



Certification Page Regular and Emergency Rules

Revised June 2020

☒ Emergency Rules (Complete Sections 1-3 and 5-6)

☐ Regular Rules

1. General Information

a. Agency/Board Name* Wyoming Gaming Commission			
b. Agency/Board Address 951 Werner Court, Suite 335		c. City Casper	d. Zip Code 82601
e. Name of Agency Liaison Charles E. Moore		f. Agency Liaison Telephone Number 307-265-4015	
g. Agency Liaison Email Address charles.moore@wyo.gov			h. Adoption Date August 2, 2021
i. Program Online Sports Wagering			
Amended Program Name (if applicable): N/A - New Program			

* ☐ By checking this box, the agency is indicating it is exempt from certain sections of the Administrative Procedure Act including public comment period requirements. Please contact the agency for details regarding these rules.

2. Legislative Enactment For purposes of this Section 2, "new" only applies to regular (non-emergency) rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.

a. Are these non-emergency or regular rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

☐ No. ☒ Yes. If the rules are new, please provide the Legislative Chapter Numbers 2021 Session Laws Chapter 100 and Years Enacted (e.g. 2015 Session Laws Chapter 154):

3. Rule Type and Information For purposes of this Section 3, "New" means an emergency or regular rule that has never been previously created.

a. Provide the Chapter Number, Title* and Proposed Action for Each Chapter. Please use the "Additional Rule Information" form to identify additional rule chapters.

Chapter Number: Chapter 1	Chapter Name: General Provisions	☒ New ☐ Amended ☐ Repealed
Amended Chapter Name (if applicable):		
Chapter Number: Chapter 2	Chapter Name: Permits/Permittees	☒ New ☐ Amended ☐ Repealed
Amended Chapter Name (if applicable):		
Chapter Number: Chapter 3	Chapter Name: Taxes and Payments	☒ New ☐ Amended ☐ Repealed
Amended Chapter Name (if applicable):		
Chapter Number: Chapter 4	Chapter Name: Patron Wagers	☒ New ☐ Amended ☐ Repealed
Amended Chapter Name (if applicable):		
Chapter Number: Chapter 5	Chapter Name: Technical Standards	☒ New ☐ Amended ☐ Repealed
Amended Chapter Name (if applicable):		
Chapter Number: Chapter 6	Chapter Name: Sports Wagering Accounts	☒ New ☐ Amended ☐ Repealed
Amended Chapter Name (if applicable):		

4. Public Notice of Intended Rulemaking

a. Notice was mailed 45 days in advance to all persons who made a timely request for advance notice. ☐ No. ☐ Yes. ☐ N/A

b. A public hearing was held on the proposed rules. ☐ No. ☐ Yes. Please complete the boxes below.

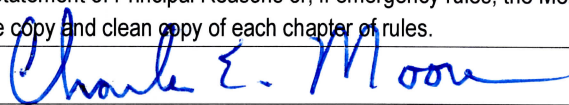
Date:	Time:	City:	Location:

5. Checklist

- a. ☐ For regular rules, the Statement of Principal Reasons is attached to this Certification and, in compliance with Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule
- b. ☒ For emergency rules, the Memorandum to the Governor documenting the emergency, which requires promulgation of these rules without providing notice or an opportunity for a public hearing, is attached to this Certification.

6. Agency/Board Certification

The undersigned certifies that the foregoing information is correct. By electronically submitting the emergency or regular rules into the Wyoming Administrative Rules System, the undersigned acknowledges that the Registrar of Rules will review the rules as to form and, if approved, the electronic filing system will electronically notify the Governor's Office, Attorney General's Office, and Legislative Service Office of the approval and electronically provide them with a copy of the complete rule packet on the date approved by the Registrar of Rules. The complete rules packet includes this signed certification page; the Statement of Principal Reasons or, if emergency rules, the Memorandum to the Governor documenting the emergency; and a strike and underscore copy and clean copy of each chapter of rules.

Signature of Authorized Individual	
Printed Name of Signatory	Charles E. Moore
Signatory Title	Executive Director
Date of Signature	August 9, 2021

7. Governor's Certification

I have reviewed these rules and determined that they:

1. Are within the scope of the statutory authority delegated to the adopting agency;
2. Appear to be within the scope of the legislative purpose of the statutory authority; and, if emergency rules,
3. Are necessary and that I concur in the finding that they are an emergency.

Therefore, I approve the same.

Governor's Signature	
Date of Signature	



Additional Rule Information

Revised June 2020

Include this page only if needed.

1. General Information

a. Agency/Board Name* Wyoming Gaming Commission		
b. Agency/Board Address 951 Werner Court, Suite 335	c. City Casper	d. Zip Code 82601
e. Name of Agency Liaison Charles E. Moore	f. Agency Liaison Telephone Number 307-265-4015	
g. Agency Liaison Email Address charles.moore@wyo.gov		
h. Program Online Sports Wagering		
Amended Program Name (if applicable): N/A - New Program		

2. Rule Type and Information, Cont.

a. Provide the Chapter Number, Title, and Proposed Action for Each Chapter.

Chapter Number: Chapter 7	Chapter Name: Audit and Internal Controls	☒ New ☐ Amended ☐ Repealed
Amended Chapter Name (if applicable):		
Chapter Number: Chapter 8	Chapter Name: Responsible Gaming and Advertising	☒ New ☐ Amended ☐ Repealed
Amended Chapter Name (if applicable):		
Chapter Number: Chapter 9	Chapter Name: Disciplinary Actions and Hearings	☒ New ☐ Amended ☐ Repealed
Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
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Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
Amended Chapter Name (if applicable):		



Governor
Mark Gordon

Wyoming Gaming Commission
Energy II Building, 951 Werner Court, Suite 335
Casper, WY 82601
Phone: (307) 265-4015 Fax: (307) 265-4279

Executive Director
Charles E. Moore

COMMISSIONERS

Bob Davis, President Troy Broussard, Vice President
Jenni Wildcat Randy Leinen Dick Currah Cactus Covello Dr. Tom J. Berry Sherry Daigle Dwane Pacheco

To: Honorable Mark Gordon, Governor

From: Charles E. Moore
Executive Director of the Wyoming Gaming Commission

Subject: Emergency Rules for the Wyoming Gaming Commission. Online Sports Wagering, Chapters 1 through 9.

Date: August 9, 2021

Priority: **High-** These emergency rules should be filed by August 31, 2021

Summary: The Commission is required to promulgate rules for the regulation of Online Sports Wagering pursuant to 2021 House Enrolled Act 50. These emergency rules are promulgated pursuant to Wyo. Stat. Ann, § 9-24-102(b), and establish a comprehensive regulatory framework, similar to other states that offer online sports wagering, as mandated by the Legislature. The emergency rules establish standards and procedures for online sports wagering and the associated sports wagering systems, while maximizing the revenue generated for the state. These emergency rules are identical to regular rules that are currently in the rulemaking process and have completed public comment.

Pursuant to HEA 50, the Commission is required to promulgate rules on or before September 1, 2021. To ensure that the Commission satisfies this Legislative deadline, it submits these emergency rules.

Agency Contact Name: Charles E. Moore

Agency Contact Phone: 307-265-4015

Agency Contact Email: charles.moore@wyo.gov



Governor
Mark Gordon

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Statement of Principal Reasons

During the 2021 legislative session, the Legislature passed House Enrolled Act 50, which authorizes online sports wagering in Wyoming. Under the Act, the Wyoming Gaming Commission is required to promulgate rules to “establish standards and procedures for online sports wagering and associated sports wagering systems.” Wyo. Stat. Ann. § 9-24-102(b). Accordingly, the Commission proposes these new rules to provide for the “[g]overnance of the conduct of online sports wagering and the system of wagering associated with online sports wagering[.]” Wyo. Stat. Ann. § 9-24-102(b)(i). As mandated by the Legislature, the Commission “[e]xamined the regulations implemented in other states where online sports wagering is conducted” and proposes these new rules to “adopt a similar framework to maximize revenue generated for the state.” Wyo. Stat. Ann. § 9-24-102(c). The Commission is required to promulgate these online sports wagering rules no later than September 1, 2021. 2021 Wyo. Sess. Laws, Ch. 100, Section 3. Pursuant to Wyo. Stat. Ann. § 16-3-103(a)(i)(J), a brief explanation of the substance, basis, and purpose of each chapter is as follows:

Chapter 1 - General Provisions.

Creates definitions for relevant terms used throughout the rules. The definitions align with current industry language and practices used in other jurisdictions that regulate online sports wagering.

Chapter 2 - Permits/Permittees.

Provides a process for online sports wagering permit application, investigation, and licensure. The chapter outlines the specific information required in applications, sets forth the various permit fees, and establishes procedures for conducting background checks on applicants and other interested persons regulated by the Commission.

Chapter 3 - Taxes and Payments.

Provides a process for timely and secure payment of sports wagering taxes and other revenue in accordance with Wyo. Stat. Ann. § 9-24-104.

Chapter 4 - Patron Wagers.

Creates a process for determining the types of sports wagering activities to be conducted. The chapter establishes a process for requesting the authorization of new sporting event wagers, discusses which events are allowed, and which events are prohibited. The chapter details which wagering information shall be publicly posted, specifies taxation requirements, outlines certain duties related to sports wagering integrity, and creates requirements to maintain sufficient financial reserves. The chapter also sets forth procedures for settling patron disputes.

Chapter 5 - Technical Standards.

Establishes requirements regarding the certification, assessment, and security of sports wagering systems. The chapter incorporates uniform standards used in other online sports wagering jurisdictions that permittees are required to adhere to. The chapter also provides an efficient process for the oversight of

current and future technology used in sports wagering operations, and provides rules for the integrity of sports wagering systems. Finally, the chapter provides the Commission with tools to investigate compromised wagering systems and technology failures.

Chapter 6 - Sports Wagering Accounts.

Specifies online sports wagering account requirements, provides for distribution of funds to deceased patrons, describes certain duties related to anti-money laundering, and discusses safeguarding personally identifiable information.

Chapter 7 - Audit and Internal Controls.

Provides internal control procedures, including administration and accounting controls, and specifies requirements for Commission access to certain information and records. The chapter further details record retention and reporting requirements. The chapter reflects common practices implemented in other states where online sports wagering is conducted.

Chapter 8 - Responsible Gaming and Advertising.

Establishes procedures for responsible gaming such as “self-exclusion,” a widely used tool to help problem gamblers better manage their behavior, and other procedures designed to promote treatment, build awareness, and educate consumers about strategies to avoid problem gambling behavior. The chapter also specifies duties related to the implementation and execution of responsible gambling programs to encourage a unified effort to prevent, detect, and treat problem gambling behavior. This chapter includes provisions to involuntarily exclude persons who pose a threat to the effective regulation of sports wagering or negatively impact the integrity of sports wagering operations. The regulations are consistent with strategies used in other states where online sports wagering is conducted.

Chapter 9 - Disciplinary Actions and Hearings.

Establishes procedures for both informal, and formal, disciplinary actions taken following violations of online sports wagering statutes and rules. The chapter also provides certain conditions for reissuance of permits to persons who have been previously subject to discipline. The chapter also incorporates by reference, uniform rules for contested case proceedings.

Chapter 1 General Provisions

“Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules”

Section 1. Definitions. In applying the rules and all amendments, the following definitions, constructions, and interpretations shall apply, except where otherwise indicated in the rules:

- (a) “Affiliate” means a person that, directly or indirectly, through one (1) or more intermediaries, controls or is controlled by a sports wagering operator.
- (b) “Applicant” means a person that applies for a permit.
- (c) “Card” means the list of sporting events from which a patron can make selections for a given pool.
- (d) “Cash equivalent” has the meaning provided in W.S. § 9-24-101(a)(i).
- (e) “Director” has the meaning provided in W.S. § 9-24-101(a)(iii).
- (f) “Event category” means a specific type of athletic event or other event governed by a specific sports governing body or other oversight body (for example, professional basketball governed by the National Basketball Association).
- (g) “Event integrity monitoring” means the monitoring of sports wagering to identify unusual or suspicious wagering activities from a match-fixing and sporting corruption standpoint to then report such activities to required parties.
- (h) “Exchange wagering” means a form of wagering in which two (2) or more persons place identically opposing wagers in a given market, allowing patrons to wager on both winning and non-winning outcomes in the same event.
- (i) “Fantasy sports contest” has the meaning provided in W.S. § 9-24-101(a)(iv).
- (j) “Geolocation system” means a process to reasonably detect the geolocation of a patron when said patron is attempting to access the system and place a wager.
- (k) “Indian lands” has the meaning provided in the Indian Gaming Regulatory Act of 1988, 25 USC § 2703(4).
- (l) “In-game wagering” means placing an online sports wager after an athletic event has started.
- (m) “Independent integrity monitoring provider” means an independent person who is registered with the Commission and who receives reports of unusual wagering activity from

the Commission, a sports wagering operator, or a sports wagering vendor for the purpose of assisting in identifying suspicious wagering activity.

(n) “Institutional investor” means a person that is any of the following:

(i) A retirement fund administered by a public agency for the exclusive benefit of federal, state, or local public employees;

(ii) An employee benefit plan or pension fund that is subject to the Employee Retirement Income Security Act of 1974, Public Law 93-406;

(iii) An investment company registered under the Investment Company Act of 1940, 15 USC 80a-1 to 80a-64;

(iv) A collective investment trust organized by a bank under 12 CFR part 9;

(v) A closed-end investment trust;

(vi) A chartered or licensed life insurance company or property and casualty insurance company;

(vii) A chartered or licensed financial institution; or

(viii) An investment advisor registered under the Investment Adviser’s Act of 1940, 15 USC §§ 80b-1 to 80b-21.

(o) “Internet” means the international computer network of interoperable packet-switched data networks, inclusive of additional technological platforms, such as mobile, satellite, and other electronic distribution channels.

(p) “Involuntarily-excluded person” means any individual who has been involuntarily excluded by the director and who is prohibited from establishing a sports wagering account or participating in gambling, gaming or wagering activities under the jurisdiction of the Commission.

(q) “Key personnel” means any of the following:

(i) A director of the applicant;

(ii) A managerial employee of the applicant that performs the function of principal executive officer, principal operations officer, or principal accounting officer;

(iii) A person who holds more than five percent (5%) ownership interest in the applicant;

(iv) An affiliate of the applicant;

- (v) A director of an affiliate of the applicant;
- (vi) A managerial employee of an affiliate of an applicant that performs the function of principal executive officer, principal operations officer, or principal accounting officer; or
- (vii) Any individual or business entity so designated by the Commission or director.
- (r) “Layoff wager” means a wager placed by a sports wagering operator or sports wagering vendor with another sports wagering operator or sports wagering vendor for the purpose of offsetting patron online sports wagers.
- (s) “Mobile application” means an application on a mobile phone or other device through which an individual is able to place an online sports wager.
- (t) “Occupational permit” means a permit issued by the Commission to a person to perform an occupation that directly affects the integrity of online sports wagering and that the Commission has identified as requiring a permit to perform the occupation.
- (u) “Online sports wager” means the cash, or cash equivalent, including free wagers and bonus or promotional play risked by a patron on sports wagering through the internet.
- (v) “Online sports wagering” has the meaning provided in W.S. § 9-24-101(a)(vi).
- (w) “Online sports wagering revenue” has the meaning provided in W.S. § 9-24-101(a)(vii).
- (x) “Patron” has the meaning provided in W.S. § 9-24-101(a)(viii).
- (y) “Person” means an individual, partnership, corporation, association, limited liability company, or other legal entity.
- (z) “Personal identifying information (PII)” means any sensitive information that could potentially be used to identify a particular patron. Examples include a legal name, date of birth, place of birth, social security number (or equivalent government identification number), driver’s license number, passport number, residential address, phone number, email address, debit instrument number, credit card number, bank account number, or other personal information as defined by the Commission.
- (aa) “Pool” means an offering where patrons may make selections of outcomes on a set number of sporting events on a card in order to enter for a chance to win all or a portion of the prize pool.
- (bb) “Prize pool” means the prizing available for an individual tournament, contest, or pool.

(cc) “Prohibited person” means any involuntarily-excluded person, any voluntarily-excluded person, and all of the following:

- (i) Any individual who is under the age of eighteen (18);
 - (ii) Any individual wagering while not in the authorized geographic boundaries within the State of Wyoming;
 - (iii) Any individual wagering on behalf of another;
 - (iv) Any restricted patron wagering in violation of their restrictions;
 - (v) Any individual wagering in violation of state, local, or federal law; or
 - (vi) Other prohibited persons as determined by the Commission.
- (dd) “Prohibited sports wager” has the meaning provided in W.S. § 9-24-101(a)(ix).
- (ee) “Qualified gaming entity” has the meaning provided in W.S. § 9-24-101(a)(x).
- (ff) “Restricted patron” means any patron with the following restrictions in place:
- (i) Employees of a sports wagering operator or sports wagering vendor, as well as those within the same household, may not wager with the sports wagering operator or sports wagering vendor for which he or she is employed unless using a test account under these rules;
 - (ii) Occupational permittees and applicants may not wager with the sports wagering operator or sports wagering vendor for which they are employed or for which they had to qualify;
 - (iii) Professional or collegiate athletes, team employees and owners, coaches, managers, handlers, athletic trainers, league officials and employees, referees, umpires, sports agents, and employees of an athletic or referee union, and anyone with access to non-public/exclusive information or sufficient authority to influence the outcome of an event, as well as those within the same household, may not wager on events in the sport in which they participate, or in which the athlete they represent participates; or
 - (iv) At the Commission’s discretion, individuals on a list provided by a team or sports governing body may not wager on any event overseen by the relevant sports governing body.
- (gg) “Rake” means the fee that is deducted by a sports wagering operator or sports wagering vendor from a wager made for exchange wagering, or entry fees paid by patrons who participate in a tournament, contest, or pool.

(hh) “Rake adjustment” means an adjustment made by a sports wagering operator or sports wagering vendor to account for any shortfall in connection with a tournament, contest, or pool.

(ii) “Self-exclusion list” means a list of individuals who voluntarily excluded themselves from establishing or maintaining a sports wagering account with a sports wagering operator or sports wagering vendor.

(jj) “Sensitive information” means information such as PII, transactional wagering data, authentication credentials (including PINs and passwords), secure seeds and keys used in encryption, and other data that shall be handled in a secure manner.

(kk) “Shared liquidity pool” means a tournament, contest, or pool conducted in Wyoming and at least one other jurisdiction.

(ll) “Sporting event” has the meaning provided W.S. § 9-24-101(a)(xi).

(mm) “Sports governing body” means an organization that prescribes final rules and enforces codes of conduct for an athletic event and the participants in the athletic event.

(nn) “Sports wagering” has the meaning provided W.S. § 9-24-101(a)(xii).

(oo) “Sports wagering account” has the meaning provided W.S. § 9-24-101(a)(xiii).

(pp) “Sports wagering operator” has the meaning provided W.S. § 9-24-101(a)(xiv).

(qq) “Sports wagering operator permit” means a permit issued by the Commission to a person to operate, conduct, or offer online sports wagering.

(rr) “Sports wagering system” means the hardware, software, firmware, communications technology, other equipment, as well as operator procedures implemented in order to allow patron participation in online sports wagering, and, if supported, the corresponding equipment related to the display of the wager outcomes, and other similar information necessary to facilitate patron participation. The system provides the patron with the means to place and manage online sports wagers. The system provides the sports wagering operator with the means to review sports wagering accounts, suspend events, generate various wagering/financial transaction and account reports, input outcomes for events, and set any configurable parameters.

(ss) “Sports wagering vendor” has the meaning provided W.S. § 9-24-101(a)(xv).

(tt) “Sports wagering vendor permit” means a permit issued by the Commission to a sports wagering vendor.

(uu) “Statutes” means the online sports wagering statutes, W.S. §§ 9-24-101 through -106.

(vv) "Suspended account" means a sports wagering account that has been temporarily disabled from engaging in wagering activity.

(ww) "Suspicious wagering activity" means unusual wagering activity that cannot be explained and is indicative of any of the following:

- (i) Match-fixing;
- (ii) The manipulation of an event;
- (iii) Misuse of inside information;
- (iv) A potential breach of a sports governing body's internal rules or code of conduct pertaining to sports wagering;
- (v) Any other conduct that corrupts the outcome of an event; or
- (vi) Any other prohibited activity.

(xx) "Targeted mailing" means an advertisement or promotional offer from a sports wagering operator or a sports wagering vendor directed to an individual on the basis of specific criteria, such as being a member or former member of a rewards club or a participant in social games. "Targeted mailing" does not include mass communication, including mailings or e-mailings, made to an entire area or zip code or targeted list, nor does it include an advertisement that arrives in a packet of five (5) or more non-gaming advertisements if the packet of advertisements is addressed to "resident," "occupant," or some similar wording and not to a specific individual. "Targeted mailing" further does not include any "pop-up" advertisement that appears on an individual's computer or mobile device on the basis of his or her IP Address.

(yy) "Unusual wagering activity" means abnormal wagering activity exhibited by one (1) or more patrons and considered by a sports wagering operator or sports wagering vendor as a potential indicator of suspicious wagering activity. Unusual wagering activity may include the size of a patron's online sports wager or increased wagering volume on a particular event or wager type.

