will be heard at a  
15 designated meeting of the local approving authority. For a  
16 renewal application, the local approving authority shall  
17 hold the designated meeting not later than thirty (30) days  
18 prior to expiration of the permit.

19

1           (g) With respect to approval and renewal of  
2 simulcasting permits issued by the commission, the local  
3 approving authority:

4

5           (i) Shall not approve or deny an application  
6 until on or after the date set in its notice for hearing  
7 protests;

8

9           (ii) Shall not consider, modify or impose  
10 conditions that are solely within the jurisdiction of the  
11 commission;

12

13           (iii) May impose reasonable conditions on its  
14 approval, which shall be negotiated in good faith with an  
15 applicant, including but not limited to the following:

16

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

1

2 (B) Designations within the permitted  
3 premises relating to areas historic horse racing machines  
4 may be located, to the extent the designations are not  
5 inconsistent with rules of the commission.

6

7 (iv) May modify the reasonable conditions imposed  
8 under paragraph (iii) of this subsection only upon a  
9 showing of good cause;

10

11 (v) Shall require the applicant to identify the  
12 specific location in the city, town or county where  
13 simulcasting will be conducted and the number of historic  
14 horse racing machines to be permitted at that location;

15

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

18

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

21

1           (viii) Shall have the right to revoke its  
2 approval or deny a renewal of approval for a simulcasting  
3 permit only for good cause, which shall be limited to any  
4 of the following:

5  
6           (A) A breach by the holder of the permit of  
7 any reasonable conditions imposed by the local approving  
8 authority or the commission that are not cured by the  
9 holder of the permit within ten (10) business days of  
10 receiving written notice of the breach from the local  
11 approving authority or the commission, or the date agreed  
12 upon by the holder of the permit and the local approving  
13 authority or commission;

14  
15           (B) Notification by the commission that the  
16 holder of the permit, or any employee or agent thereof, has  
17 acted in violation of any Wyoming gaming law specified in  
18 this chapter, W.S. 6-7-101 through 6-7-104 or W.S. 9-24-101  
19 through 9-24-106;

20



1                   (C) The welfare of the people residing in  
2 the immediate vicinity of the permitted premises is  
3 adversely and seriously affected by the permitted premises;

4

5                   (D) The holder of the permit fails to  
6 demonstrate commencement of simulcasting at the approved  
7 location within one (1) year after the permit is issued.  
8 Upon a showing of good cause by the holder of the permit,  
9 the local approving authority may extend the period for  
10 commencement of simulcasting for one (1) additional year.

11

12           (h) For simulcasting permits or renewals that require  
13 the consent of a second local authority, the second local  
14 authority shall notify the applicant, the commission and  
15 the local approving authority of any objections or concerns  
16 in writing not later than thirty (30) days after receipt of  
17 the notification of an application under paragraph (e)(iii)  
18 of this section. The commission and the local approving  
19 authority shall not approve a permit or renewal unless all  
20 objections and concerns raised by the second local

1 authority have been considered and settled, as determined  
2 by the local approving authority.

3

4 (j) An applicant for renewal of a simulcasting permit  
5 or the holder of a simulcasting permit may appeal to the  
6 district court in the county where the permitted premises  
7 are located from an adverse decision or revocation by the  
8 local approving authority. During the pendency of the  
9 appeal, the approval of the local approving authority for  
10 the applicant to conduct simulcasting shall remain in full  
11 force and effect.

12

13 (k) No applicant for approval by a local approving  
14 authority for a new simulcasting permit shall have a right  
15 of appeal from the decision of the local approving  
16 authority.