(zz) "Voluntarily-excluded person" means any individual whose name is included, at his or her own request, in the responsible gaming database or on a self-exclusion list or both.

(aaa) "Winnings" means the total cash value of all property or sums, including currency or instruments of monetary value paid to a patron by a sports wagering operator as a direct result of a winning sports wager.

Chapter 1
General Provisions

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- (c) “Card” means the list of sporting events from which a patron can make selections for a given pool.
- (d) “Cash equivalent” has the meaning provided in W.S. § 9-24-101(a)(i).
- (e) “Director” has the meaning provided in W.S. § 9-24-101(a)(iii).
- (f) “Event category” means a specific type of athletic event or other event governed by a specific sports governing body or other oversight body (for example, professional basketball governed by the National Basketball Association).
- (g) “Event integrity monitoring” means the monitoring of sports wagering to identify unusual or suspicious wagering activities from a match-fixing and sporting corruption standpoint to then report such activities to required parties.
- (h) “Exchange wagering” means a form of wagering in which two (2) or more persons place identically opposing wagers in a given market, allowing patrons to wager on both winning and non-winning outcomes in the same event.
- (i) “Fantasy sports contest” has the meaning provided in W.S. § 9-24-101(a)(iv).
- (j) “Geolocation system” means a process to reasonably detect the geolocation of a patron when said patron is attempting to access the system and place a wager.
- (k) “Indian lands” has the meaning provided in the Indian Gaming Regulatory Act of 1988, 25 USC § 2703(4).
- (l) “In-game wagering” means placing an online sports wager after an athletic event has started.
- (m) “Independent integrity monitoring provider” means an independent person who is registered with the Commission and who receives reports of unusual wagering activity from

the Commission, a sports wagering operator, or a sports wagering vendor for the purpose of assisting in identifying suspicious wagering activity.

(n) “Institutional investor” means a person that is any of the following:

(i) A retirement fund administered by a public agency for the exclusive benefit of federal, state, or local public employees;

(ii) An employee benefit plan or pension fund that is subject to the Employee Retirement Income Security Act of 1974, Public Law 93-406;

(iii) An investment company registered under the Investment Company Act of 1940, 15 USC 80a-1 to 80a-64;

(iv) A collective investment trust organized by a bank under 12 CFR part 9;

(v) A closed-end investment trust;

(vi) A chartered or licensed life insurance company or property and casualty insurance company;

(vii) A chartered or licensed financial institution; or

(viii) An investment advisor registered under the Investment Adviser’s Act of 1940, 15 USC §§ 80b-1 to 80b-21.

(o) “Internet” means the international computer network of interoperable packet-switched data networks, inclusive of additional technological platforms, such as mobile, satellite, and other electronic distribution channels.

(p) “Involuntarily-excluded person” means any individual who has been involuntarily excluded by the director and who is prohibited from establishing a sports wagering account or participating in gambling, gaming or wagering activities under the jurisdiction of the Commission.

(q) “Key personnel” means any of the following:

(i) A director of the applicant;

(ii) A managerial employee of the applicant that performs the function of principal executive officer, principal operations officer, or principal accounting officer;

(iii) A person who holds more than five percent (5%) ownership interest in the applicant;

(iv) An affiliate of the applicant;

- (v) A director of an affiliate of the applicant;
- (vi) A managerial employee of an affiliate of an applicant that performs the function of principal executive officer, principal operations officer, or principal accounting officer; or
- (vii) Any individual or business entity so designated by the Commission or director.
- (r) “Layoff wager” means a wager placed by a sports wagering operator or sports wagering vendor with another sports wagering operator or sports wagering vendor for the purpose of offsetting patron online sports wagers.
- (s) “Mobile application” means an application on a mobile phone or other device through which an individual is able to place an online sports wager.
- (t) “Occupational permit” means a permit issued by the Commission to a person to perform an occupation that directly affects the integrity of online sports wagering and that the Commission has identified as requiring a permit to perform the occupation.
- (u) “Online sports wager” means the cash, or cash equivalent, including free wagers and bonus or promotional play risked by a patron on sports wagering through the internet.
- (v) “Online sports wagering” has the meaning provided in W.S. § 9-24-101(a)(vi).
- (w) “Online sports wagering revenue” has the meaning provided in W.S. § 9-24-101(a)(vii).
- (x) “Patron” has the meaning provided in W.S. § 9-24-101(a)(viii).
- (y) “Person” means an individual, partnership, corporation, association, limited liability company, or other legal entity.
- (z) “Personal identifying information (PII)” means any sensitive information that could potentially be used to identify a particular patron. Examples include a legal name, date of birth, place of birth, social security number (or equivalent government identification number), driver’s license number, passport number, residential address, phone number, email address, debit instrument number, credit card number, bank account number, or other personal information as defined by the Commission.
- (aa) “Pool” means an offering where patrons may make selections of outcomes on a set number of sporting events on a card in order to enter for a chance to win all or a portion of the prize pool.
- (bb) “Prize pool” means the prizing available for an individual tournament, contest, or pool.

(cc) "Prohibited person" means any involuntarily-excluded person, any voluntarily-excluded person, and all of the following:

(i) Any individual who is under the age of eighteen (18);

(ii) Any individual wagering while not in the authorized geographic boundaries within the State of Wyoming;

(iii) Any individual wagering on behalf of another;

(iv) Any restricted patron wagering in violation of their restrictions;

(v) Any individual wagering in violation of state, local, or federal law; or

(vi) Other prohibited persons as determined by the Commission.

(dd) "Prohibited sports wager" has the meaning provided in W.S. § 9-24-101(a)(ix).

(ee) "Qualified gaming entity" has the meaning provided in W.S. § 9-24-101(a)(x).

(ff) "Restricted patron" means any patron with the following restrictions in place:

(i) Employees of a sports wagering operator or sports wagering vendor, as well as those within the same household, may not wager with the sports wagering operator or sports wagering vendor for which he or she is employed unless using a test account under these rules;

(ii) Occupational permittees and applicants may not wager with the sports wagering operator or sports wagering vendor for which they are employed or for which they had to qualify;

(iii) Professional or collegiate athletes, team employees and owners, coaches, managers, handlers, athletic trainers, league officials and employees, referees, umpires, sports agents, and employees of an athletic or referee union, and anyone with access to non-public/exclusive information or sufficient authority to influence the outcome of an event, as well as those within the same household, may not wager on events in the sport in which they participate, or in which the athlete they represent participates; or

(iv) At the Commission's discretion, individuals on a list provided by a team or sports governing body may not wager on any event overseen by the relevant sports governing body.

(gg) "Rake" means the fee that is deducted by a sports wagering operator or sports wagering vendor from a wager made for exchange wagering, or entry fees paid by patrons who participate in a tournament, contest, or pool.

(hh) "Rake adjustment" means an adjustment made by a sports wagering operator or sports wagering vendor to account for any shortfall in connection with a tournament, contest,

or pool.

(ii) “Self-exclusion list” means a list of individuals who voluntarily excluded themselves from establishing or maintaining a sports wagering account with a sports wagering operator or sports wagering vendor.

(ij) “Sensitive information” means information such as PII, transactional wagering data, authentication credentials (including PINs and passwords), secure seeds and keys used in encryption, and other data that shall be handled in a secure manner.

(kk) “Shared liquidity pool” means a tournament, contest, or pool conducted in Wyoming and at least one other jurisdiction.

(ll) “Sporting event” has the meaning provided W.S. § 9-24-101(a)(xi).

(mm) “Sports governing body” means an organization that prescribes final rules and enforces codes of conduct for an athletic event and the participants in the athletic event.

(nn) “Sports wagering” has the meaning provided W.S. § 9-24-101(a)(xii).

(oo) “Sports wagering account” has the meaning provided W.S. § 9-24-101(a)(xiii).

(pp) “Sports wagering operator” has the meaning provided W.S. § 9-24-101(a)(xiv).

(qq) “Sports wagering operator permit” means a permit issued by the Commission to a person to operate, conduct, or offer online sports wagering.

(rr) “Sports wagering system” means the hardware, software, firmware, communications technology, other equipment, as well as operator procedures implemented in order to allow patron participation in online sports wagering, and, if supported, the corresponding equipment related to the display of the wager outcomes, and other similar information necessary to facilitate patron participation. The system provides the patron with the means to place and manage online sports wagers. The system provides the sports wagering operator with the means to review sports wagering accounts, suspend events, generate various wagering/financial transaction and account reports, input outcomes for events, and set any configurable parameters.

(ss) “Sports wagering vendor” has the meaning provided W.S. § 9-24-101(a)(xv).

(tt) “Sports wagering vendor permit” means a permit issued by the Commission to a sports wagering vendor.

(uu) “Statutes” means the online sports wagering statutes, W.S. §§ 9-24-101 through -106.

(vv) “Suspended account” means a sports wagering account that has been

temporarily disabled from engaging in wagering activity.

(ww) "Suspicious wagering activity" means unusual wagering activity that cannot be explained and is indicative of any of the following:

(i) Match-fixing;

(ii) The manipulation of an event;

(iii) Misuse of inside information;

(iv) A potential breach of a sports governing body's internal rules or code of conduct pertaining to sports wagering;

(v) Any other conduct that corrupts the outcome of an event; or

(vi) Any other prohibited activity.

(xx) "Targeted mailing" means an advertisement or promotional offer from a sports wagering operator or a sports wagering vendor directed to an individual on the basis of specific criteria, such as being a member or former member of a rewards club or a participant in social games. "Targeted mailing" does not include mass communication, including mailings or e-mailings, made to an entire area or zip code or targeted list, nor does it include an advertisement that arrives in a packet of five (5) or more non-gaming advertisements if the packet of advertisements is addressed to "resident," "occupant," or some similar wording and not to a specific individual. "Targeted mailing" further does not include any "pop-up" advertisement that appears on an individual's computer or mobile device on the basis of his or her IP Address.

(yy) "Unusual wagering activity" means abnormal wagering activity exhibited by one (1) or more patrons and considered by a sports wagering operator or sports wagering vendor as a potential indicator of suspicious wagering activity. Unusual wagering activity may include the size of a patron's online sports wager or increased wagering volume on a particular event or wager type.

(zz) "Voluntarily-excluded person" means any individual whose name is included, at his or her own request, in the responsible gaming database or on a self-exclusion list or both.

(aaa) "Winnings" means the total cash value of all property or sums, including currency or instruments of monetary value paid to a patron by a sports wagering operator as a direct result of a winning sports wager.

Chapter 2

Permits/Permittees

“Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules”

Section 1. Permits Generally.

(a) An individual must have an occupational permit if his or her duties directly impact the integrity of online sports wagering in Wyoming, including:

(i) An individual who has the capability of affecting the outcome of sports wagering through deployment of code to production for any critical components of a sports wagering system;

(ii) An individual who can deploy code to production and directly supervises individuals who have the capability of affecting the outcome of sports wagering in Wyoming through deployment of code to production for other than read-only or the equivalent access to any critical components of a sports wagering system;

(iii) An individual who directly manages a sports wagering operation or who directly supervises an individual who directly manages a sports wagering operation; or

(iv) Any other individual who directly impacts the integrity of sports wagering as determined by the Commission, which shall include but not be limited to, any individual who has the capability to directly affect the outcome of an online sports wager or a payout to a patron.

(b) The critical components of a sports wagering system will be defined by the technical standards and specifications adopted by the Commission.

(c) It is the responsibility of an employer to facilitate the permitting of its employees. The employment of an individual that does not hold a permit may be cause for suspension or revocation.

(d) A sports wagering operator or sports wagering vendor may provide an explanation, such as a job description, to support an allegation that a position should not require an employee permit.

(e) All applications for a permit shall be filed with the Commission, who shall have the authority to issue the permit or hold the application for further investigation.

(f) The Commission may request additional information not prescribed in the application form. The applicant shall provide all information, documents, materials, and certifications at the applicant's sole expense and cost.

(g) The Commission may grant a permit with special conditions, or for a limited period, or both.

(h) Permits issued pursuant to these rules may not be transferred without prior approval by the Commission. The Commission reserves the right to terminate any permit and revoke the privileges of such permit whenever it finds sufficient evidence that a permittee has engaged in conduct that would result in a finding of failing to qualify for a permit if it were an applicant for a new permit.

(i) All permittees shall report any known irregularities or wrongdoings by any persons involving sports wagering immediately to the Commission and cooperate in subsequent investigations.

Section 2. Permits; Fees; and Application.

(a) A sports wagering operator shall possess a permit to accept online sports wagers issued by the Commission. No person shall accept online sports wagers without holding a valid permit issued by the Commission.

(b) A qualified gaming entity applying for a sports wagering operator permit shall do so on a uniform application furnished by the Commission. The fee for both an initial application and renewal application shall be two thousand five hundred dollars (\$2,500.00). The application shall require an applicant, at a minimum, to provide:

(i) The full name, current address, and contact information of the applicant;

(ii) Disclosure of each person who has control of the applicant as described in subsection (f) of this section;

(iii) The applicant's fingerprints and the fingerprints of individuals identified in subsection (f) of this section considered to have control of an applicant or permittee;

(iv) Consent to permit the Commission to conduct a criminal history record check of the applicant and each individual disclosed under subsection (f) of this section in accordance with procedures established by the Commission. This subsection shall not require an applicant or individual who has submitted to a criminal background check in this or any other state within the twelve (12) months before submitting the application to resubmit to another criminal background check provided that the applicant or individual submits the results of the previous criminal background check and affirms that there has been no material change in the criminal history since the time of the criminal background check;

(v) For the applicant and each person disclosed under subsection (f) of this section, a record of previous issuances and denials of any gambling-related permit, license or application in Wyoming, or in any other jurisdiction in the United States; and

(vi) Any other additional information or permissions as requested by the

Commission.

(c) The Commission shall charge a permit fee of one hundred thousand dollars (\$100,000.00) for an initial sports wagering operator permit. An initial permit and any renewal permit shall each be valid for five (5) years. The Commission shall charge a fee of fifty thousand dollars (\$50,000.00) for a sports wagering operator permit renewal.

(d) A sports wagering vendor shall possess a permit to conduct business in the state issued by the Commission. No person shall provide vendor services to a sports wagering operator without holding a valid permit issued by the Commission.

(e) The Commission shall charge a fee of ten thousand dollars (\$10,000.00) for an initial sports wagering vendor permit. An initial permit and any renewal permit shall each be valid for five (5) years. The Commission shall charge a fee of five thousand dollars (\$5,000.00) for a sports wagering vendor permit renewal.

(f) The following persons are considered to have control of a sports wagering operator permit applicant or permittee:

(i) Each holding company, parent company, or subsidiary company of the applicant or permittee;

(ii) Each person, except for a bank or other licensed lending institution that holds a mortgage or other lien acquired in the ordinary course of business, who owns fifteen percent (15%) or more of a corporate applicant or permittee and has the ability to:

(A) Control the activities of the corporate applicant or permittee; or

(B) Elect a majority of the board of directors of that corporate applicant or permittee.

(iii) Each person associated with a noncorporate applicant or permittee who directly or indirectly holds a beneficial or proprietary interest in the noncorporate applicant's or permittee's business operations or who the Commission otherwise determines has the ability to control the noncorporate applicant or permittee; or

(iv) Key personnel of an applicant or permittee, including any executive, employee, or agent having the power to exercise ultimate decision-making authority over the applicant's or permittee's sports wagering operations in this state.

(g) An applicant for a permit must establish their suitability for a permit by clear and convincing evidence.

(h) The Commission shall, not more than sixty (60) days after the date of receipt of an application for a permit or application for renewal of a permit under W.S. § 9-24-103, either:

(i) Issue the permit; or

(ii) Deny the application based on the grounds that the applicant failed to qualify as provided by subsection (j) of this section.

(i) The Commission shall deny an application under this section upon finding any of the following:

(i) The applicant or permittee has been convicted of, forfeited bail on, or pleaded guilty to:

(A) A crime involving theft, dishonesty, or fraud;

(B) Bribery or unlawfully influencing a public official;

(C) A felony crime involving physical harm to a person; or

(D) Any other felony or misdemeanor that negatively impacts the applicant's credibility or the security, integrity or fairness of online sports wagering.

(ii) The applicant tampered with submitted documentation or concealed, failed to disclose, or otherwise attempted to mislead the Commission with respect to any material fact contained in the application or contained in any other information required of or submitted by an applicant to the Commission;

(iii) The applicant or permittee failed or refused to cooperate in the investigation of a crime related to gambling, corruption of a public official, or any organized criminal activity;

(iv) The applicant or permittee has intentionally not disclosed the existence or identity of other persons who have control of the applicant or permittee as required by this section;

(v) The applicant or permittee has had a permit revoked by any government authority responsible for the regulation of sports wagering;

(vi) The applicant or permittee has not demonstrated financial responsibility sufficient to adequately meet the requirements of this chapter, as specified by rule of the Commission; or

(vii) The applicant or permittee has not met the requirements of this section, any other provision of this chapter, Commission rules, or any applicable federal laws.

(j) Given a sufficient number of applicants, at any one (1) time, the Commission shall issue not less than five (5) sports wagering operator permits to applicants that satisfy the requirements under this chapter. If an insufficient number of applicants apply for a sports

wagering operator permit, this provision shall not be interpreted to direct the Commission to issue a permit to an unqualified applicant.

(k) The Commission shall issue a permit to a sports wagering vendor that is currently operating in good standing in a similar role in at least three (3) jurisdictions in the United States under a state regulatory structure, and that has paid all required fees under subsection (e) of this section.

(l) Permittees under this section shall have an ongoing obligation to disclose in writing any material change in the information provided in the application to the Commission, including:

(i) Changes to names and contact information;

(ii) Arrests, convictions, guilty pleas, disciplinary actions or license or permit denials in Wyoming or any other jurisdiction;

(iii) Any civil or criminal action brought against the permittee; or

(iv) Any other information specified by rule of the Commission.

(m) If the Commission denies an application or intends to revoke or suspend a permit issued under this section, it shall follow the process as set forth in Chapter 9 of these rules.

(n) An applicant may claim any privilege afforded by the Constitution of the United States or of the State of Wyoming in refusing to answer questions by the Commission. However, a claim of privilege with respect to any testimony or evidence pertaining to an application may constitute sufficient grounds for denial of or revocation of a permit.

(o) Renewal applications for permits may be submitted and renewed upon the filing and approval of an application for renewal. Renewal applications for all sports wagering operator and vendor permits must be received by the Commission one hundred twenty (120) days before the expiration of the current permit. Renewal applications for sports wagering occupational permits must be received by the Commission thirty (30) days before the expiration of the current permit. Renewal applicants who fail to submit their completed applications when due shall not be considered to have made a timely and sufficient application for renewal.

(p) The Commission may require applicants who have applied for, or holders of a sports wagering operator or vendor permit to file information relating to contracts or proposed contracts relating to the operation of sports wagering in Wyoming in a form prescribed by the Commission.

(q) The Commission may issue a temporary permit to any applicant for a permanent permit.

(r) No operator or vendor issued a temporary permit pursuant to this rule shall be entitled to receive any refund of the application fee.

(s) The Commission may change a temporary permit into a permanent permit only after all investigations into the permit application are complete, and the Commission is satisfied the holder of a temporary permit qualifies to hold a permanent permit.

(t) When the Commission changes a temporary permit into a permanent permit, the date of issuance of the permanent permit shall be deemed to be the date that the Commission approved the permanent permit.

(u) A temporary permit may expire of its own accord, or it may be suspended, revoked, or summarily suspended under the same terms and conditions as a permanent permit.

Chapter 2
Permits/Permittees

“Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules”

Section 1. Permits Generally.

(a) An individual must have an occupational permit if his or her duties directly impact the integrity of online sports wagering in Wyoming, including:

(i) An individual who has the capability of affecting the outcome of sports wagering through deployment of code to production for any critical components of a sports wagering system;

(ii) An individual who can deploy code to production and directly supervises individuals who have the capability of affecting the outcome of sports wagering in Wyoming through deployment of code to production for other than read-only or the equivalent access to any critical components of a sports wagering system;

(iii) An individual who directly manages a sports wagering operation or who directly supervises an individual who directly manages a sports wagering operation; or

(iv) Any other individual who directly impacts the integrity of sports wagering as determined by the Commission, which shall include but not be limited to, any individual who has the capability to directly affect the outcome of an online sports wager or a payout to a patron.

(b) The critical components of a sports wagering system will be defined by the technical standards and specifications adopted by the Commission.

(c) It is the responsibility of an employer to facilitate the permitting of its employees. The employment of an individual that does not hold a permit may be cause for suspension or revocation.

(d) A sports wagering operator or sports wagering vendor may provide an explanation, such as a job description, to support an allegation that a position should not require an employee permit.

(e) All applications for a permit shall be filed with the Commission, who shall have the authority to issue the permit or hold the application for further investigation.

(f) The Commission may request additional information not prescribed in the application form. The applicant shall provide all information, documents, materials, and certifications at the applicant's sole expense and cost.

(g) The Commission may grant a permit with special conditions, or for a limited period, or both.

(h) Permits issued pursuant to these rules may not be transferred without prior approval by the Commission. The Commission reserves the right to terminate any permit and revoke the privileges of such permit whenever it finds sufficient evidence that a permittee has engaged in conduct that would result in a finding of failing to qualify for a permit if it were an applicant for a new permit.

(i) All permittees shall report any known irregularities or wrongdoings by any persons involving sports wagering immediately to the Commission and cooperate in subsequent investigations.

Section 2. Permits; Fees; and Application.

(a) A sports wagering operator shall possess a permit to accept online sports wagers issued by the Commission. No person shall accept online sports wagers without holding a valid permit issued by the Commission.

(b) A qualified gaming entity applying for a sports wagering operator permit shall do so on a uniform application furnished by the Commission. The fee for both an initial application and renewal application shall be two thousand five hundred dollars (\$2,500.00). The application shall require an applicant, at a minimum, to provide:

(i) The full name, current address, and contact information of the applicant;

(ii) Disclosure of each person who has control of the applicant as described in subsection (f) of this section;

(iii) The applicant's fingerprints and the fingerprints of individuals identified in subsection (f) of this section considered to have control of an applicant or permittee;

(iv) Consent to permit the Commission to conduct a criminal history record check of the applicant and each individual disclosed under subsection (f) of this section in accordance with procedures established by the Commission. This subsection shall not require an applicant or individual who has submitted to a criminal background check in this or any other state within the twelve (12) months before submitting the application to resubmit to another criminal background check provided that the applicant or individual submits the results of the previous criminal background check and affirms that there has been no material change in the criminal history since the time of the criminal background check;

(v) For the applicant and each person disclosed under subsection (f) of this section, a record of previous issuances and denials of any gambling-related permit, license or application in Wyoming, or in any other jurisdiction in the United States; and

(vi) Any other additional information or permissions as requested by the

Commission.

(c) The Commission shall charge a permit fee of one hundred thousand dollars (\$100,000.00) for an initial sports wagering operator permit. An initial permit and any renewal permit shall each be valid for five (5) years. The Commission shall charge a fee of fifty thousand dollars (\$50,000.00) for a sports wagering operator permit renewal.

(d) A sports wagering vendor shall possess a permit to conduct business in the state issued by the Commission. No person shall provide vendor services to a sports wagering operator without holding a valid permit issued by the Commission.

(e) The Commission shall charge a fee of ten thousand dollars (\$10,000.00) for an initial sports wagering vendor permit. An initial permit and any renewal permit shall each be valid for five (5) years. The Commission shall charge a fee of five thousand dollars (\$5,000.00) for a sports wagering vendor permit renewal.

(f) The following persons are considered to have control of a sports wagering operator permit applicant or permittee:

(i) Each holding company, parent company, or subsidiary company of the applicant or permittee;

(ii) Each person, except for a bank or other licensed lending institution that holds a mortgage or other lien acquired in the ordinary course of business, who owns fifteen percent (15%) or more of a corporate applicant or permittee and has the ability to:

(A) Control the activities of the corporate applicant or permittee; or

(B) Elect a majority of the board of directors of that corporate applicant or permittee.

(iii) Each person associated with a noncorporate applicant or permittee who directly or indirectly holds a beneficial or proprietary interest in the noncorporate applicant's or permittee's business operations or who the Commission otherwise determines has the ability to control the noncorporate applicant or permittee; or

(iv) Key personnel of an applicant or permittee, including any executive, employee, or agent having the power to exercise ultimate decision-making authority over the applicant's or permittee's sports wagering operations in this state.

(g) An applicant for a permit must establish their suitability for a permit by clear and convincing evidence.

(h) The Commission shall, not more than sixty (60) days after the date of receipt of an application for a permit or application for renewal of a permit under W.S. § 9-24-103, either:

(i) Issue the permit; or

(ii) Deny the application based on the grounds that the applicant failed to qualify as provided by subsection (j) of this section.

(i) The Commission shall deny an application under this section upon finding any of the following:

(i) The applicant or permittee has been convicted of, forfeited bail on, or pleaded guilty to:

(A) A crime involving theft, dishonesty, or fraud;

(B) Bribery or unlawfully influencing a public official;

(C) A felony crime involving physical harm to a person; or

(D) Any other felony or misdemeanor that negatively impacts the applicant's credibility or the security, integrity or fairness of online sports wagering.

(ii) The applicant tampered with submitted documentation or concealed, failed to disclose, or otherwise attempted to mislead the Commission with respect to any material fact contained in the application or contained in any other information required of or submitted by an applicant to the Commission;

(iii) The applicant or permittee failed or refused to cooperate in the investigation of a crime related to gambling, corruption of a public official, or any organized criminal activity;

(iv) The applicant or permittee has intentionally not disclosed the existence or identity of other persons who have control of the applicant or permittee as required by this section;

(v) The applicant or permittee has had a permit revoked by any government authority responsible for the regulation of sports wagering;

(vi) The applicant or permittee has not demonstrated financial responsibility sufficient to adequately meet the requirements of this chapter, as specified by rule of the Commission; or

(vii) The applicant or permittee has not met the requirements of this section, any other provision of this chapter, Commission rules, or any applicable federal laws.

(i) Given a sufficient number of applicants, at any one (1) time, the Commission shall issue not less than five (5) sports wagering operator permits to applicants that satisfy the requirements under this chapter. If an insufficient number of applicants apply for a sports

wagering operator permit, this provision shall not be interpreted to direct the Commission to issue a permit to an unqualified applicant.

(k) The Commission shall issue a permit to a sports wagering vendor that is currently operating in good standing in a similar role in at least three (3) jurisdictions in the United States under a state regulatory structure, and that has paid all required fees under subsection (e) of this section.

(l) Permittees under this section shall have an ongoing obligation to disclose in writing any material change in the information provided in the application to the Commission, including:

(i) Changes to names and contact information;

(ii) Arrests, convictions, guilty pleas, disciplinary actions or license or permit denials in Wyoming or any other jurisdiction;

(iii) Any civil or criminal action brought against the permittee; or

(iv) Any other information specified by rule of the Commission.

(m) If the Commission denies an application or intends to revoke or suspend a permit issued under this section, it shall follow the process as set forth in Chapter 9 of these rules.

(n) An applicant may claim any privilege afforded by the Constitution of the United States or of the State of Wyoming in refusing to answer questions by the Commission. However, a claim of privilege with respect to any testimony or evidence pertaining to an application may constitute sufficient grounds for denial of or revocation of a permit.

(o) Renewal applications for permits may be submitted and renewed upon the filing and approval of an application for renewal. Renewal applications for all sports wagering operator and vendor permits must be received by the Commission one hundred twenty (120) days before the expiration of the current permit. Renewal applications for sports wagering occupational permits must be received by the Commission thirty (30) days before the expiration of the current permit. Renewal applicants who fail to submit their completed applications when due shall not be considered to have made a timely and sufficient application for renewal.

(p) The Commission may require applicants who have applied for, or holders of a sports wagering operator or vendor permit to file information relating to contracts or proposed contracts relating to the operation of sports wagering in Wyoming in a form prescribed by the Commission.

(q) The Commission may issue a temporary permit to any applicant for a permanent permit.

(r) No operator or vendor issued a temporary permit pursuant to this rule shall be entitled to receive any refund of the application fee.

(s) The Commission may change a temporary permit into a permanent permit only after all investigations into the permit application are complete, and the Commission is satisfied the holder of a temporary permit qualifies to hold a permanent permit.

(t) When the Commission changes a temporary permit into a permanent permit, the date of issuance of the permanent permit shall be deemed to be the date that the Commission approved the permanent permit.

(u) A temporary permit may expire of its own accord, or it may be suspended, revoked, or summarily suspended under the same terms and conditions as a permanent permit.

Chapter 3 Taxes and Payments

“Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules”

Section 1. Taxes and Payments Generally.

(a) Not later than the fifteenth (15th) day of each month, a sports wagering operator shall remit electronically ten percent (10%) of online sports wagering revenue from the prior month to the Commission.

(b) Prior to commencing operations in Wyoming, each sports wagering operator shall establish and, after that, maintain an operating account at a designated financial institution capable of handling electronic fund transfers. The sports wagering operator must notify the Commission of the financial institution where funds are deposited, and the Commission may reject the proposed financial institution for cause. No change of financial institution may be made without prior Commission approval.

(c) A sports wagering operator must remit the tax or payment imposed, by an electronic transfer of funds. In addition, the sports wagering operator shall electronically transmit to the Commission a tax return in the format provided by the Commission. The return, and tax or payment shall be transmitted no later than the fifteenth (15th) day of the month succeeding the calendar month in which the online sports wagering revenue proceeds were received by the sports wagering operator. The tax or payment is timely if it settles to the Commission’s bank account by the sixteenth (16th) day of the month succeeding the calendar month in which the online sports wagering revenue was received by the sports wagering operator.

(d) If the amount of online sports wagering revenue for a month is a negative figure, the sports wagering operator shall not remit a sports wagering tax or payment for that month. Any negative online sports wagering revenue must be carried over and calculated as a deduction on the tax form or payment form on the subsequent months until the negative figure has been brought to a zero balance.

Section 2. Write-Offs/Amounts Returned/Disputed Credit or Debit Charges.

(a) A sports wagering operator shall not receive a deduction from online sports wagering revenue unless written approval is granted by the Commission for the following:

(i) Amounts returned to a patron because of a game, platform, or system malfunction or because the online sports wager must be voided because of concerns regarding integrity of the wager or game that were previously included in the computation of online sports wagering revenue; or

(ii) Uncollectible markers or successfully disputed credit or debit card

charges that were previously included in the computation of online sports wagering revenue. Discretionary write-offs by the sports wagering operator do not constitute an uncollectible marker.

(b) A sports wagering operator must submit for Commission review and approval a written request, including all supporting documentation, for any deductions it would like to take against online sports wagering revenue.

Chapter 3
Taxes and Payments

“Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules”

Section 1. Taxes and Payments Generally.

(a) Not later than the fifteenth (15th) day of each month, a sports wagering operator shall remit electronically ten percent (10%) of online sports wagering revenue from the prior month to the Commission.

(b) Prior to commencing operations in Wyoming, each sports wagering operator shall establish and, after that, maintain an operating account at a designated financial institution capable of handling electronic fund transfers. The sports wagering operator must notify the Commission of the financial institution where funds are deposited, and the Commission may reject the proposed financial institution for cause. No change of financial institution may be made without prior Commission approval.

(c) A sports wagering operator must remit the tax or payment imposed, by an electronic transfer of funds. In addition, the sports wagering operator shall electronically transmit to the Commission a tax return in the format provided by the Commission. The return, and tax or payment shall be transmitted no later than the fifteenth (15th) day of the month succeeding the calendar month in which the online sports wagering revenue proceeds were received by the sports wagering operator. The tax or payment is timely if it settles to the Commission’s bank account by the sixteenth (16th) day of the month succeeding the calendar month in which the online sports wagering revenue was received by the sports wagering operator.

(d) If the amount of online sports wagering revenue for a month is a negative figure, the sports wagering operator shall not remit a sports wagering tax or payment for that month. Any negative online sports wagering revenue must be carried over and calculated as a deduction on the tax form or payment form on the subsequent months until the negative figure has been brought to a zero balance.

Section 2. Write-Offs/Amounts Returned/Disputed Credit or Debit Charges.

(a) A sports wagering operator shall not receive a deduction from online sports wagering revenue unless written approval is granted by the Commission for the following:

(i) Amounts returned to a patron because of a game, platform, or system malfunction or because the online sports wager must be voided because of concerns regarding integrity of the wager or game that were previously included in the computation of online sports wagering revenue; or

(ii) Uncollectible markers or successfully disputed credit or debit card charges that were previously included in the computation of online sports wagering revenue. Discretionary write-offs by the sports wagering operator do not constitute an uncollectible

marker.

(b) A sports wagering operator must submit for Commission review and approval a written request, including all supporting documentation, for any deductions it would like to take against online sports wagering revenue.

Chapter 4

Patron Wagers

“Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules”

Section 1. Authorized and Prohibited Events and Wager Types.

(a) Before any sports wagering operator or sports wagering vendor may accept online sports wagers on an event category or online sports wagers of a particular wager type, the event category or wager type must be approved by the Commission.

(b) Unless already approved by the Commission, a request for approval must be submitted by a sports wagering operator or sports wagering vendor in the form and manner prescribed by the Commission, subject to the following:

(i) A request for approval of an event category involving athletic events must include, at a minimum, the name of the sports governing body and, to the extent known by the sports wagering operator or sports wagering vendor, a description of its policies and procedures regarding event integrity; and

(ii) A request for approval of an event category involving events other than athletic events must include:

(A) A full description of the event category and the manner in which online sports wagers would be placed and winning online sports wagers would be determined;

(B) A full description of any technology that would be utilized to offer the event category;

(C) Assurance that the event category meets the requirements of subsection (h);

(D) Any rules or voting procedures related to the event category; and

(E) Any other information the Commission considers necessary.

(c) The Commission may require an appropriate test or experimental period, under such terms and conditions the Commission considers appropriate, before granting final approval to an event category or wager type. The Commission may subject any technology that would be used to offer an event category or wager type to such testing, investigation, and approval as it considers appropriate.

(d) The Commission may grant, deny, limit, restrict, or condition a request made pursuant to this rule for any cause the Commission considers reasonable. The Commission may issue an order revoking, suspending, or modifying any approval of an event category or wager type granted under this rule for any cause the Commission considers reasonable.

(e) The Commission shall notify all sports wagering operators and sports wagering vendors of any additions, deletions, or changes regarding authorized event categories and authorized wager types, which may include publication of a list of authorized event categories and wager types on the Commission's website.

(f) The Commission reserves the right to prohibit the acceptance of any online sports wagers and may order the cancellation of online sports wagers and require refunds on any sporting event or other event category, event, or wager type for which wagering would be contrary to the public policies of the state.

(g) A sports wagering operator or sports wagering vendor may not accept online sports wagers on any of the following:

(i) Any pari-mutuel event as defined in W.S. § 11-25-102;

(ii) Any sporting event or other event where the majority of contestants or athletes in the sporting event are under the age of eighteen (18) years;

(iii) A fantasy sports contest;

(iv) The injury of a participant in an event; or

(v) Any wagering category not authorized by law or Commission rules.

(h) A sports wagering operator or sports wagering vendor must only accept online sports wagers on events and wager types for which:

(i) The event can be effectively supervised by a sports governing body or other oversight body;

(ii) There are integrity safeguards in place;

(iii) The outcome can be documented and verified;

(iv) The outcome can be generated by a reliable and independent process;

(v) The outcome is not affected by any wager placed; and

(vi) The event and acceptance of the wager type are conducted in conformity with all applicable laws.

(i) If it is determined that a sports wagering operator or sports wagering vendor has offered an unauthorized or prohibited event category, event, or wager type, the sports wagering operator or sports wagering vendor must immediately cancel and refund all online sports wagers associated with the unauthorized or prohibited event category, event, or wager type. The sports wagering operator or sports wagering vendor must notify the Commission

promptly after cancelling and refunding the online sports wagers.

(j) A sports wagering operator or sports wagering vendor must not knowingly accept an online sports wager on an event or wager type whose outcome has already been determined and is publicly known.

(k) The Commission may use any information it considers appropriate, including, but not limited to, information received from a sports governing body, to determine whether to authorize or prohibit wagering on a particular event or a particular wager type.

(l) Prior to offering exchange wagering a sports wagering operator or sports wagering vendor must obtain approval from the Commission. The rake taken on such wagers shall be considered online sports wagering revenue and is subject to all taxes and tax requirements outlined in W.S. § 9-24-104.

Section 2. Prohibiting Wagers for Good Cause.

(a) A sports governing body may request online sports wagering information or may request the Commission to restrict, limit, or exclude online sports wagering on a particular event or a particular wager type.

(b) The request must be submitted in the form and manner prescribed by the Commission and must include all of the following:

(i) The identity of the sports governing body and contact information for at least one specific individual who will be the primary point of contact for questions related to the request;

(ii) A description of the online sports wagering information, event, or wager type that is the subject of the request;

(iii) Information explaining why granting the request is necessary to protect the integrity of the event, or public confidence in the integrity of the event, that is the subject of the request. This may include information regarding any credible threat to the integrity of the event that is beyond the control of the sports governing body to preemptively remedy or mitigate; and

(iv) Any other information required by the Commission.

(c) To ensure proper consideration, the request should be sent to the Commission at least ten (10) days before the particular event. At any time, however, a sports governing body should report information to the Commission if it involves allegations of match-fixing, the manipulation of an event, misuse of inside information, or other prohibited activity.

(d) On receipt of a complete request from a sports governing body under subsection (b), the Commission shall notify all sports wagering operators in writing. All sports wagering

operators must be given an opportunity to respond to the request. The notification must include the date by which written responses must be submitted to the Commission.

(e) The Commission shall promptly review the request, any responses, and any other available information and shall decide on the request before the start of the event, if feasible, or as expeditiously as possible. In making its determination, the Commission may consult with independent integrity monitoring providers and any other jurisdictions it considers appropriate. The Commission may grant the request, in its sole discretion, if it determines that granting the request is necessary to protect the integrity of the event, or public confidence in the integrity of the event, that is the subject of the request. The Commission shall notify, in writing, the sports governing body and all sports wagering operators of its decision.

(f) On request of a sports governing body or sports wagering operator, the Commission may reconsider its decision if there is a material change in the circumstances related to the original request.

Section 3. Wagering Rules.

(a) A sports wagering operator or sports wagering vendor must adopt comprehensive wagering rules, which must be approved by the Commission.

(b) The wagering rules, together with any other information the Commission considers appropriate, must be conspicuously displayed on the sports wagering operator's or its sports wagering vendor's digital platform or mobile application, included in the terms and conditions of sports wagering accounts, and copies must be made readily available to individuals and patrons.

(c) The wagering rules must address the following items regarding online sports wagers, at a minimum:

- (i) Types of online sports wagers accepted;
- (ii) Minimum and maximum online sports wagers;
- (iii) Description of the process for handling incorrectly posted events, odds, online sports wagers, or results;
- (iv) Method for calculation and payment of winning online sports wagers;
- (v) Effect of schedule changes;
- (vi) Method of notifying patrons of odds or proposition changes;
- (vii) Acceptance of online sports wagers at other than posted terms;
- (viii) Procedures related to pending winning online sports wagers;

(ix) Method of contacting the sports wagering operator or sports wagering vendor for questions and complaints;

(x) Description of prohibited persons, restricted patrons, and events and wager types on which online sports wagers may not be accepted under the statutes and these rules;

(xi) Methods of funding a wager;

(xii) Maximum payouts; however, such limits must only be established through limiting the amount of an online sports wager and cannot be applied to reduce the amount paid to a patron as a result of a winning online sports wager;

(xiii) A policy by which the sports wagering operator or sports wagering vendor can cancel online sports wagers for obvious errors pursuant to the sports wagering operator's or sports wagering vendor's internal controls, which must include a definition and procedures for obvious errors;

(xiv) Parlay wager related rules;

(xv) Rules and procedures for wagering communications;

(xvi) What is to occur when an event or any component of an event on which online sports wagers are accepted is canceled, including the handling of online sports wagers with multiple selections, such as parlays, where one or more of these selections is canceled; and

(xvii) Any other wagering rule and related information the Commission determines necessary.

(d) The sports wagering operator shall not implement any changes or modifications of the practices, procedures, or representations upon which the approval was based without the prior written approval of the Commission. Failure by an applicant to act in accordance with the wagering rules may result in disciplinary action.

Section 4. Acceptance of Wagers.

(a) Available wagers must be displayed to patrons on the sports wagering system. The display must include the odds and a brief description of the event and wagering proposition.

(b) The sports wagering operator or sports wagering vendor shall debit the amount wagered by a patron. Wagers shall not be accepted in an amount in excess of an account balance.

(c) A sports wagering operator or sports wagering vendor may not accept an online

sports wager on an event unless a wagering proposition is posted on the sports wagering system.

(d) A sports wagering operator or sports wagering vendor may not set lines or odds or offer wagering propositions designed for the purposes of ensuring that a patron will win an online sports wager or a series of online sports wagers, unless the lines, odds, or wagering propositions are offered in connection with a bonus or promotional offer conducted in accordance with Section 8 of these rules.

(e) A sports wagering operator or sports wagering vendor may, in its discretion, cancel an accepted online sports wager for an obvious error. An obvious error must be defined in the sports wagering operator's or sports wagering vendor's internal controls.

(f) A sports wagering operator or sports wagering vendor must cancel an online sports wager made by a prohibited person or by a restricted patron in violation of their restrictions and confiscate the funds. A sports wagering operator or online sports wagering vendor must cancel a wager under this subsection when the sports wagering operator or sports wagering vendor becomes aware that the individual who made the online sports wager is a prohibited person or a restricted patron in violation of their restrictions.

(g) Except as otherwise provided in this chapter, a sports wagering operator or sports wagering vendor may not unilaterally cancel an accepted online sports wager without prior written approval of the Commission.

Section 5. Prohibited Persons.

(a) A sports wagering operator and a sports wagering vendor must make reasonable efforts to prevent a prohibited person from placing an online sports wager.