17

18 **Section 2.** W.S. 11-25-102(a)(v), (vii)(intro) and by  
19 creating new paragraphs (xxiii) through (xxv), 11-25-  
20 104(g)(intro) and 11-25-201(a) and (b)(ii) through (iv)  
21 are amended to read:

1

2           **11-25-102. Definitions.**

3

4           (a) As used in this act:

5

6                   (v) "Pari-mutuel event" means the events which  
7 are authorized by the commission for the conduct of horse  
8 racing (to include quarter horse, thoroughbred or other  
9 approved races), harness racing, cutter racing, chariot  
10 racing, chuckwagon racing, professional roping and rodeo  
11 events and simulcasting of dog racing and the events  
12 described in this paragraph as prescribed by the  
13 commission, including wagering on historic horse racing  
14 machines; ~~Notwithstanding W.S. 6-7-101(a)(iv) and 11-25-~~  
15 ~~203, the commission may authorize and promulgate rules~~  
16 ~~providing for pari-mutuel wagering on events that have~~  
17 ~~previously occurred, utilizing an electronic system or~~  
18 ~~device that affords an opportunity for the exercise of~~  
19 ~~skill or judgment where the outcome is not completely~~  
20 ~~controlled by chance alone;~~

21

1           (vii) "Simulcasting" means the sale of  
2 pari-mutuel pools electronically transmitted live or  
3 historic on interstate or intrastate pari-mutuel events as  
4 prescribed by the commission; ~~The commission shall~~  
5 ~~authorize simulcasting subject to the following conditions:~~  
6

7           (xxiii) "Historic horse racing machine" means a  
8 commercial electrical gaming device approved by the  
9 commission by which a person can engage in pari-mutuel  
10 wagering on the outcome of a horse race that has previously  
11 occurred and that affords an opportunity for the exercise  
12 of skill or judgment where the outcome is not completely  
13 controlled by chance alone;  
14

15           (xxiv) "Local approving authority" means the  
16 local authority with responsibility to approve or deny an  
17 application or renewal of a simulcasting permit issued by  
18 the commission;  
19

20           (xxv) "Local authority" means the governing body  
21 of a city, town or county in Wyoming.

1

2           **11-25-104. Gaming commission; officers; director;**  
3 **meetings; quorum; records; licenses generally; effect of**  
4 **financial interest in events.**

5

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

15

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

18

19           (a) The commission may issue pari-mutuel permits for  
20 a specified period not to exceed three (3) years from the  
21 date of issuance to any Wyoming county, city, incorporated

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

1 before issuance of a permit a daily fee established by the  
2 commission to defray expenses of enforcing this act.

3

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

6

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

15

16 (iii) Pay an amount equal to one percent (1%) of  
17 the total amount wagered attributable to historic ~~pari-~~  
18 ~~mutuel events~~ horse racing machines, shown by the report to  
19 the commission, to be transferred by the commission to the  
20 county and the city or town in which the permittee is  
21 located, in equal shares, or to the county alone if the

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

6

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

12

13 **Section 3.** W.S. 11-25-102(a)(vii)(A) through (D) is  
14 repealed.

15 \*\*\*\*\*  
16 \*\*\*\*\*

17 **STAFF COMMENT**  
18 **The repealed (and stricken) paragraph is included below for**  
19 **reference:**

20  
21 11-25-102. Definitions.  
22 (a) As used in this act:  
23 (vii) "Simulcasting" means the sale of  
24 pari-mutuel pools electronically transmitted live or  
25 historic on interstate or intrastate pari-mutuel events as  
26 prescribed by the commission. ~~The commission shall~~  
27 ~~authorize simulcasting subject to the following conditions:~~



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

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

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

19                   ~~(D) The commission shall promulgate rules~~  
20 ~~for conducting simulcasting as are reasonably necessary to~~  
21 ~~protect the public interest.~~

22 \*\*\*\*\*  
23 \*\*\*\*\*  
24

25                   **Section 4.**

26  
27                   (a) Notwithstanding W.S. 11-25-210, as created by  
28 section 1 of this act, the holder of a simulcasting permit  
29 issued before the effective date of this act by the Wyoming  
30 gaming commission shall be authorized to continue  
31 operations subject to the conditions of the permit until  
32 June 30, 2026.

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

12

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

14

15

(END)