(b) If a sports wagering operator or sports wagering vendor detects, or is notified of, an individual suspected of being a prohibited person who had engaged or is engaging in prohibited online sports wagering, the sports wagering operator or sports wagering vendor, or both, must use reasonable measures to verify whether the individual is prohibited or not.

(c) If the sports wagering operator or sports wagering vendor cannot establish, by reasonable measures that the individual is prohibited, then the individual is presumed to not be a prohibited person for the purposes of this rule.

Section 6. Layoff Wagers. The sports wagering operator or sports wagering vendor is permitted to place and accept layoff wagers. When placing a layoff wager the sports wagering operator or sports wagering vendor must disclose its identity to the sports wagering operator or sports wagering vendor accepting the layoff wager. A sports wagering operator or sports wagering vendor may decline to accept a layoff wager in its sole discretion. Layoff wagers must be reported to the Commission.

Section 7. Tournaments/Contests/Pool. A sports wagering operator or sports wagering vendor may conduct an online sports wagering tournament, contest, or pool, subject to all of the following:

(a) No online sports wagering tournament, contest, or pool shall be conducted unless the sports wagering operator or sports wagering vendor, before the first time a tournament, contest, or pool type is offered, files written notice with the Commission of its intent to offer that tournament, contest, or pool type and obtains approval from the Commission. The sports wagering operator or sports wagering vendor may file a master list with the Commission to satisfy this requirement;

(b) The request must provide a detailed description of the tournament, contest, or pool type and must include the rules of the tournament, contest, or pool, the requirements for entry, the entry fees, the rake, and potential payouts. The request must also indicate whether or not the proposed type involves a shared liquidity pool available to patrons in Wyoming and other jurisdictions with the prize pool being comprised of entry fees collected from patrons in multiple jurisdictions;

(c) Once a sports wagering operator or sports wagering vendor receives approval to offer a tournament, contest, or pool type the sports wagering operator or sports wagering vendor shall not be required to seek additional approvals from the Commission for each subsequent type that is substantially similar;

(d) Each sports wagering operator or sports wagering vendor must maintain a record of each tournament, contest, or pool it offers, which must address, at a minimum, all of the following:

- (i) Name or identification of the tournament, contest, or pool;
 - (ii) The date and time the tournament, contest, or pool occurred or will occur (if known);
 - (iii) Events and wager types;
 - (iv) Rules concerning tournament, contest, or pool play and participation;
- and
- (v) For each registered patron:
 - (A) Unique patron ID and username (if different);
 - (B) Amount of entry fee collected, including any bonus or promotional credits, and the date collected;
 - (C) Patron scorings/rankings; and

(D) Amount of winnings paid, including any bonus or promotional credits, and the date paid;

(vi) Total amount of entry fees collected, including any bonus or promotional credits;

(vii) Total amount of winnings paid to patrons, including any bonus or promotional credits;

(viii) Total rake, commission, or fees collected;

(ix) Funding source amount or amounts comprising the prize pool (for example, buy-ins, re-buys, or add-ons);

(x) Prize structure on payout;

(xi) Methodology for determining winner or winners; and

(xii) The current status of the tournament, contest, or pool (in progress, complete, interrupted, cancelled, etc.).

(e) The sports wagering operator or sports wagering vendor shall be responsible for the rake. The sports wagering operator's or sports wagering vendor's rake collected from patrons that enter a contest, tournament, or pool while located in the state of Wyoming less any rake adjustment, if applicable, shall be considered online sports wagering revenue and are subject to all taxes and tax requirements outlined in W.S. § 9-24-104, and:

(i) At no time shall the calculation resulting from a rake or rake adjustment be negative; and

(ii) For a contest, tournament, or pool which utilize shared liquidity available to patrons in Wyoming and other jurisdictions, the rake rate must be the same for all jurisdictions participating.

Section 8. Bonus or Promotional Wagering. A sports wagering operator or sports wagering vendor may conduct online sports wagering bonus or promotional offers subject to all of the following:

(a) A sports wagering operator or sports wagering vendor must maintain a record of all bonus or promotional offers related to online sports wagering to facilitate the Commission's tracking of bonus or promotional activity, which must address, at a minimum, all of the following:

(i) Unique bonus or promotional offer ID for each offer;

(ii) The date and time the bonus or promotional offer was or is scheduled to

be available;

- (iii) Current balance for bonus or promotional awards;
- (iv) Total amount of bonus or promotional awards issued;
- (v) Total amount of bonus or promotional awards redeemed;
- (vi) Total amount of bonus or promotional awards expired;
- (vii) Total amount of bonus or promotional award adjustments;
- (viii) The current status of the bonus or promotional offer (active, disabled, decommissioned, etc.); and
- (ix) The date and time the bonus or promotional offer was or is scheduled to be decommissioned.

(b) All bonus or promotional offers must be stated in clear and unambiguous terms and must be accessible by the patron after the offer is accepted and before completion. Offer terms and the record of all offers must include all of the following at a minimum:

- (i) The date and time presented;
- (ii) The date and time the offer is active and expires;
- (iii) Patron eligibility, including any limitations on participation;
- (iv) Any restriction on withdrawals of funds;
- (v) Wagering requirements and limitations on events or wager types;
- (vi) How the patron is notified when they have received an award;
- (vii) The order in which funds are used for wagers;
- (viii) Eligible events or wager types; and
- (ix) Rules regarding cancellation.

(c) A sports wagering operator or sports wagering vendor must provide a clear and conspicuous method for a patron to cancel his or her participation in a bonus or promotional offer that utilizes restricted wagering credits that cannot be cashed out until a wagering requirement or other restrictions associated with the credits is met:

- (i) Upon request for cancellation, the sports wagering operator or sports wagering vendor shall inform the patron of the amount of unrestricted funds that will be

returned upon cancellation and the value of restricted wagering credits that will be removed from the sports wagering account; and

(ii) If a patron elects to proceed with cancellation, unrestricted funds remaining in a patron's sports wagering account must be returned according to the terms of a bonus or promotional offer.

(d) Once a patron has met the terms of a bonus or promotional offer, a sports wagering operator or sports wagering vendor must not limit winnings earned while participating in the offer.

Section 9. Taxation Requirements. Each sports wagering operator or sports wagering vendor shall, at all times, comply with Internal Revenue Service (IRS) requirements for reporting and withholding proceeds from online sports wagers by patrons and shall send to patrons subject to IRS reporting or withholding a Form W2-G summarizing the information for tax purposes following a winning wager being deposited into an account. Upon written request, the sports wagering operator or sports wagering vendor shall provide patrons with summarized tax information on sports wagering activities.

Section 10. Bank Secrecy Act Compliance.

(a) A sports wagering operator or sports wagering vendor must comply with all provisions of The Bank Secrecy Act of 1970, 31 USC §§ 5311 to 5332, applicable to the sports wagering operator's or sports wagering vendor's online sports wagering operation.

(b) A sports wagering operator or sports wagering vendor must, with regard to its online sports wagering operation, maintain records related to its compliance with The Bank Secrecy Act of 1970, 31 USC §§ 5311 to 5332, including all currency transaction reports, suspicious activity reports, and any supporting documentation, for a minimum of five (5) years. The sports wagering operator or sports wagering vendor must provide the records to the Commission and any appropriate law enforcement agencies on request consistent with the authorization prescribed in The Bank Secrecy Act of 1970, 31 USC §§ 5311 to 5332, and applicable regulations.

(c) A sports wagering operator or sports wagering vendor must provide written notice to the Commission as soon as the sports wagering operator or sports wagering vendor becomes aware of a compliance review that is conducted by the Internal Revenue Service under The Bank Secrecy Act of 1970, 31 USC §§ 5311 to 5332, and involves or impacts the sports wagering operator's or sports wagering vendor's online sports wagering operation. The sports wagering operator or sports wagering vendor must provide a copy of the compliance review report or the equivalent to the Commission within ten (10) days after the receipt of the report by the sports wagering operator or sports wagering vendor.

Section 11. Integrity Monitoring/Suspicious Behavior.

(a) A sports wagering operator or sports wagering vendor must have internal controls in place to identify and report unusual wagering activity to the Commission. As part of these internal controls a sports wagering operator may contract with an independent integrity monitoring provider.

(b) A sports wagering operator or sports wagering vendor receiving a report of suspicious wagering activity must be permitted to suspend wagering on events or wager types related to the report but may only cancel online sports wagers related to the report after receiving approval from the Commission.

(c) The Commission may require a sports wagering operator or sports wagering vendor to provide any hardware or software necessary to the Commission, or to an independent gaming laboratory approved by the Commission, for evaluation of its online sports wagering offering or to conduct further monitoring of data provided by its sports wagering system.

(d) A sports wagering operator or sports wagering vendor must maintain records of all event integrity monitoring services and activities, including all reports of unusual or suspicious wagering activity and any supporting documentation, for a minimum of five (5) years and must provide such records to the Commission on request.

(e) An independent integrity monitoring provider must register as a vendor with the Commission before providing event integrity monitoring services to a sports wagering operator or sports wagering vendor under the statutes and these rules.

(f) A sports wagering operator or sports wagering vendor must maintain the confidentiality of information provided by a sports governing body to the sports wagering operator or sports wagering vendor related to unusual wagering activity, suspicious wagering activity, or the integrity of an event, unless disclosure is required by the Commission, any applicable law, or a lawful order of a court of competent jurisdiction.

(g) A sports wagering operator or sports wagering vendor must employ personnel responsible for ensuring the operation and integrity of online sports wagering and reviewing all reports of suspicious behavior. Unless otherwise directed by the Commission, a sports wagering operator or sports wagering vendor must promptly notify the Commission upon detecting or becoming aware of any of the following:

(i) Any person participating in online sports wagering who is engaging in or attempting to engage in, or who is reasonably suspected of, cheating, theft, embezzlement, collusion, use of funds derived from illegal activity, money laundering, or any other illegal activities;

(ii) Any person who is reasonably suspected of misrepresenting their identity

or using false identification to establish or attempt to establish a sports wagering account;

(iii) Suspected criminal activity related to any aspect of online sports wagering;

(iv) Any criminal or disciplinary proceedings commenced against the sports wagering operator or sports wagering vendor in connection with its online sports wagering operations; or

(v) Any online sports wagers that violate any applicable state or federal law.

(h) A sports wagering vendor must promptly notify any affected sports wagering operators on behalf of which it accepts online sports wagers of any issues impacting the integrity of online sports wagering.

Section 12. Reserve Requirement.

(a) A sports wagering operator or sports wagering vendor must submit a plan to maintain a reserve in the amount necessary to ensure the security of funds held in sports wagering accounts and the ability to cover the outstanding online sports wagering liability. All plans require Commission approval.

(b) The reserve must be in the form of:

(i) Cash or cash equivalents maintained in a Wyoming bank account segregated from the sports wagering operator's or sports wagering vendor's operational funds;

(ii) An irrevocable letter of credit from a bank located either in the State of Wyoming or at a minimum chartered in the State of Wyoming;

(iii) A bond;

(iv) Payment processor reserves and receivables;

(v) Any other form acceptable to the Commission; or

(vi) Any combination of the allowable forms described in paragraphs (i) to (v).

(c) The reserve must be not less than the greater of twenty-five thousand dollars (\$25,000.00) or the sum of the following amounts:

(i) The daily ending cashable balance of all patrons' sports wagering accounts;

(ii) Pending withdrawals;

(iii) Amounts accepted by the sports wagering operator or sports wagering

vendor on online sports wagers whose outcomes have not been determined; and

(iv) Amounts owed but unpaid on winning online sports wagers through the period established by the sports wagering operator or sports wagering vendor for honoring winning online sports wagers.

(d) Funds held in sports wagering accounts must not be automatically transferred by a sports wagering operator or sports wagering vendor. A sports wagering operator or sports wagering vendor must not require a patron to transfer funds from his or her sports wagering account, in order to circumvent this rule.

(e) Amounts available to patrons for play that are not redeemable for cash may be excluded from the reserve computation.

(f) A sports wagering operator or sports wagering vendor must have access to all sports wagering account and transaction data to ensure the amount of its reserve is sufficient. Unless otherwise directed by the Commission, a sports wagering operator or sports wagering vendor must file a monthly attestation with the Commission, in the form and manner prescribed by the Commission, that funds have been safeguarded under this rule.

(g) The Commission may audit a sports wagering operator's or sports wagering vendor's reserve at any time and may direct a sports wagering operator or sports wagering vendor to take any action necessary to ensure the purposes of this rule are achieved, including but not limited to requiring the sports wagering operator or sports wagering vendor to modify the form of its reserve or increase the amount of its reserve.

Section 13. Patron Complaints.

(a) A sports wagering operator or sports wagering vendor must include on its sports wagering system a clear mechanism to advise patrons of their right to make a complaint against the sports wagering operator or sports wagering vendor, including information explaining how complaints can be filed, how complaints are resolved, and how the patron may submit a complaint to the Commission.

(b) When a patron makes a complaint, the sports wagering operator or sports wagering vendor shall immediately issue a complaint report, setting out:

- (i) The name of the complainant;
- (ii) The nature of the complaint;
- (iii) The name of the persons, if any against whom the complaint was made;
- (iv) The date of the complaint; and
- (v) The action taken or proposed to be taken, if any, by the sports wagering

operator or sports wagering vendor.

(c) The sports wagering operator or sports wagering vendor shall maintain every complaint report for a minimum of five (5) years, which shall be made available to the Commission for inspection upon request.

(d) A sports wagering operator or sports wagering vendor must attempt to resolve all complaints with the patron.

(e) A sports wagering operator or sports wagering vendor must investigate each complaint and provide a response to the patron within fourteen (14) calendar days after receipt of the complaint.

(f) In its response, the sports wagering operator or sports wagering vendor must advise the patron of his or her right to submit the complaint to the Commission in the form and manner prescribed by the Commission.

(g) The complaint and the sports wagering operator's or sports wagering vendor's response must be made in writing.

(h) Unless otherwise directed by the Commission, for complaints related to sports wagering accounts, settlement of online sports wagers, or illegal activity related to online sports wagering that cannot be resolved to the satisfaction of the patron, the sports wagering operator or sports wagering vendor must promptly notify the Commission of the complaint and the sports wagering operator's or sports wagering vendor's response.

(i) On receipt of a complaint from a patron or notification of an unresolved complaint from a sports wagering operator or sports wagering vendor, the Commission may conduct any investigation the Commission considers necessary and may direct a sports wagering operator or sports wagering vendor to take any corrective action the Commission considers appropriate.

Chapter 4
Patron Wagers

“Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules”

Section 1. Authorized and Prohibited Events and Wager Types.

(a) Before any sports wagering operator or sports wagering vendor may accept online sports wagers on an event category or online sports wagers of a particular wager type, the event category or wager type must be approved by the Commission.

(b) Unless already approved by the Commission, a request for approval must be submitted by a sports wagering operator or sports wagering vendor in the form and manner prescribed by the Commission, subject to the following:

(i) A request for approval of an event category involving athletic events must include, at a minimum, the name of the sports governing body and, to the extent known by the sports wagering operator or sports wagering vendor, a description of its policies and procedures regarding event integrity; and

(ii) A request for approval of an event category involving events other than athletic events must include:

(A) A full description of the event category and the manner in which online sports wagers would be placed and winning online sports wagers would be determined;

(B) A full description of any technology that would be utilized to offer the event category;

(C) Assurance that the event category meets the requirements of subsection (h);

(D) Any rules or voting procedures related to the event category; and

(E) Any other information the Commission considers necessary.

(c) The Commission may require an appropriate test or experimental period, under such terms and conditions the Commission considers appropriate, before granting final approval to an event category or wager type. The Commission may subject any technology that would be used to offer an event category or wager type to such testing, investigation, and approval as it considers appropriate.

(d) The Commission may grant, deny, limit, restrict, or condition a request made pursuant to this rule for any cause the Commission considers reasonable. The Commission may issue an order revoking, suspending, or modifying any approval of an event category or wager type granted under this rule for any cause the Commission considers reasonable.

(e) The Commission shall notify all sports wagering operators and sports wagering vendors of any additions, deletions, or changes regarding authorized event categories and authorized wager types, which may include publication of a list of authorized event categories and wager types on the Commission's website.

(f) The Commission reserves the right to prohibit the acceptance of any online sports wagers and may order the cancellation of online sports wagers and require refunds on any sporting event or other event category, event, or wager type for which wagering would be contrary to the public policies of the state.

(g) A sports wagering operator or sports wagering vendor may not accept online sports wagers on any of the following:

(i) Any pari-mutuel event as defined in W.S. § 11-25-102;

(ii) Any sporting event or other event where the majority of contestants or athletes in the sporting event are under the age of eighteen (18) years;

(iii) A fantasy sports contest;

(iv) The injury of a participant in an event; or

(v) Any wagering category not authorized by law or Commission rules.

(h) A sports wagering operator or sports wagering vendor must only accept online sports wagers on events and wager types for which:

(i) The event can be effectively supervised by a sports governing body or other oversight body;

(ii) There are integrity safeguards in place;

(iii) The outcome can be documented and verified;

(iv) The outcome can be generated by a reliable and independent process;

(v) The outcome is not affected by any wager placed; and

(vi) The event and acceptance of the wager type are conducted in conformity with all applicable laws.

(i) If it is determined that a sports wagering operator or sports wagering vendor has offered an unauthorized or prohibited event category, event, or wager type, the sports wagering operator or sports wagering vendor must immediately cancel and refund all online sports wagers associated with the unauthorized or prohibited event category, event, or wager type. The sports wagering operator or sports wagering vendor must notify the Commission

promptly after cancelling and refunding the online sports wagers.

(j) A sports wagering operator or sports wagering vendor must not knowingly accept an online sports wager on an event or wager type whose outcome has already been determined and is publicly known.

(k) The Commission may use any information it considers appropriate, including, but not limited to, information received from a sports governing body, to determine whether to authorize or prohibit wagering on a particular event or a particular wager type.

(l) Prior to offering exchange wagering a sports wagering operator or sports wagering vendor must obtain approval from the Commission. The rake taken on such wagers shall be considered online sports wagering revenue and is subject to all taxes and tax requirements outlined in W.S. § 9-24-104.

Section 2. Prohibiting Wagers for Good Cause.

(a) A sports governing body may request online sports wagering information or may request the Commission to restrict, limit, or exclude online sports wagering on a particular event or a particular wager type.

(b) The request must be submitted in the form and manner prescribed by the Commission and must include all of the following:

(i) The identity of the sports governing body and contact information for at least one specific individual who will be the primary point of contact for questions related to the request;

(ii) A description of the online sports wagering information, event, or wager type that is the subject of the request;

(iii) Information explaining why granting the request is necessary to protect the integrity of the event, or public confidence in the integrity of the event, that is the subject of the request. This may include information regarding any credible threat to the integrity of the event that is beyond the control of the sports governing body to preemptively remedy or mitigate; and

(iv) Any other information required by the Commission.

(c) To ensure proper consideration, the request should be sent to the Commission at least ten (10) days before the particular event. At any time, however, a sports governing body should report information to the Commission if it involves allegations of match-fixing, the manipulation of an event, misuse of inside information, or other prohibited activity.

(d) On receipt of a complete request from a sports governing body under subsection (b), the Commission shall notify all sports wagering operators in writing. All sports wagering

operators must be given an opportunity to respond to the request. The notification must include the date by which written responses must be submitted to the Commission.

(e) The Commission shall promptly review the request, any responses, and any other available information and shall decide on the request before the start of the event, if feasible, or as expeditiously as possible. In making its determination, the Commission may consult with independent integrity monitoring providers and any other jurisdictions it considers appropriate. The Commission may grant the request, in its sole discretion, if it determines that granting the request is necessary to protect the integrity of the event, or public confidence in the integrity of the event, that is the subject of the request. The Commission shall notify, in writing, the sports governing body and all sports wagering operators of its decision.

(f) On request of a sports governing body or sports wagering operator, the Commission may reconsider its decision if there is a material change in the circumstances related to the original request.

Section 3. Wagering Rules.

(a) A sports wagering operator or sports wagering vendor must adopt comprehensive wagering rules, which must be approved by the Commission.

(b) The wagering rules, together with any other information the Commission considers appropriate, must be conspicuously displayed on the sports wagering operator's or its sports wagering vendor's digital platform or mobile application, included in the terms and conditions of sports wagering accounts, and copies must be made readily available to individuals and patrons.

(c) The wagering rules must address the following items regarding online sports wagers, at a minimum:

- (i) Types of online sports wagers accepted;
- (ii) Minimum and maximum online sports wagers;
- (iii) Description of the process for handling incorrectly posted events, odds, online sports wagers, or results;
- (iv) Method for calculation and payment of winning online sports wagers;
- (v) Effect of schedule changes;
- (vi) Method of notifying patrons of odds or proposition changes;
- (vii) Acceptance of online sports wagers at other than posted terms;
- (viii) Procedures related to pending winning online sports wagers;

(ix) Method of contacting the sports wagering operator or sports wagering vendor for questions and complaints;

(x) Description of prohibited persons, restricted patrons, and events and wager types on which online sports wagers may not be accepted under the statutes and these rules;

(xi) Methods of funding a wager;

(xii) Maximum payouts; however, such limits must only be established through limiting the amount of an online sports wager and cannot be applied to reduce the amount paid to a patron as a result of a winning online sports wager;

(xiii) A policy by which the sports wagering operator or sports wagering vendor can cancel online sports wagers for obvious errors pursuant to the sports wagering operator's or sports wagering vendor's internal controls, which must include a definition and procedures for obvious errors;

(xiv) Parlay wager related rules;

(xv) Rules and procedures for wagering communications;

(xvi) What is to occur when an event or any component of an event on which online sports wagers are accepted is canceled, including the handling of online sports wagers with multiple selections, such as parlays, where one or more of these selections is canceled; and

(xvii) Any other wagering rule and related information the Commission determines necessary.

(d) The sports wagering operator shall not implement any changes or modifications of the practices, procedures, or representations upon which the approval was based without the prior written approval of the Commission. Failure by an applicant to act in accordance with the wagering rules may result in disciplinary action.

Section 4. Acceptance of Wagers.

(a) Available wagers must be displayed to patrons on the sports wagering system. The display must include the odds and a brief description of the event and wagering proposition.

(b) The sports wagering operator or sports wagering vendor shall debit the amount wagered by a patron. Wagers shall not be accepted in an amount in excess of an account balance.

(c) A sports wagering operator or sports wagering vendor may not accept an online

sports wager on an event unless a wagering proposition is posted on the sports wagering system.

(d) A sports wagering operator or sports wagering vendor may not set lines or odds or offer wagering propositions designed for the purposes of ensuring that a patron will win an online sports wager or a series of online sports wagers, unless the lines, odds, or wagering propositions are offered in connection with a bonus or promotional offer conducted in accordance with Section 8 of these rules.

(e) A sports wagering operator or sports wagering vendor may, in its discretion, cancel an accepted online sports wager for an obvious error. An obvious error must be defined in the sports wagering operator's or sports wagering vendor's internal controls.

(f) A sports wagering operator or sports wagering vendor must cancel an online sports wager made by a prohibited person or by a restricted patron in violation of their restrictions and confiscate the funds. A sports wagering operator or online sports wagering vendor must cancel a wager under this subsection when the sports wagering operator or sports wagering vendor becomes aware that the individual who made the online sports wager is a prohibited person or a restricted patron in violation of their restrictions.

(g) Except as otherwise provided in this chapter, a sports wagering operator or sports wagering vendor may not unilaterally cancel an accepted online sports wager without prior written approval of the Commission.

Section 5. Prohibited Persons.

(a) A sports wagering operator and a sports wagering vendor must make reasonable efforts to prevent a prohibited person from placing an online sports wager.

(b) If a sports wagering operator or sports wagering vendor detects, or is notified of, an individual suspected of being a prohibited person who had engaged or is engaging in prohibited online sports wagering, the sports wagering operator or sports wagering vendor, or both, must use reasonable measures to verify whether the individual is prohibited or not.

(c) If the sports wagering operator or sports wagering vendor cannot establish, by reasonable measures that the individual is prohibited, then the individual is presumed to not be a prohibited person for the purposes of this rule.

Section 6. Layoff Wagers. The sports wagering operator or sports wagering vendor is permitted to place and accept layoff wagers. When placing a layoff wager the sports wagering operator or sports wagering vendor must disclose its identity to the sports wagering operator or sports wagering vendor accepting the layoff wager. A sports wagering operator or sports wagering vendor may decline to accept a layoff wager in its sole discretion. Layoff wagers must be reported to the Commission.

Section 7. Tournaments/Contests/Pool. A sports wagering operator or sports wagering vendor may conduct an online sports wagering tournament, contest, or pool, subject to all of the following:

(a) No online sports wagering tournament, contest, or pool shall be conducted unless the sports wagering operator or sports wagering vendor, before the first time a tournament, contest, or pool type is offered, files written notice with the Commission of its intent to offer that tournament, contest, or pool type and obtains approval from the Commission. The sports wagering operator or sports wagering vendor may file a master list with the Commission to satisfy this requirement;

(b) The request must provide a detailed description of the tournament, contest, or pool type and must include the rules of the tournament, contest, or pool, the requirements for entry, the entry fees, the rake, and potential payouts. The request must also indicate whether or not the proposed type involves a shared liquidity pool available to patrons in Wyoming and other jurisdictions with the prize pool being comprised of entry fees collected from patrons in multiple jurisdictions;

(c) Once a sports wagering operator or sports wagering vendor receives approval to offer a tournament, contest, or pool type the sports wagering operator or sports wagering vendor shall not be required to seek additional approvals from the Commission for each subsequent type that is substantially similar;

(d) Each sports wagering operator or sports wagering vendor must maintain a record of each tournament, contest, or pool it offers, which must address, at a minimum, all of the following:

- (i) Name or identification of the tournament, contest, or pool;
 - (ii) The date and time the tournament, contest, or pool occurred or will occur (if known);
 - (iii) Events and wager types;
 - (iv) Rules concerning tournament, contest, or pool play and participation;
- and
- (v) For each registered patron:
 - (A) Unique patron ID and username (if different);
 - (B) Amount of entry fee collected, including any bonus or promotional credits, and the date collected;
 - (C) Patron scorings/rankings; and

(D) Amount of winnings paid, including any bonus or promotional credits, and the date paid;

(vi) Total amount of entry fees collected, including any bonus or promotional credits;

(vii) Total amount of winnings paid to patrons, including any bonus or promotional credits;

(viii) Total rake, commission, or fees collected;

(ix) Funding source amount or amounts comprising the prize pool (for example, buy-ins, re-buys, or add-ons);

(x) Prize structure on payout;

(xi) Methodology for determining winner or winners; and

(xii) The current status of the tournament, contest, or pool (in progress, complete, interrupted, cancelled, etc.).

(e) The sports wagering operator or sports wagering vendor shall be responsible for the rake. The sports wagering operator's or sports wagering vendor's rake collected from patrons that enter a contest, tournament, or pool while located in the state of Wyoming less any rake adjustment, if applicable, shall be considered online sports wagering revenue and are subject to all taxes and tax requirements outlined in W.S. § 9-24-104, and:

(i) At no time shall the calculation resulting from a rake or rake adjustment be negative; and

(ii) For a contest, tournament, or pool which utilize shared liquidity available to patrons in Wyoming and other jurisdictions, the rake rate must be the same for all jurisdictions participating.

Section 8. Bonus or Promotional Wagering. A sports wagering operator or sports wagering vendor may conduct online sports wagering bonus or promotional offers subject to all of the following:

(a) A sports wagering operator or sports wagering vendor must maintain a record of all bonus or promotional offers related to online sports wagering to facilitate the Commission's tracking of bonus or promotional activity, which must address, at a minimum, all of the following:

(i) Unique bonus or promotional offer ID for each offer;

(ii) The date and time the bonus or promotional offer was or is scheduled to

be available;

- (iii) Current balance for bonus or promotional awards;
- (iv) Total amount of bonus or promotional awards issued;
- (v) Total amount of bonus or promotional awards redeemed;
- (vi) Total amount of bonus or promotional awards expired;
- (vii) Total amount of bonus or promotional award adjustments;
- (viii) The current status of the bonus or promotional offer (active, disabled, decommissioned, etc.); and
- (ix) The date and time the bonus or promotional offer was or is scheduled to be decommissioned.

(b) All bonus or promotional offers must be stated in clear and unambiguous terms and must be accessible by the patron after the offer is accepted and before completion. Offer terms and the record of all offers must include all of the following at a minimum:

- (i) The date and time presented;
- (ii) The date and time the offer is active and expires;
- (iii) Patron eligibility, including any limitations on participation;
- (iv) Any restriction on withdrawals of funds;
- (v) Wagering requirements and limitations on events or wager types;
- (vi) How the patron is notified when they have received an award;
- (vii) The order in which funds are used for wagers;
- (viii) Eligible events or wager types; and
- (ix) Rules regarding cancellation.

(c) A sports wagering operator or sports wagering vendor must provide a clear and conspicuous method for a patron to cancel his or her participation in a bonus or promotional offer that utilizes restricted wagering credits that cannot be cashed out until a wagering requirement or other restrictions associated with the credits is met:

- (i) Upon request for cancellation, the sports wagering operator or sports wagering vendor shall inform the patron of the amount of unrestricted funds that will be

returned upon cancellation and the value of restricted wagering credits that will be removed from the sports wagering account; and

(ii) If a patron elects to proceed with cancellation, unrestricted funds remaining in a patron's sports wagering account must be returned according to the terms of a bonus or promotional offer.

(d) Once a patron has met the terms of a bonus or promotional offer, a sports wagering operator or sports wagering vendor must not limit winnings earned while participating in the offer.

Section 9. Taxation Requirements. Each sports wagering operator or sports wagering vendor shall, at all times, comply with Internal Revenue Service (IRS) requirements for reporting and withholding proceeds from online sports wagers by patrons and shall send to patrons subject to IRS reporting or withholding a Form W2-G summarizing the information for tax purposes following a winning wager being deposited into an account. Upon written request, the sports wagering operator or sports wagering vendor shall provide patrons with summarized tax information on sports wagering activities.

Section 10. Bank Secrecy Act Compliance.

(a) A sports wagering operator or sports wagering vendor must comply with all provisions of The Bank Secrecy Act of 1970, 31 USC §§ 5311 to 5332, applicable to the sports wagering operator's or sports wagering vendor's online sports wagering operation.

(b) A sports wagering operator or sports wagering vendor must, with regard to its online sports wagering operation, maintain records related to its compliance with The Bank Secrecy Act of 1970, 31 USC §§ 5311 to 5332, including all currency transaction reports, suspicious activity reports, and any supporting documentation, for a minimum of five (5) years. The sports wagering operator or sports wagering vendor must provide the records to the Commission and any appropriate law enforcement agencies on request consistent with the authorization prescribed in The Bank Secrecy Act of 1970, 31 USC §§ 5311 to 5332, and applicable regulations.

(c) A sports wagering operator or sports wagering vendor must provide written notice to the Commission as soon as the sports wagering operator or sports wagering vendor becomes aware of a compliance review that is conducted by the Internal Revenue Service under The Bank Secrecy Act of 1970, 31 USC §§ 5311 to 5332, and involves or impacts the sports wagering operator's or sports wagering vendor's online sports wagering operation. The sports wagering operator or sports wagering vendor must provide a copy of the compliance review report or the equivalent to the Commission within ten (10) days after the receipt of the report by the sports wagering operator or sports wagering vendor.

Section 11. Integrity Monitoring/Suspicious Behavior.

(a) A sports wagering operator or sports wagering vendor must have internal controls in place to identify and report unusual wagering activity to the Commission. As part of these internal controls a sports wagering operator may contract with an independent integrity monitoring provider.

(b) A sports wagering operator or sports wagering vendor receiving a report of suspicious wagering activity must be permitted to suspend wagering on events or wager types related to the report but may only cancel online sports wagers related to the report after receiving approval from the Commission.

(c) The Commission may require a sports wagering operator or sports wagering vendor to provide any hardware or software necessary to the Commission, or to an independent gaming laboratory approved by the Commission, for evaluation of its online sports wagering offering or to conduct further monitoring of data provided by its sports wagering system.

(d) A sports wagering operator or sports wagering vendor must maintain records of all event integrity monitoring services and activities, including all reports of unusual or suspicious wagering activity and any supporting documentation, for a minimum of five (5) years and must provide such records to the Commission on request.

(e) An independent integrity monitoring provider must register as a vendor with the Commission before providing event integrity monitoring services to a sports wagering operator or sports wagering vendor under the statutes and these rules.

(f) A sports wagering operator or sports wagering vendor must maintain the confidentiality of information provided by a sports governing body to the sports wagering operator or sports wagering vendor related to unusual wagering activity, suspicious wagering activity, or the integrity of an event, unless disclosure is required by the Commission, any applicable law, or a lawful order of a court of competent jurisdiction.

(g) A sports wagering operator or sports wagering vendor must employ personnel responsible for ensuring the operation and integrity of online sports wagering and reviewing all reports of suspicious behavior. Unless otherwise directed by the Commission, a sports wagering operator or sports wagering vendor must promptly notify the Commission upon detecting or becoming aware of any of the following:

(i) Any person participating in online sports wagering who is engaging in or attempting to engage in, or who is reasonably suspected of, cheating, theft, embezzlement, collusion, use of funds derived from illegal activity, money laundering, or any other illegal activities;

(ii) Any person who is reasonably suspected of misrepresenting their identity

or using false identification to establish or attempt to establish a sports wagering account;

(iii) Suspected criminal activity related to any aspect of online sports wagering;

(iv) Any criminal or disciplinary proceedings commenced against the sports wagering operator or sports wagering vendor in connection with its online sports wagering operations; or

(v) Any online sports wagers that violate any applicable state or federal law.

(h) A sports wagering vendor must promptly notify any affected sports wagering operators on behalf of which it accepts online sports wagers of any issues impacting the integrity of online sports wagering.

Section 12. Reserve Requirement.

(a) A sports wagering operator or sports wagering vendor must submit a plan to maintain a reserve in the amount necessary to ensure the security of funds held in sports wagering accounts and the ability to cover the outstanding online sports wagering liability. All plans require Commission approval.

(b) The reserve must be in the form of:

(i) Cash or cash equivalents maintained in a Wyoming bank account segregated from the sports wagering operator's or sports wagering vendor's operational funds;

(ii) An irrevocable letter of credit from a bank located either in the State of Wyoming or at a minimum chartered in the State of Wyoming;

(iii) A bond;

(iv) Payment processor reserves and receivables;

(v) Any other form acceptable to the Commission; or

(vi) Any combination of the allowable forms described in paragraphs (i) to (v).

(c) The reserve must be not less than the greater of twenty-five thousand dollars (\$25,000.00) or the sum of the following amounts:

(i) The daily ending cashable balance of all patrons' sports wagering accounts;

(ii) Pending withdrawals;

(iii) Amounts accepted by the sports wagering operator or sports wagering

vendor on online sports wagers whose outcomes have not been determined; and

(iv) Amounts owed but unpaid on winning online sports wagers through the period established by the sports wagering operator or sports wagering vendor for honoring winning online sports wagers.

(d) Funds held in sports wagering accounts must not be automatically transferred by a sports wagering operator or sports wagering vendor. A sports wagering operator or sports wagering vendor must not require a patron to transfer funds from his or her sports wagering account, in order to circumvent this rule.

(e) Amounts available to patrons for play that are not redeemable for cash may be excluded from the reserve computation.

(f) A sports wagering operator or sports wagering vendor must have access to all sports wagering account and transaction data to ensure the amount of its reserve is sufficient. Unless otherwise directed by the Commission, a sports wagering operator or sports wagering vendor must file a monthly attestation with the Commission, in the form and manner prescribed by the Commission, that funds have been safeguarded under this rule.

(g) The Commission may audit a sports wagering operator's or sports wagering vendor's reserve at any time and may direct a sports wagering operator or sports wagering vendor to take any action necessary to ensure the purposes of this rule are achieved, including but not limited to requiring the sports wagering operator or sports wagering vendor to modify the form of its reserve or increase the amount of its reserve.

Section 13. Patron Complaints.

(a) A sports wagering operator or sports wagering vendor must include on its sports wagering system a clear mechanism to advise patrons of their right to make a complaint against the sports wagering operator or sports wagering vendor, including information explaining how complaints can be filed, how complaints are resolved, and how the patron may submit a complaint to the Commission.

(b) When a patron makes a complaint, the sports wagering operator or sports wagering vendor shall immediately issue a complaint report, setting out:

(i) The name of the complainant;

(ii) The nature of the complaint;

(iii) The name of the persons, if any against whom the complaint was made;

(iv) The date of the complaint; and

(v) The action taken or proposed to be taken, if any, by the sports wagering

operator or sports wagering vendor.

(c) The sports wagering operator or sports wagering vendor shall maintain every complaint report for a minimum of five (5) years, which shall be made available to the Commission for inspection upon request.

(d) A sports wagering operator or sports wagering vendor must attempt to resolve all complaints with the patron.

(e) A sports wagering operator or sports wagering vendor must investigate each complaint and provide a response to the patron within fourteen (14) calendar days after receipt of the complaint.

(f) In its response, the sports wagering operator or sports wagering vendor must advise the patron of his or her right to submit the complaint to the Commission in the form and manner prescribed by the Commission.

(g) The complaint and the sports wagering operator's or sports wagering vendor's response must be made in writing.

(h) Unless otherwise directed by the Commission, for complaints related to sports wagering accounts, settlement of online sports wagers, or illegal activity related to online sports wagering that cannot be resolved to the satisfaction of the patron, the sports wagering operator or sports wagering vendor must promptly notify the Commission of the complaint and the sports wagering operator's or sports wagering vendor's response.

(i) On receipt of a complaint from a patron or notification of an unresolved complaint from a sports wagering operator or sports wagering vendor, the Commission may conduct any investigation the Commission considers necessary and may direct a sports wagering operator or sports wagering vendor to take any corrective action the Commission considers appropriate.

Chapter 5

Technical Standards

“Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules”

Section 1. Sports Wagering System Technical Standards.

(a) A sports wagering operator shall use a sports wagering system to offer, conduct, or operate online sports wagering in accordance with applicable laws and these rules. Only a sports wagering operator or its sports wagering vendor may process, accept, offer, or solicit online sports wagers. If a sports wagering operator does not utilize a sports wagering vendor and, instead, develops its own sports wagering system, the sports wagering operator is considered both a sports wagering operator and a sports wagering vendor for the purposes of this chapter.

(b) Sports wagering operators and sports wagering vendors must comply with, and the Commission adopts and incorporates by reference, the Gaming Laboratories International Standard Series, GLI-33: Standards for Event Wagering Systems, Version 1.1, and its appendices, May 14, 2019 Revision Date. The GLI-33 standards are intended to supplement rather than supplant other technical standards and requirements under these rules.

(c) A sports wagering system for use to conduct online sports wagering must meet the specifications set forth in these rules or other technical specifications as prescribed by the Commission. Failure to comply with the approved specifications, internal controls, or technical specifications may result in disciplinary action by the Commission.

Section 2. Approval of Sports Wagering System.

(a) Prior to conducting online sports wagering, and annually thereafter, the sports wagering system used in conjunction with the sports wagering operation shall be submitted to a nationally recognized, independent gaming laboratory approved by the Commission for certification testing. Certification and Commission approval must be received prior to the use of any sports wagering system to conduct online sports wagering.

(b) If the sports wagering system meets or exceeds the specifications set forth in these rules or other technical specifications as prescribed by the Commission, the independent gaming laboratory approved by the Commission shall certify the sports wagering system. Sports wagering operators and sports wagering vendors are prohibited from offering online sports wagering in Wyoming without such certification. The sports wagering vendor is responsible for all costs associated with testing and obtaining such certifications.

(c) The sports wagering operator and its sports wagering vendor must submit change control processes to the Commission for approval which detail evaluation procedures for identifying the criticality of updates and determining the updates that must be submitted to a Commission approved independent gaming laboratory for review and certification. These

processes must be:

(i) Developed in accordance with, the Gaming Laboratories International, Change Management Program Guide, Version 1.0, Published May 6, 2020, which the Commission adopts and incorporates by reference; and

(ii) Certified prior to its deployment and audited at an annual interval by the independent gaming laboratory.

(d) At least once annually, each product operating under the certified change control processes must be fully certified to the specifications set forth in these rules or other technical specifications as prescribed by the Commission and accompanied by formal certification documentation from the independent gaming laboratory. The sports wagering operator and sports wagering vendor where separate shall be allowed to seek approval for extension beyond the annual approval if hardship can be demonstrated. Granting of a hardship waiver is the sole discretion of the Commission.

Section 3. Geolocation Requirements.

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

(b) The sports wagering vendor must utilize a geolocation system to reasonably detect the physical location of an individual or patron attempting to access the sports wagering system and place an online sports wager and to monitor and block unauthorized attempts to place an online sports wager when an individual or patron is not within the authorized geographic boundaries.

(c) The Commission shall approve technical specifications for geolocation systems and any specific requirements related to geolocation and may also issue such requirements in the form of Commission Directives.

Section 4. Location of Servers, Security, and Cloud Storage. Unless otherwise approved by the Commission in writing, a sports wagering operator and its sports wagering vendor must place its primary server or other equipment responsible for the acceptance of patron wagers in secure locations in this state. The Commission may approve of the use of internet or cloud-based hosting of duplicate data or data not related to transactional wagering data upon written request of a sports wagering operator or sports wagering vendor.

Section 5. Integrity and Security Assessment.

(a) Each sports wagering operator or sports wagering vendor shall, within ninety

(90) days after commencing operations in Wyoming, and annually thereafter, have an integrity and security assessment of the sports wagering system conducted by an independent professional selected by the sports wagering operator or sports wagering vendor and subject to approval of the Commission.

(b) The scope of the sports wagering system integrity and security assessment is subject to approval of the Commission and must include, at a minimum, all of the following:

(i) A vulnerability assessment of digital platforms, mobile applications, internal, external, and wireless networks with the intent of identifying vulnerabilities of all devices, the sports wagering systems, and applications transferring, storing, and/or processing personal identifying information (PII) and/or other sensitive information connected to or present on the networks;

(ii) A penetration test of all digital platforms, mobile applications, internal, external, and wireless networks to confirm if identified vulnerabilities of all devices, the sports wagering systems, and applications are susceptible to compromise;

(iii) A review of the firewall rules to verify the operating condition of the firewall and the effectiveness of its security configuration and rule sets performed on all of the perimeter firewalls and the internal firewalls;

(iv) A technical security control assessment against the provisions adopted in Appendix B of GLI-33 and these rules with generally accepted professional standards and as approved by the Commission;

(v) An evaluation of information security services, cloud services, payment services (financial institutions, payment processors, etc.), location services, and any other services which may be offered directly by the permittee or involve the use of third parties; and

(vi) Any other specific criteria or standards for the sports wagering system integrity and security assessment as prescribed by the Commission.

(c) The full independent professional's report on the assessment must be submitted to the Commission no later than thirty (30) days after the assessment is conducted and must include all the following:

(i) Scope of review;

(ii) Name and company affiliation of the individual or individuals who conducted the assessment;

(iii) Date of assessment;

(iv) Findings;

(v) Recommended corrective action, if applicable; and

(vi) Sports wagering operator's or sports wagering vendor's response to the findings and recommended corrective action.

(d) Where approved by the Commission, it is acceptable to leverage the results of prior assessments within the past year conducted by the same independent professional against standards such as ISO/IEC 27001, ISO/IEC 27017, ISO/IEC 27018, the NIST Cybersecurity Framework (CSF), the Payment Card Industry Data Security Standards (PCI-DSS), or equivalent. Such leveraging shall be noted in the independent professional's report. This leveraging does not include critical components unique to the state which will require fresh assessments.

Section 6. Sports Wagering Technical Security Controls. In addition to the technical security controls set out in Appendix B of GLI-33, additional technical security controls may be adopted by the Commission through the issuance of Commission Directives.

Section 7. Information Security Management System (ISMS). Each sports wagering operator or sports wagering vendor shall implement, maintain, regularly review and revise, and comply with a comprehensive ISMS. The purpose of which shall be to take reasonable steps to protect the confidentiality, integrity, and availability of personal identifying information (PII) of individuals who place a wager with the sports wagering operator or sports wagering vendor, and shall contain administrative, technical, and physical safeguards appropriate to the size, complexity, nature, and scope of the operations and the sensitivity of the personal information owned, licensed, maintained, handled, or otherwise in the possession of the sports wagering operator or sports wagering vendor. Additional ISMS specifications may be adopted by the Commission through the issuance of Commission Directives.

Section 8. Test Accounts. A sports wagering operator or sports wagering vendor may establish test accounts to be used to test the various components and operation of a sports wagering system pursuant to internal controls adopted by the sports wagering operator or sports wagering vendor, which, at a minimum, must address all of the following:

(a) The procedures for issuing funds used for testing, including the identification of who may issue the funds and the maximum amount of funds that may be issued;

(b) The procedures for assigning each test account for use by only one (1) individual. However, a sports wagering operator may establish a specific scenario or instance of a test account that may be shared by multiple users if each user's activities are separately logged;

(c) The maintenance of a record for all test accounts, to include when they are active, to whom they are issued, and the employer of the individual to whom they are issued;

(d) The procedures for auditing testing activity by the sports wagering operator or sports wagering vendor to ensure the accountability of funds used for testing and proper adjustments to online sports wagering revenue; and

- (e) The procedures for authorizing and auditing out-of-state test activity.

Section 9. Incorporation by Reference.

(a) The Commission hereby incorporates by reference the following gaming standards:

(i) The Gaming Laboratories International Standard Series, GLI-33: Standards for Event Wagering Systems, Version 1.1, and its appendices, May 14, 2019 Revision Date, which can be found electronically at <http://gaming.wyo.gov>;

(ii) The Gaming Laboratories International, Change Management Program Guide, Version 1.0, Published May 6, 2020, which can be found electronically at <http://gaming.wyo.gov>;

(b) For these standards incorporated by reference:

(i) The Commission has determined that incorporation of the full text in these standards would be cumbersome or inefficient given the length or nature of the rules;

(ii) The incorporation by reference does not include any later amendments or editions of the incorporated matter beyond the applicable date identified in subsections (a)(i)-(ii) of this section; and

(iii) The incorporated standards are maintained at the Wyoming Gaming Commission's office, 951 Werner Court, Suite 335, Casper, Wyoming and are available for inspection and copying, at no cost to the public, at the same location.

Chapter 5 Technical Standards

“Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules”

Section 1. Sports Wagering System Technical Standards.

(a) A sports wagering operator shall use a sports wagering system to offer, conduct, or operate online sports wagering in accordance with applicable laws and these rules. Only a sports wagering operator or its sports wagering vendor may process, accept, offer, or solicit online sports wagers. If a sports wagering operator does not utilize a sports wagering vendor and, instead, develops its own sports wagering system, the sports wagering operator is considered both a sports wagering operator and a sports wagering vendor for the purposes of this chapter.

(b) Sports wagering operators and sports wagering vendors must comply with, and the Commission adopts and incorporates by reference, the Gaming Laboratories International Standard Series, GLI-33: Standards for Event Wagering Systems, Version 1.1, and its appendices, May 14, 2019 Revision Date. The GLI-33 standards are intended to supplement rather than supplant other technical standards and requirements under these rules.

(c) A sports wagering system for use to conduct online sports wagering must meet the specifications set forth in these rules or other technical specifications as prescribed by the Commission. Failure to comply with the approved specifications, internal controls, or technical specifications may result in disciplinary action by the Commission.

Section 2. Approval of Sports Wagering System.

(a) Prior to conducting online sports wagering, and annually thereafter, the sports wagering system used in conjunction with the sports wagering operation shall be submitted to a nationally recognized, independent gaming laboratory approved by the Commission for certification testing. Certification and Commission approval must be received prior to the use of any sports wagering system to conduct online sports wagering.

(b) If the sports wagering system meets or exceeds the specifications set forth in these rules or other technical specifications as prescribed by the Commission, the independent gaming laboratory approved by the Commission shall certify the sports wagering system. Sports wagering operators and sports wagering vendors are prohibited from offering online sports wagering in Wyoming without such certification. The sports wagering vendor is responsible for all costs associated with testing and obtaining such certifications.

(c) The sports wagering operator and its sports wagering vendor must submit change control processes to the Commission for approval which detail evaluation procedures for identifying the criticality of updates and determining the updates that must be submitted to a Commission approved independent gaming laboratory for review and certification. These

processes must be:

(i) Developed in accordance with, the Gaming Laboratories International, Change Management Program Guide, Version 1.0, Published May 6, 2020, which the Commission adopts and incorporates by reference; and

(ii) Certified prior to its deployment and audited at an annual interval by the independent gaming laboratory.

(d) At least once annually, each product operating under the certified change control processes must be fully certified to the specifications set forth in these rules or other technical specifications as prescribed by the Commission and accompanied by formal certification documentation from the independent gaming laboratory. The sports wagering operator and sports wagering vendor where separate shall be allowed to seek approval for extension beyond the annual approval if hardship can be demonstrated. Granting of a hardship waiver is the sole discretion of the Commission.

Section 3. Geolocation Requirements.

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

(b) The sports wagering vendor must utilize a geolocation system to reasonably detect the physical location of an individual or patron attempting to access the sports wagering system and place an online sports wager and to monitor and block unauthorized attempts to place an online sports wager when an individual or patron is not within the authorized geographic boundaries.

(c) The Commission shall approve technical specifications for geolocation systems and any specific requirements related to geolocation and may also issue such requirements in the form of Commission Directives.

Section 4. Location of Servers, Security, and Cloud Storage. Unless otherwise approved by the Commission in writing, a sports wagering operator and its sports wagering vendor must place its primary server or other equipment responsible for the acceptance of patron wagers in secure locations in this state. The Commission may approve of the use of internet or cloud-based hosting of duplicate data or data not related to transactional wagering data upon written request of a sports wagering operator or sports wagering vendor.

Section 5. Integrity and Security Assessment.

(a) Each sports wagering operator or sports wagering vendor shall, within ninety

(90) days after commencing operations in Wyoming, and annually thereafter, have an integrity and security assessment of the sports wagering system conducted by an independent professional selected by the sports wagering operator or sports wagering vendor and subject to approval of the Commission.

(b) The scope of the sports wagering system integrity and security assessment is subject to approval of the Commission and must include, at a minimum, all of the following:

(i) A vulnerability assessment of digital platforms, mobile applications, internal, external, and wireless networks with the intent of identifying vulnerabilities of all devices, the sports wagering systems, and applications transferring, storing, and/or processing personal identifying information (PII) and/or other sensitive information connected to or present on the networks;

(ii) A penetration test of all digital platforms, mobile applications, internal, external, and wireless networks to confirm if identified vulnerabilities of all devices, the sports wagering systems, and applications are susceptible to compromise;

(iii) A review of the firewall rules to verify the operating condition of the firewall and the effectiveness of its security configuration and rule sets performed on all of the perimeter firewalls and the internal firewalls;

(iv) A technical security control assessment against the provisions adopted in Appendix B of GLI-33 and these rules with generally accepted professional standards and as approved by the Commission;

(v) An evaluation of information security services, cloud services, payment services (financial institutions, payment processors, etc.), location services, and any other services which may be offered directly by the permittee or involve the use of third parties; and

(vi) Any other specific criteria or standards for the sports wagering system integrity and security assessment as prescribed by the Commission.

(c) The full independent professional's report on the assessment must be submitted to the Commission no later than thirty (30) days after the assessment is conducted and must include all the following:

(i) Scope of review;

(ii) Name and company affiliation of the individual or individuals who conducted the assessment;

(iii) Date of assessment;

(iv) Findings;

(v) Recommended corrective action, if applicable; and

(vi) Sports wagering operator's or sports wagering vendor's response to the findings and recommended corrective action.

(d) Where approved by the Commission, it is acceptable to leverage the results of prior assessments within the past year conducted by the same independent professional against standards such as ISO/IEC 27001, ISO/IEC 27017, ISO/IEC 27018, the NIST Cybersecurity Framework (CSF), the Payment Card Industry Data Security Standards (PCI-DSS), or equivalent. Such leveraging shall be noted in the independent professional's report. This leveraging does not include critical components unique to the state which will require fresh assessments.

Section 6. Sports Wagering Technical Security Controls. In addition to the technical security controls set out in Appendix B of GLI-33, additional technical security controls may be adopted by the Commission through the issuance of Commission Directives.

Section 7. Information Security Management System (ISMS). Each sports wagering operator or sports wagering vendor shall implement, maintain, regularly review and revise, and comply with a comprehensive ISMS The purpose of which shall be to take reasonable steps to protect the confidentiality, integrity, and availability of personal identifying information (PII) of individuals who place a wager with the sports wagering operator or sports wagering vendor, and shall contain administrative, technical, and physical safeguards appropriate to the size, complexity, nature, and scope of the operations and the sensitivity of the personal information owned, licensed, maintained, handled, or otherwise in the possession of the sports wagering operator or sports wagering vendor. Additional ISMS specifications may be adopted by the Commission through the issuance of Commission Directives.

Section 8. Test Accounts. A sports wagering operator or sports wagering vendor may establish test accounts to be used to test the various components and operation of a sports wagering system pursuant to internal controls adopted by the sports wagering operator or sports wagering vendor, which, at a minimum, must address all of the following:

(a) The procedures for issuing funds used for testing, including the identification of who may issue the funds and the maximum amount of funds that may be issued;

(b) The procedures for assigning each test account for use by only one (1) individual. However, a sport wagering operator may establish a specific scenario or instance of a test account that may be shared by multiple users if each user's activities are separately logged;

(c) The maintenance of a record for all test accounts, to include when they are active, to whom they are issued, and the employer of the individual to whom they are issued;

(d) The procedures for auditing testing activity by the sports wagering operator or sports wagering vendor to ensure the accountability of funds used for testing and proper adjustments to online sports wagering revenue; and

- (e) The procedures for authorizing and auditing out-of-state test activity.

Section 9. Incorporation by Reference.

- (a) The Commission hereby incorporates by reference the following gaming standards:

(i) The Gaming Laboratories International Standard Series, GLI-33: Standards for Event Wagering Systems, Version 1.1, and its appendices, May 14, 2019 Revision Date, which can be found electronically at <http://gaming.wyo.gov>;

(ii) The Gaming Laboratories International, Change Management Program Guide, Version 1.0, Published May 6, 2020, which can be found electronically at <http://gaming.wyo.gov>;

- (b) For these standards incorporated by reference:

(i) The Commission has determined that incorporation of the full text in these standards would be cumbersome or inefficient given the length or nature of the rules;

(ii) The incorporation by reference does not include any later amendments or editions of the incorporated matter beyond the applicable date identified in subsections (a)(i)-(ii) of this section; and

(iii) The incorporated standards are maintained at the Wyoming Gaming Commission's office, 951 Werner Court, Suite 335, Casper, Wyoming and are available for inspection and copying, at no cost to the public, at the same location.

Chapter 6 Sports Wagering Accounts

“Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules”

Section 1. Sports Wagering Account Requirements.

(a) A patron must have an established sports wagering account with the sports wagering operator or sports wagering vendor to participate in online sports wagering. An account shall only be established in the name of an individual eighteen (18) years of age or older and is non-transferable.

(b) A sports wagering operator or sports wagering vendor must collect the following personal identifying information (PII) from the individual for each patron:

- (i) The patron’s full legal name;
- (ii) The patron’s date of birth;
- (iii) The patron’s principal residential address. A post office box is not acceptable;
- (iv) The patron’s Social Security number, or the last four (4) digits of the Social Security number, or an equivalent identification number for a noncitizen patron, such as a passport or taxpayer identification number; and
- (v) Any other information collected from the patron used to verify his or her identity and to prove the patron is at least eighteen (18) years of age.

(c) During the registration process, the patron shall:

- (i) Be denied the ability to register for a sports wagering account if they submit a birth date which indicates that they are under the age of eighteen (18);
- (ii) Be informed on the account application which information fields are “required,” which are not, and what will be the consequences of not filling in the required fields;
- (iii) Agree to the terms and conditions and privacy policies of the sports wagering operator or sports wagering vendor;
- (iv) Acknowledge that they are prohibited from allowing any unauthorized person to access or use their sports wagering account;
- (v) Consent to the monitoring and recording of the use of their sports wagering account by the sports wagering operator or sports wagering vendor and the

Commission; and

(vi) Affirm that the PII the patron is providing to open the sports wagering account is accurate.

(d) Unless otherwise noted on the account application, the address provided on the application to establish the account is deemed the address of record for mailing checks, statements of account, account withdrawals, notices, or other correspondence. It is the responsibility of the patron to notify the sports wagering operator or sports wagering vendor of any address change.

(e) A sports wagering operator or sports wagering vendor must maintain an electronic patron file, which must, at a minimum, include the following for each patron, as applicable:

(i) Unique patron ID and username (if different);

(ii) The information indicated in subsection (b) to register a patron and create the account;

(iii) Encrypted PII, including the government identification number (full or partial social security number, taxpayer identification number, passport number, or equivalent), authentication credential (password, PIN, etc.), and personal financial information (debit instrument numbers, credit card numbers, bank account numbers, etc.);

(iv) The date and method of identity verification, including, where applicable, the document number of the government issued identification credential examined and its date of expiration, if applicable. If a government issued identification credential is not required for registration, the electronic record that details the process used to confirm the patron's identity must be recorded;

(v) The date of patron agreement to the terms and conditions and privacy policies;

(vi) Account details and current balance, including any incentive credits. All restricted wagering credits and unrestricted funds that have a possible expiration shall be maintained separately;

(vii) Previous sports wagering accounts, if any, and reason for de-activation;

(viii) The date and method from which the sports wagering account was registered;

(ix) The date and time a sports wagering account is accessed by any person, including IP Address; and

(x) The current status of the sports wagering account (e.g., active, dormant, closed, suspended, excluded, etc.).

(f) A sports wagering operator or sports wagering vendor shall allow the patron to update authentication credentials, registration information and the account used for financial transactions. A multi-factor authentication process shall be employed for these purposes.

Section 2. Age and Identity Verification.

(a) Only an individual who is eighteen (18) years of age or older and not a prohibited person may create a sports wagering account, deposit funds, or participate in online sports wagering. The sports wagering operator or sports wagering vendor must deny the ability to create a sports wagering account, deposit funds, or participate in online sports wagering to any individual who is under eighteen (18) years of age or is a prohibited person. This section shall not be construed to prevent a restricted patron from creating a sports wagering account and depositing funds to such an account even if they are prohibited from placing certain wagers.

(b) The sports wagering operator or sports wagering vendor shall employ electronic verification with respect to each patron's name, date of birth and Social Security number, or the last four (4) digits of the Social Security number, or an equivalent identification number for a noncitizen patron, such as a passport or taxpayer identification number, at the time of account establishment by a Commission-approved national independent reference company or another independent technology approved by the Commission which meets or exceeds the reliability, security, accuracy, privacy and timeliness provided by individual reference service companies.

(c) The sports wagering operator or sports wagering vendor shall refuse to establish an account if it is found that any of the information supplied is untrue or incomplete.

(d) A sports wagering operator or sports wagering vendor must use commercially available and demonstrable standards to confirm that an individual attempting to create a sports wagering account is not a prohibited person.

(e) A sports wagering operator or sports wagering vendor must periodically re-verify a patron's identification upon reasonable suspicion that the patron's identification has been compromised.

Section 3. Terms and Conditions and Privacy Policies for Sports Wagering Accounts.

(a) All terms and conditions and privacy policies for sports wagering accounts must be included in the internal controls of the sports wagering operator or sports wagering vendor and shall be readily accessible to the patron before and after registration and noticed when materially updated (i.e. beyond any grammatical or other minor changes).

(b) All terms and conditions for sports wagering accounts must address all aspects of the online sports wagering operation, including, but not limited to all of the following:

(i) A statement that only individuals over the age of eighteen (18) and located in the authorized geographic boundaries within the state of Wyoming can participate in online sports wagering;

(ii) Advice to the patron to keep their authentication credentials (e.g., password and username) secure;

(iii) All processes for dealing with lost authentication credentials, forced password changes, password strength and other related items as required by the Commission;

(iv) Full explanation of all rules applicable to dormant sports wagering accounts, including the conditions under which an account is declared dormant and what actions will be undertaken on the account once this declaration is made;

(v) Actions that will be taken on the patron's pending wagers placed prior to any exclusion or suspension, including the return of all wagers, or settling all wagers, as appropriate;

(vi) Information about timeframes and limits regarding deposits to and/or withdrawals from the sports wagering account, including a clear and concise explanation of all fees, if applicable; and

(vii) Statements indicating that the sports wagering operator or sports wagering vendor has the right to:

(A) Refuse to establish a sports wagering account for what it deems good and sufficient reason;

(B) Refuse deposits to and/or withdrawals from sports wagering accounts for what it deems good and sufficient reason; and

(C) Unless there is a pending investigation or patron dispute, suspend or close any sports wagering account at any time pursuant to the terms and conditions between the sports wagering operator and the patron.

(c) All privacy policies for sports wagering accounts must address all aspects of the personal identifying information (PII) protection, including, but not limited to all of the following:

(i) The personal identifying information (PII) required to be collected;

(ii) The purpose and legal basis for PII collection;

(iii) The period in which the PII is stored, or, if no period can be possibly set, the criteria used to set this;

- (iv) The conditions under which PII may be disclosed;
- (v) An affirmation that measures are in place to prevent the unauthorized or unnecessary disclosure of the PII; and
- (vi) Any other privacy requirements specified by the Commission.

Section 4. Patron Protection Information. A sports wagering operator or sports wagering vendor must provide a Commission-approved patron protection information page that must be readily accessible to each patron. The patron protection page must contain, at a minimum, all of the following:

- (a) Information about potential risks associated with excessive wagering, and a direct link to the National Council on Problem Gambling as well as links to local assistance;
- (b) Notification that underage gambling is a criminal offense and that anyone who facilitates an individual under the age of eighteen (18) to place an online sports wager has committed a criminal offense and must be prohibited from online sports wagering;
- (c) A list of the available patron protection measures that can be invoked by the patron, such as self-imposed limits, and information on how to invoke those measures;
- (d) Mechanisms in place for patrons to detect unauthorized use of their sports wagering account, such as the patron reviewing financial statements against known deposits;
- (e) Method for filing a complaint with the sports wagering operator or sports wagering vendor; and
- (f) Method for filing with the Commission an unresolved complaint after all reasonable means to resolve the complaint with the sports wagering operator or sports wagering vendor have been exhausted utilizing forms and in the manner prescribed by the Commission.

Section 5. Patron Access.

- (a) The sports wagering system shall utilize authentication credentials, such as a username (or similar) and a password or a secure alternative means to assure that only the patron has access to the sports wagering account. Allowable authentication credentials are subject to the discretion of the Commission as necessary. The requirement does not prohibit the option for more than one method of authentication being available for a patron to access their account.
- (b) If the system does not recognize the authentication credentials when entered, an explanatory message shall be displayed to the patron which prompts the patron to try again. The error message shall be the same regardless of which authentication credential is incorrect.

(c) Where a patron has forgotten their authentication credentials, a multi-factor authentication process shall be employed for the retrieval or reset of their forgotten authentication credentials.

(d) Current account balance information, including any restricted wagering credits and unrestricted funds, and transaction options shall be available to the patron once authenticated. All restricted wagering credits and unrestricted funds that have a possible expiration shall be indicated separately.

(e) The system shall support a mechanism that allows for an account to be locked in the event that suspicious activity is detected, such as three consecutive failed access attempts in a 30-minute period. A multi-factor authentication process shall be employed for the account to be unlocked.

Section 6. Financial Transactions. The sports wagering system shall provide confirmation/denial of every financial transaction initiated, including:

- (a) The type of transaction (deposit/withdrawal);
- (b) The transaction value; and
- (c) For denied transactions, a descriptive message as to why the transaction did not complete as initiated.

Section 7. Deposits to a Sports Wagering Account.

(a) A patron's sports wagering account may be funded using approved methods which shall produce a sufficient audit trail for verification of the source of the wagers.

- (b) Approved methods for funding sports wagering accounts include:
 - (i) Travelers checks;
 - (ii) Foreign currency and coin;
 - (iii) Certified checks, cashier's checks and money orders;
 - (iv) Personal checks and drafts;
 - (v) Digital, crypto and virtual currencies;
 - (vi) Online and mobile payment systems that support electronic fund transfers (EFTs);
 - (vii) Credit cards and debit cards;
 - (viii) Prepaid access instruments;

- (ix) Bonus or promotional credit;
 - (x) Winnings;
 - (xi) Adjustments made by the sports wagering operator or sports wagering vendor with documented notification to the patron; and
 - (xii) Any other means approved by the Commission including those which are initiated with cash.
- (c) The sports wagering account shall be credited for any deposit in accordance with the internal controls as submitted by the sports wagering operator or sports wagering vendor and approved by the Commission.
- (d) For credit cards or debit cards and EFTs, the patron may be liable for any charges imposed by the transmitting or receiving sports wagering operator or sports wagering vendor and the charges may be deducted from the patron's account.

Section 8. Failed EFT Transactions. Where financial transactions are conducted through EFT, the sports wagering operator shall have security measures and controls to prevent EFT fraud. A failed EFT attempt is not considered fraudulent if the patron has successfully performed an EFT on a previous occasion with no outstanding chargebacks. Otherwise, the sports wagering operator or sports wagering vendor shall do all of the following:

- (a) Temporarily block the patron's sports wagering account for investigation of fraud after 5 consecutive failed EFT attempts within a 10-minute period. If there is no evidence of fraud, the block may be vacated; and
- (b) Suspend the patron's sports wagering account after five (5) additional consecutive failed EFT attempts within a 10-minute period.

Section 9. Withdrawals from a Sports Wagering Account.

- (a) A patron must be allowed to withdraw the funds maintained in his or her sports wagering account, whether the account is open or closed, except as otherwise provided in these rules, or any other applicable state or federal laws.
- (b) A sports wagering system must employ a mechanism that can detect and prevent any withdrawal activity initiated by a patron that would result in a negative balance of the sports wagering account.
- (c) A sports wagering operator or sports wagering vendor shall not allow a sports wagering account to be overdrawn unless caused by payment processing issues outside the control of the sports wagering operator.
- (d) A sports wagering operator or sports wagering vendor must honor the patron's

request to withdraw funds within five (5) business days after the request, unless the conditions set forth in subsection (e) are met.

(e) The sports wagering operator or sports wagering vendor may decline to honor a patron's request to withdraw funds only if the sports wagering operator or sports wagering vendor believes in good faith that the patron engaged in either fraudulent conduct or other conduct that would put the sports wagering operator or sports wagering vendor in violation of the statutes and these rules. In such cases, the sports wagering operator or sports wagering vendor must do all of the following:

(i) Provide notice to the patron of the nature of the investigation of the sports wagering account; and

(ii) Conduct its investigation in a reasonable and expedient fashion, providing the patron additional written notice of the status of the investigation every tenth (10th) business day starting from the day the original notice was provided to the patron.

(f) For purposes of this rule, a request for withdrawal is considered honored if it is processed by the sports wagering operator or sports wagering vendor notwithstanding a delay by a payment processor, credit card issuer, or the custodian of a financial account.

Section 10. Sports Wagering Account Review Requirements. All adjustments to sports wagering accounts for amounts of five hundred dollars (\$500.00) or less must be periodically reviewed by supervisory personnel as set forth in the sports wagering operator's or sports wagering vendor's internal controls. All other adjustments must be authorized by supervisory personnel before being entered.

Section 11. Sports Wagering Account Information. Upon request of the patron, the sports wagering operator or sports wagering vendor shall provide a statement detailing account activity for the past year. Unless the sports wagering operator or sports wagering vendor receives written notice disputing the statement within fourteen (14) calendar days of the date the statement is forwarded, it shall be deemed to be correct.

Section 12. Responsible Gaming Limits.

(a) A sports wagering operator or sports wagering vendor shall allow the account holder to set the following responsible gaming limits set forth below. Any decrease to these limits shall be effective immediately or at the point in time (e.g., next login, next day) that was clearly indicated to the player. Any increase to these limits shall become effective only after the time period of the previous limit (e.g., day, week, month, etc.) has expired and the player reaffirms the requested increase.

(b) A deposit limit, which shall be offered on a daily, weekly and monthly basis and shall specify the maximum amount of money a patron may deposit into his or her sports wagering account during a particular period of time.

(c) A wager limit, which shall be offered on a daily, weekly and monthly basis and shall specify the maximum amount of patron funds that may be put at risk during a particular period of time.

Section 13. Suspension and Restoration of Sports Wagering Accounts.

(a) A sports wagering system must employ a mechanism that places a sports wagering account in a suspended mode.

(b) The suspended mode shall be activated under the following conditions:

(i) When requested by the patron for a specified period of time, which must not be less than seventy-two (72) hours;

(ii) When required by the Commission;

(iii) Upon a determination that a patron is a prohibited person; or

(iv) When initiated by a sports wagering operator or sports wagering vendor that has evidence that indicates any of the following:

(A) Illegal activity;

(B) A negative sports wagering account balance; or

(C) A violation of the sports wagering account terms and conditions has taken place on a patron's sports wagering account.

(c) When a sports wagering account is in a suspended mode, the sports wagering system must do all of the following:

(i) Prevent the patron from making online sports wagers;

(ii) Prevent the patron from depositing funds unless the account is suspended due to having a negative sports wagering account balance but only to the extent the sports wagering account balance is brought back to zero dollars;

(iii) Prevent the patron from withdrawing funds from his or her sports wagering account, provided that the sports wagering operator or sports wagering vendor acknowledges that the funds have cleared, and that the reason(s) for exclusion would not prohibit a withdraw;

(iv) Prevent the patron from making changes to his or her sports wagering account;

(v) Prevent the removal of the sports wagering account from the sports wagering system; and

(vi) Prominently display to the patron that the sports wagering account is in a suspended mode, the restrictions placed on the sports wagering account, and any further course of action needed to remove the suspended mode.

(d) A suspended account may be restored for any of the following reasons:

(i) Upon expiration of the time period established by the patron;

(ii) If authorized by the Commission;

(iii) When the patron is no longer a prohibited person; or

(iv) When the sports wagering operator or sports wagering vendor has lifted the suspended status.

(e) Each sports wagering operator or sports wagering vendor shall, on a monthly basis, provide the Commission with a list of suspended accounts, including the reasons why the account is in suspended mode.

Section 14. Sports Wagering Account Closure. A sports wagering system must provide a conspicuous and readily accessible method for a patron to close his or her sports wagering account through the account management or similar page or through the sports wagering system customer support team. Any balance remaining in a patron's sports wagering account closed by a patron must be refunded pursuant to the sports wagering operator's or sports wagering vendor's internal controls.

Section 15. Sports Wagering Dormant Accounts. The sports wagering operator or sports wagering vendor may suspend or close an account. Any account with no activity for at least three (3) years may be closed. When an account is closed the sports wagering operator or sports wagering vendor shall issue any funds, less processing fees, within five (5) business days to the patron.

Section 16. Proceeds from a Deceased Patron. If a patron is deceased, the sports wagering operator or sports wagering vendor shall release the funds in the account to the decedent's legal representative upon receipt of a copy of a probate court authorization or other documents as required by applicable Wyoming or other state laws.

Section 17. Anti-Money Laundering (AML) Monitoring. The sports wagering operator or sports wagering vendor shall develop and implement AML procedures and policies that adequately address the risks posed by online sports wagering for the potential of money laundering and terrorist financing. Additional requirements for AML procedures and policies may be specified by the Commission through the issuance of Commission Directives.

Section 18. Sports Wagering Account Payment Processors. Requirements for payment processors may be specified by the Commission through the issuance of Commission Directives.

Section 19. Personal Identifying Information (PII) Security.

(a) Any information obtained in respect to the sports wagering account, including PII and authentication credentials, shall be done in compliance with the privacy policies and local privacy regulations and standards observed by the Commission. Both PII and the patron funds shall be considered as critical assets for the purposes of risk assessment.

(b) No employee or agent of the sports wagering operator or sports wagering vendor shall divulge any PII related to a sports wagering account, the placing of any wager or any other sensitive information related to the operation of the sports wagering system without the consent of the patron, except as required by this section, the Commission, and as otherwise required by state or federal law. This includes, but is not limited to:

(i) The amount of money credited to, debited from, or present in any particular patron's sports wagering account;

(ii) The amount of money wagered by a particular patron on any event or series of events;

(iii) The unique patron ID or username and authentication credentials that identify the patron;

(iv) The identities of particular events on which the patron is wagering or has wagered; and

(v) Unless otherwise authorized by the patron, the name, address, and other information in possession of the sports wagering operator or sports wagering vendor that would identify the patron to anyone other than the Commission, sports wagering operator or sports wagering vendor.

(c) There shall be procedures in place for the security and sharing of PII, funds in a sports wagering account and other sensitive information as required by the Commission, including, but not limited to:

(i) The designation and identification of one or more employees having primary responsibility for the design, implementation, and ongoing evaluation of such procedures and practices;

(ii) The procedures to be used to determine the nature and scope of all information collected, the locations in which such information is stored, and the storage devices on which such information may be recorded for purposes of storage or transfer;

(iii) The measures to be utilized to protect information from unauthorized access; and

(iv) The procedures to be used if a breach of data security has occurred,

including required notification to the Commission.

(d) Additional requirements for PII security may be specified by the Commission through the issuance of Commission Directives.

Chapter 6
Sports Wagering Accounts

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Section 1. Sports Wagering Account Requirements.

(a) A patron must have an established sports wagering account with the sports wagering operator or sports wagering vendor to participate in online sports wagering. An account shall only be established in the name of an individual eighteen (18) years of age or older and is non-transferable.

(b) A sports wagering operator or sports wagering vendor must collect the following personal identifying information (PII) from the individual for each patron:

(i) The patron’s full legal name;

(ii) The patron’s date of birth;

(iii) The patron’s principal residential address. A post office box is not acceptable;

(iv) The patron’s Social Security number, or the last four (4) digits of the Social Security number, or an equivalent identification number for a noncitizen patron, such as a passport or taxpayer identification number; and

(v) Any other information collected from the patron used to verify his or her identity and to prove the patron is at least eighteen (18) years of age.

(c) During the registration process, the patron shall:

(i) Be denied the ability to register for a sports wagering account if they submit a birth date which indicates that they are under the age of eighteen (18);

(ii) Be informed on the account application which information fields are “required,” which are not, and what will be the consequences of not filling in the required fields;

(iii) Agree to the terms and conditions and privacy policies of the sports wagering operator or sports wagering vendor;

(iv) Acknowledge that they are prohibited from allowing any unauthorized person to access or use their sports wagering account;

(v) Consent to the monitoring and recording of the use of their sports wagering account by the sports wagering operator or sports wagering vendor and the

Commission; and

(vi) Affirm that the PII the patron is providing to open the sports wagering account is accurate.

(d) Unless otherwise noted on the account application, the address provided on the application to establish the account is deemed the address of record for mailing checks, statements of account, account withdrawals, notices, or other correspondence. It is the responsibility of the patron to notify the sports wagering operator or sports wagering vendor of any address change.

(e) A sports wagering operator or sports wagering vendor must maintain an electronic patron file, which must, at a minimum, include the following for each patron, as applicable:

(i) Unique patron ID and username (if different);

(ii) The information indicated in subsection (b) to register a patron and create the account;

(iii) Encrypted PII, including the government identification number (full or partial social security number, taxpayer identification number, passport number, or equivalent), authentication credential (password, PIN, etc.), and personal financial information (debit instrument numbers, credit card numbers, bank account numbers, etc.);

(iv) The date and method of identity verification, including, where applicable, the document number of the government issued identification credential examined and its date of expiration, if applicable. If a government issued identification credential is not required for registration, the electronic record that details the process used to confirm the patron's identity must be recorded;

(v) The date of patron agreement to the terms and conditions and privacy policies;

(vi) Account details and current balance, including any incentive credits. All restricted wagering credits and unrestricted funds that have a possible expiration shall be maintained separately;

(vii) Previous sports wagering accounts, if any, and reason for de-activation;

(viii) The date and method from which the sports wagering account was registered;

(ix) The date and time a sports wagering account is accessed by any person, including IP Address; and

(x) The current status of the sports wagering account (e.g., active, dormant, closed, suspended, excluded, etc.).

(f) A sports wagering operator or sports wagering vendor shall allow the patron to update authentication credentials, registration information and the account used for financial transactions. A multi-factor authentication process shall be employed for these purposes.

Section 2. Age and Identity Verification.

(a) Only an individual who is eighteen (18) years of age or older and not a prohibited person may create a sports wagering account, deposit funds, or participate in online sports wagering. The sports wagering operator or sports wagering vendor must deny the ability to create a sports wagering account, deposit funds, or participate in online sports wagering to any individual who is under eighteen (18) years of age or is a prohibited person. This section shall not be construed to prevent a restricted patron from creating a sports wagering account and depositing funds to such an account even if they are prohibited from placing certain wagers.

(b) The sports wagering operator or sports wagering vendor shall employ electronic verification with respect to each patron's name, date of birth and Social Security number, or the last four (4) digits of the Social Security number, or an equivalent identification number for a noncitizen patron, such as a passport or taxpayer identification number, at the time of account establishment by a Commission-approved national independent reference company or another independent technology approved by the Commission which meets or exceeds the reliability, security, accuracy, privacy and timeliness provided by individual reference service companies.

(c) The sports wagering operator or sports wagering vendor shall refuse to establish an account if it is found that any of the information supplied is untrue or incomplete.

(d) A sports wagering operator or sports wagering vendor must use commercially available and demonstrable standards to confirm that an individual attempting to create a sports wagering account is not a prohibited person.

(e) A sports wagering operator or sports wagering vendor must periodically re-verify a patron's identification upon reasonable suspicion that the patron's identification has been compromised.

Section 3. Terms and Conditions and Privacy Policies for Sports Wagering Accounts.

(a) All terms and conditions and privacy policies for sports wagering accounts must be included in the internal controls of the sports wagering operator or sports wagering vendor and shall be readily accessible to the patron before and after registration and noticed when materially updated (i.e. beyond any grammatical or other minor changes).

(b) All terms and conditions for sports wagering accounts must address all aspects of the online sports wagering operation, including, but not limited to all of the following:

(i) A statement that only individuals over the age of eighteen (18) and located in the authorized geographic boundaries within the state of Wyoming can participate in online sports wagering;

(ii) Advice to the patron to keep their authentication credentials (e.g., password and username) secure;

(iii) All processes for dealing with lost authentication credentials, forced password changes, password strength and other related items as required by the Commission;

(iv) Full explanation of all rules applicable to dormant sports wagering accounts, including the conditions under which an account is declared dormant and what actions will be undertaken on the account once this declaration is made;

(v) Actions that will be taken on the patron's pending wagers placed prior to any exclusion or suspension, including the return of all wagers, or settling all wagers, as appropriate;

(vi) Information about timeframes and limits regarding deposits to and/or withdrawals from the sports wagering account, including a clear and concise explanation of all fees, if applicable; and

(vii) Statements indicating that the sports wagering operator or sports wagering vendor has the right to:

(A) Refuse to establish a sports wagering account for what it deems good and sufficient reason;

(B) Refuse deposits to and/or withdrawals from sports wagering accounts for what it deems good and sufficient reason; and

(C) Unless there is a pending investigation or patron dispute, suspend or close any sports wagering account at any time pursuant to the terms and conditions between the sports wagering operator and the patron.

(c) All privacy policies for sports wagering accounts must address all aspects of the personal identifying information (PII) protection, including, but not limited to all of the following:

(i) The personal identifying information (PII) required to be collected;

(ii) The purpose and legal basis for PII collection;

(iii) The period in which the PII is stored, or, if no period can be possibly set, the criteria used to set this;

- (iv) The conditions under which PII may be disclosed;
- (v) An affirmation that measures are in place to prevent the unauthorized or unnecessary disclosure of the PII; and
- (vi) Any other privacy requirements specified by the Commission.

Section 4. Patron Protection Information. A sports wagering operator or sports wagering vendor must provide a Commission-approved patron protection information page that must be readily accessible to each patron. The patron protection page must contain, at a minimum, all of the following:

- (a) Information about potential risks associated with excessive wagering, and a direct link to the National Council on Problem Gambling as well as links to local assistance;
- (b) Notification that underage gambling is a criminal offense and that anyone who facilitates an individual under the age of eighteen (18) to place an online sports wager has committed a criminal offense and must be prohibited from online sports wagering;
- (c) A list of the available patron protection measures that can be invoked by the patron, such as self-imposed limits, and information on how to invoke those measures;
- (d) Mechanisms in place for patrons to detect unauthorized use of their sports wagering account, such as the patron reviewing financial statements against known deposits;
- (e) Method for filing a complaint with the sports wagering operator or sports wagering vendor; and
- (f) Method for filing with the Commission an unresolved complaint after all reasonable means to resolve the complaint with the sports wagering operator or sports wagering vendor have been exhausted utilizing forms and in the manner prescribed by the Commission.

Section 5. Patron Access.

- (a) The sports wagering system shall utilize authentication credentials, such as a username (or similar) and a password or a secure alternative means to assure that only the patron has access to the sports wagering account. Allowable authentication credentials are subject to the discretion of the Commission as necessary. The requirement does not prohibit the option for more than one method of authentication being available for a patron to access their account.
- (b) If the system does not recognize the authentication credentials when entered, an explanatory message shall be displayed to the patron which prompts the patron to try again. The error message shall be the same regardless of which authentication credential is incorrect.

(c) Where a patron has forgotten their authentication credentials, a multi-factor authentication process shall be employed for the retrieval or reset of their forgotten authentication credentials.

(d) Current account balance information, including any restricted wagering credits and unrestricted funds, and transaction options shall be available to the patron once authenticated. All restricted wagering credits and unrestricted funds that have a possible expiration shall be indicated separately.

(e) The system shall support a mechanism that allows for an account to be locked in the event that suspicious activity is detected, such as three consecutive failed access attempts in a 30-minute period. A multi-factor authentication process shall be employed for the account to be unlocked.

Section 6. Financial Transactions. The sports wagering system shall provide confirmation/denial of every financial transaction initiated, including:

(a) The type of transaction (deposit/withdrawal);

(b) The transaction value; and

(c) For denied transactions, a descriptive message as to why the transaction did not complete as initiated.

Section 7. Deposits to a Sports Wagering Account.

(a) A patron's sports wagering account may be funded using approved methods which shall produce a sufficient audit trail for verification of the source of the wagers.

(b) Approved methods for funding sports wagering accounts include:

(i) Travelers checks;

(ii) Foreign currency and coin;

(iii) Certified checks, cashier's checks and money orders;

(iv) Personal checks and drafts;

(v) Digital, crypto and virtual currencies;

(vi) Online and mobile payment systems that support electronic fund transfers (EFTs);

(vii) Credit cards and debit cards;

(viii) Prepaid access instruments;

- (ix) Bonus or promotional credit;
 - (x) Winnings;
 - (xi) Adjustments made by the sports wagering operator or sports wagering vendor with documented notification to the patron; and
 - (xii) Any other means approved by the Commission including those which are initiated with cash.
- (c) The sports wagering account shall be credited for any deposit in accordance with the internal controls as submitted by the sports wagering operator or sports wagering vendor and approved by the Commission.
- (d) For credit cards or debit cards and EFTs, the patron may be liable for any charges imposed by the transmitting or receiving sports wagering operator or sports wagering vendor and the charges may be deducted from the patron's account.

Section 8. Failed EFT Transactions. Where financial transactions are conducted through EFT, the sports wagering operator shall have security measures and controls to prevent EFT fraud. A failed EFT attempt is not considered fraudulent if the patron has successfully performed an EFT on a previous occasion with no outstanding chargebacks. Otherwise, the sports wagering operator or sports wagering vendor shall do all of the following:

- (a) Temporarily block the patron's sports wagering account for investigation of fraud after 5 consecutive failed EFT attempts within a 10-minute period. If there is no evidence of fraud, the block may be vacated; and
- (b) Suspend the patron's sports wagering account after five (5) additional consecutive failed EFT attempts within a 10-minute period.

Section 9. Withdrawals from a Sports Wagering Account.

- (a) A patron must be allowed to withdraw the funds maintained in his or her sports wagering account, whether the account is open or closed, except as otherwise provided in these rules, or any other applicable state or federal laws.
- (b) A sports wagering system must employ a mechanism that can detect and prevent any withdrawal activity initiated by a patron that would result in a negative balance of the sports wagering account.
- (c) A sports wagering operator or sports wagering vendor shall not allow a sports wagering account to be overdrawn unless caused by payment processing issues outside the control of the sports wagering operator.
- (d) A sports wagering operator or sports wagering vendor must honor the patron's

request to withdraw funds within five (5) business days after the request, unless the conditions set forth in subsection (e) are met.

(e) The sports wagering operator or sports wagering vendor may decline to honor a patron's request to withdraw funds only if the sports wagering operator or sports wagering vendor believes in good faith that the patron engaged in either fraudulent conduct or other conduct that would put the sports wagering operator or sports wagering vendor in violation of the statutes and these rules. In such cases, the sports wagering operator or sports wagering vendor must do all of the following:

(i) Provide notice to the patron of the nature of the investigation of the sports wagering account; and

(ii) Conduct its investigation in a reasonable and expedient fashion, providing the patron additional written notice of the status of the investigation every tenth (10th) business day starting from the day the original notice was provided to the patron.

(f) For purposes of this rule, a request for withdrawal is considered honored if it is processed by the sports wagering operator or sports wagering vendor notwithstanding a delay by a payment processor, credit card issuer, or the custodian of a financial account.

Section 10. Sports Wagering Account Review Requirements. All adjustments to sports wagering accounts for amounts of five hundred dollars (\$500.00) or less must be periodically reviewed by supervisory personnel as set forth in the sports wagering operator's or sports wagering vendor's internal controls. All other adjustments must be authorized by supervisory personnel before being entered.

Section 11. Sports Wagering Account Information. Upon request of the patron, the sports wagering operator or sports wagering vendor shall provide a statement detailing account activity for the past year. Unless the sports wagering operator or sports wagering vendor receives written notice disputing the statement within fourteen (14) calendar days of the date the statement is forwarded, it shall be deemed to be correct.

Section 12. Responsible Gaming Limits.

(a) A sports wagering operator or sports wagering vendor shall allow the account holder to set the following responsible gaming limits set forth below. Any decrease to these limits shall be effective immediately or at the point in time (e.g., next login, next day) that was clearly indicated to the player. Any increase to these limits shall become effective only after the time period of the previous limit (e.g., day, week, month, etc.) has expired and the player reaffirms the requested increase.

(b) A deposit limit, which shall be offered on a daily, weekly and monthly basis and shall specify the maximum amount of money a patron may deposit into his or her sports wagering account during a particular period of time.

(c) A wager limit, which shall be offered on a daily, weekly and monthly basis and shall specify the maximum amount of patron funds that may be put at risk during a particular period of time.

Section 13. Suspension and Restoration of Sports Wagering Accounts.

(a) A sports wagering system must employ a mechanism that places a sports wagering account in a suspended mode.

(b) The suspended mode shall be activated under the following conditions:

(i) When requested by the patron for a specified period of time, which must not be less than seventy-two (72) hours;

(ii) When required by the Commission;

(iii) Upon a determination that a patron is a prohibited person; or

(iv) When initiated by a sports wagering operator or sports wagering vendor that has evidence that indicates any of the following:

(A) Illegal activity;

(B) A negative sports wagering account balance; or

(C) A violation of the sports wagering account terms and conditions has taken place on a patron's sports wagering account.

(c) When a sports wagering account is in a suspended mode, the sports wagering system must do all of the following:

(i) Prevent the patron from making online sports wagers;

(ii) Prevent the patron from depositing funds unless the account is suspended due to having a negative sports wagering account balance but only to the extent the sports wagering account balance is brought back to zero dollars;

(iii) Prevent the patron from withdrawing funds from his or her sports wagering account, provided that the sports wagering operator or sports wagering vendor acknowledges that the funds have cleared, and that the reason(s) for exclusion would not prohibit a withdraw;

(iv) Prevent the patron from making changes to his or her sports wagering account;

(v) Prevent the removal of the sports wagering account from the sports wagering system; and

(vi) Prominently display to the patron that the sports wagering account is in a suspended mode, the restrictions placed on the sports wagering account, and any further course of action needed to remove the suspended mode.

(d) A suspended account may be restored for any of the following reasons:

(i) Upon expiration of the time period established by the patron;

(ii) If authorized by the Commission;

(iii) When the patron is no longer a prohibited person; or

(iv) When the sports wagering operator or sports wagering vendor has lifted the suspended status.

(e) Each sports wagering operator or sports wagering vendor shall, on a monthly basis, provide the Commission with a list of suspended accounts, including the reasons why the account is in suspended mode.

Section 14. Sports Wagering Account Closure. A sports wagering system must provide a conspicuous and readily accessible method for a patron to close his or her sports wagering account through the account management or similar page or through the sports wagering system customer support team. Any balance remaining in a patron's sports wagering account closed by a patron must be refunded pursuant to the sports wagering operator's or sports wagering vendor's internal controls.

Section 15. Sports Wagering Dormant Accounts. The sports wagering operator or sports wagering vendor may suspend or close an account. Any account with no activity for at least three (3) years may be closed. When an account is closed the sports wagering operator or sports wagering vendor shall issue any funds, less processing fees, within five (5) business days to the patron.

Section 16. Proceeds from a Deceased Patron. If a patron is deceased, the sports wagering operator or sports wagering vendor shall release the funds in the account to the decedent's legal representative upon receipt of a copy of a probate court authorization or other documents as required by applicable Wyoming or other state laws.

Section 17. Anti-Money Laundering (AML) Monitoring. The sports wagering operator or sports wagering vendor shall develop and implement AML procedures and policies that adequately address the risks posed by online sports wagering for the potential of money laundering and terrorist financing. Additional requirements for AML procedures and policies may be specified by the Commission through the issuance of Commission Directives.

Section 18. Sports Wagering Account Payment Processors. Requirements for payment processors may be specified by the Commission through the issuance of Commission Directives.

Section 19. Personal Identifying Information (PII) Security.

(a) Any information obtained in respect to the sports wagering account, including PII and authentication credentials, shall be done in compliance with the privacy policies and local privacy regulations and standards observed by the Commission. Both PII and the patron funds shall be considered as critical assets for the purposes of risk assessment.

(b) No employee or agent of the sports wagering operator or sports wagering vendor shall divulge any PII related to a sports wagering account, the placing of any wager or any other sensitive information related to the operation of the sports wagering system without the consent of the patron, except as required by this section, the Commission, and as otherwise required by state or federal law. This includes, but is not limited to:

(i) The amount of money credited to, debited from, or present in any particular patron's sports wagering account;

(ii) The amount of money wagered by a particular patron on any event or series of events;

(iii) The unique patron ID or username and authentication credentials that identify the patron;

(iv) The identities of particular events on which the patron is wagering or has wagered; and

(v) Unless otherwise authorized by the patron, the name, address, and other information in possession of the sports wagering operator or sports wagering vendor that would identify the patron to anyone other than the Commission, sports wagering operator or sports wagering vendor.

(c) There shall be procedures in place for the security and sharing of PII, funds in a sports wagering account and other sensitive information as required by the Commission, including, but not limited to:

(i) The designation and identification of one or more employees having primary responsibility for the design, implementation, and ongoing evaluation of such procedures and practices;

(ii) The procedures to be used to determine the nature and scope of all information collected, the locations in which such information is stored, and the storage devices on which such information may be recorded for purposes of storage or transfer;

(iii) The measures to be utilized to protect information from unauthorized access; and

(iv) The procedures to be used if a breach of data security has occurred,

including required notification to the Commission.

(d) Additional requirements for PII security may be specified by the Commission through the issuance of Commission Directives.

Chapter 7 Audit and Internal Controls

“Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules”

Section 1. Internal Control Standards Purpose. The procedures of the internal control standards are designed to ensure all of the following:

- (a) Assets are safeguarded;
- (b) The financial records of the sports wagering operator and sports wagering vendor are accurate and reliable;
- (c) The transactions of the sports wagering operator and sports wagering vendor are performed only in accordance with the statutes and these rules;
- (d) The transactions are recorded adequately to permit the proper recording of the online sports wagering revenue, fees, and all applicable taxes and payments;
- (e) Accountability of assets is maintained pursuant to generally accepted accounting principles;
- (f) Only authorized personnel have access to assets;
- (g) Account balances are complete and accurate, and appropriate action is taken with respect to discrepancies;
- (h) Accounts and personal identifiable information are adequately protected;
- (i) The functions, duties, and responsibilities are appropriately segregated and performed pursuant to sound practices by competent, qualified personnel and that no employee of the sports wagering operator, the sports wagering vendor, a vendor, or a third-party provider is in a position to perpetuate and conceal errors or irregularities in the normal course of the employee’s duties; and
- (j) Online sports wagering is conducted with integrity and in accordance with the statutes and these rules.

Section 2. Commission Approval of Internal Control Standards and Requirements.

- (a) Unless otherwise provided for by the Commission, before beginning online sports wagering operations, a sports wagering operator, a sports wagering vendor, or both, must submit its administrative and accounting procedures, in detail, in a written system of internal controls for Commission review and written approval. A written system of internal controls must include a detailed narrative description of the administrative and accounting procedures designed to satisfy the requirements of these rules.

- (b) The written system of internal controls must address the following items, at a minimum:
- (i) Automated and manual risk management procedures;
 - (ii) Employee management, including access controls and segregation of duties;
 - (iii) Information regarding identifying and reporting fraud and suspicious conduct;
 - (iv) Controls ensuring regulatory compliance;
 - (v) Description of Anti-Money Laundering (AML) compliance standards including procedures for detecting structuring to avoid reporting requirements;
 - (vi) Description of all software applications that comprise the sports wagering system;
 - (vii) Description of all types of wagers available to be offered by the sports wagering operator or sports wagering vendor;
 - (viii) Description of the method to prevent past-post wagers from being placed;
 - (ix) Description of all integrated third-party platforms; and
 - (x) Any other information which may be required by the regulatory body through the issuance of Commission Directives.

(c) To the extent a third-party is involved in or provides any of the internal controls required in these rules, the sports wagering operator's or sports wagering vendor's controls, or the controls of both of them must document the roles and responsibilities of the third-party and must include procedures to evaluate the adequacy of and monitor compliance with the third-party's internal control procedures.

Section 3. Amendments to Internal Controls. Unless otherwise provided by the Commission, all of the following provisions apply to amendments to the internal control procedures:

(a) Amendments to any portion of the internal control procedures must be submitted to the Commission for approval. If within thirty (30) days the Commission has not approved, denied, or otherwise provided written notice, a sports wagering operator or sports wagering vendor, or both, may implement the amended internal controls as submitted with the Commission retaining its authority to require further amendment, approval, or denial;

(b) The Commission may, in writing, approve, deny, or require a revision to the amendment to the internal control procedures. If the sports wagering operator or sports wagering vendor is notified of a required revision, the sports wagering operator or sports wagering vendor must work with the Commission to address the revision;

(c) If the Commission requests additional information, clarification, or revision of an amendment to an internal control and the sports wagering operator or sports wagering vendor, or both, fail to satisfy the request within thirty (30) days after the Commission request, the Commission shall consider the amendment denied and it cannot be implemented or, if previously implemented under subsection (a) of this section, the sports wagering operator or sports wagering vendor has fifteen (15) days to cease implementation of that amendment. If the sports wagering operator or sports wagering vendor subsequently wants to pursue the amendment, it must resubmit the request along with the additional information previously requested by the Commission.

Section 4. Emergency Procedures.

(a) In the event of an emergency, the sports wagering operator or sports wagering vendor, or both, may temporarily amend an internal control procedure. The director or his or her designee must be notified that an emergency exists before temporarily amending an internal control procedure.

(b) A sports wagering operator or sports wagering vendor, or both, must submit the temporary emergency amendment of the internal control procedures to the director or his or her designee within twenty-four (24) hours of the amendment. The submission must include the detailed emergency procedures that will be implemented and the time period the emergency procedures will be temporarily in place. Any concerns the Commission has with the submission must be addressed with the sports wagering operator or sports wagering vendor, or both.

Section 5. Failure to Comply with Requirements. If the Commission determines that the administrative or accounting procedures or written internal control procedures of the sports wagering operator or sports wagering vendor, or both, do not comply with the requirements of these rules or requires improvement, the Commission shall notify the sports wagering operator or sports wagering vendor, or both, in writing. Within fifteen (15) days after receiving the notification, the sports wagering operator or sports wagering vendor must amend its procedures and written internal control procedures accordingly and must submit, for Commission approval, a copy of the written internal control procedures, as amended, and a description of any other remedial measure taken.

Section 6. Compliance with Internal Controls.

(a) Sports wagering operators and sports wagering vendors must comply with all internal controls.

(b) If a sports wagering operator or sports wagering vendor fails to comply with any provision of its internal controls, the Commission may initiate a disciplinary action.

Section 7. Independent Audit of Internal Control Procedures.

(a) Sports wagering operators shall have their internal control procedures independently audited at least once every two (2) years with the results documented in a written report. This includes internal control procedures conducted by a sports wagering vendor on behalf of the sports wagering operator. Reports shall be maintained and available to the Commission.

(b) Such independent audits may be conducted by the Commission, or a Commission approved third-party auditor. The Commission may, in its discretion, allow for an internal audit department within the sports wagering operator or parent company of the sports wagering operator, which is independent of the sports wagering operation, to serve as a third-party auditor for use in completing this audit.

(c) The Commission, or third-party auditor shall be responsible for auditing the sports wagering operator's compliance with the statute and these rules, including those standards adopted in appendix A of GLI-33, the internal control system, and any other applicable rules and regulations.

(d) Documentation, including checklist, programs, reports, corrective actions, and other items, shall be prepared to evidence all independent audit work performed as it relates to the requirements of this section, including all instances of noncompliance.

(e) Independent audit reports shall include objectives, procedures and scope, findings and conclusions, and recommendations.

(f) Independent audit findings shall be reported to management. Management shall be required to respond to the independent audit findings and the stated corrective measures to be taken to avoid recurrence of the audit exception. Such management responses shall be included in the final independent audit report.

(g) Follow-up observation and examinations shall be performed to verify that corrective action has been taken regarding all instances of noncompliance cited by the independent audits, or by the Commission. The verification shall be performed within six (6) months following the date of notification.

(h) Where approved by the Commission, it is acceptable to leverage the results of prior audits conducted within the audit period by the same third-party auditor in another sports wagering jurisdiction. Such leveraging shall be noted in the audit report. This leveraging does not include any internal control procedures unique to the state, which will require new audits.

Section 8. Accounting Records.

- (a) Sports wagering operators and sports wagering vendors must maintain complete, accurate, and legible records of all transactions related to their online sports wagering operations, including transactions pertaining to revenues, expenses, assets, liabilities, and equity in conformance with generally accepted accounting principles.
- (b) The Commission may direct sports wagering operators and sports wagering vendors to alter the manner in which the records are maintained if a sports wagering operator's or sports wagering vendor's records are not in accordance with generally accepted accounting principles or if the records are not in sufficient detail.
- (c) The accounting records must be maintained using a double entry system of accounting with transactions recorded on the accrual basis and supported by detailed subsidiary records.
- (d) The detailed subsidiary records must include, at a minimum, all of the following:
 - (i) Detailed general ledger accounts identifying all revenue, expenses, assets, liabilities, and equity;
 - (ii) A record of all investments, advances, loans, and accounts receivable balances due the establishment;
 - (iii) A record of all loans and other accounts payable;
 - (iv) A record of all accounts receivable written off as uncollectible;
 - (v) Journal entries prepared;
 - (vi) Tax work papers used in preparation of any state or federal tax return if applicable;
 - (vii) Records supporting the accumulation of the costs for complimentary services and items. A complimentary service or item provided to individuals in the normal course of a sports wagering business must be recorded in an amount based upon the full retail price normally charged for the service or item or as is otherwise consistent with generally accepted accounting principles;
 - (viii) Records required by the internal control system; and
 - (ix) Other records that the Commission requires to be maintained.
- (e) The sports wagering operator and sports wagering vendor must maintain all

records supporting the online sports wagering revenue.

(f) If a sports wagering operator or sports wagering vendor, or both, fails to maintain the records used by it to calculate the online sports wagering revenue, the Commission may compute and determine the amount upon the basis of an audit conducted by the Commission using available information.

Section 9. Financial Audits.

(a) Upon application for a permit, and annually thereafter, each sports wagering operator shall submit to the Commission, within ninety (90) days of the operator's fiscal year end, its most recent financial audit.

(b) The financial audit must be performed by an independent certified public accountant currently authorized to practice in Wyoming and presented in accordance with generally accepted accounting principles and contain the opinion of the independent certified public accountant as to its fair preparation and presentation in accordance with generally accepted accounting principles.

(c) The Commission shall determine the date of filing and the number of copies of audits or reports required under this rule. The audits or reports must be received by the Commission or postmarked no later than the required filing date.

(d) The reporting year-end of the sports wagering operator is December 31 unless otherwise approved by the Commission.

Section 10. Commission Access to System Data. Sports wagering operators and sports wagering vendors must detail the controls that are in place to assure that all data the Commission requires to be maintained under the statutes or these rules is appropriately segregated and controlled to prevent unauthorized access. Sports wagering operators and sports wagering vendors must provide the Commission with access to all such data, upon request, within a time provided for by the Commission. A sports wagering operator or sports wagering vendor must retain such data for a minimum of five (5) years.

Section 11. Records Retention.

(a) Each sports wagering operator or sports wagering vendor must maintain, in a place secure from theft, loss, or destruction, adequate records of its business and accounting operations.

(b) A sports wagering operator or sports wagering vendor must make the records available to the Commission, upon request, within a time provided for by the Commission. A sports wagering operator or sports wagering vendor must hold the records for not less than five (5) years. The records must include, but not be limited to, all of the following:

(i) All correspondence with, or reports to, the Commission or any local,

state, or federal governmental agency; and

(ii) All correspondence concerning the business of a sports wagering operator or sports wagering vendor.

(c) A sports wagering operator or sports wagering vendor must keep and maintain, in a manner and form required by the Commission, accurate, complete, and legible records of any books, records, or documents pertaining to, prepared in, or generated by, the sports wagering operator or sports wagering vendor, including but not limited to, all of the following:

- (i) Forms;
- (ii) Reports;
- (iii) Accounting records;
- (iv) Ledgers;
- (v) Subsidiary records;
- (vi) Internal audit records;
- (vii) Correspondence; and
- (viii) Personnel records.

(d) A sports wagering operator or sports wagering vendor must organize and index all required records in a manner that enables the Commission to locate, inspect, review, and analyze the records with reasonable ease and efficiency.

Section 12. Reports of Online Sports Wagering Operations. The sports wagering operator or sports wagering vendor must be able to prepare reports supporting online sports wagering revenue, wagering liability, winnings, and any other reports considered necessary by the Commission or as required by the internal controls. The reporting must be done on a form and in the manner prescribed by the Commission. Additional reporting requirements may be specified by the Commission through the issuance of Commission Directives. Any information provided under this section is confidential and proprietary and is exempt from disclosure.

Chapter 7
Audit and Internal Controls

“Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules”

Section 1. Internal Control Standards Purpose. The procedures of the internal control standards are designed to ensure all of the following:

- (a) Assets are safeguarded;
- (b) The financial records of the sports wagering operator and sports wagering vendor are accurate and reliable;
- (c) The transactions of the sports wagering operator and sports wagering vendor are performed only in accordance with the statutes and these rules;
- (d) The transactions are recorded adequately to permit the proper recording of the online sports wagering revenue, fees, and all applicable taxes and payments;
- (e) Accountability of assets is maintained pursuant to generally accepted accounting principles;
- (f) Only authorized personnel have access to assets;
- (g) Account balances are complete and accurate, and appropriate action is taken with respect to discrepancies;
- (h) Accounts and personal identifiable information are adequately protected;
- (i) The functions, duties, and responsibilities are appropriately segregated and performed pursuant to sound practices by competent, qualified personnel and that no employee of the sports wagering operator, the sports wagering vendor, a vendor, or a third-party provider is in a position to perpetuate and conceal errors or irregularities in the normal course of the employee’s duties; and
- (j) Online sports wagering is conducted with integrity and in accordance with the statutes and these rules.

Section 2. Commission Approval of Internal Control Standards and Requirements.

(a) Unless otherwise provided for by the Commission, before beginning online sports wagering operations, a sports wagering operator, a sports wagering vendor, or both, must submit its administrative and accounting procedures, in detail, in a written system of internal controls for Commission review and written approval. A written system of internal controls must include a detailed narrative description of the administrative and accounting procedures designed to satisfy the requirements of these rules.

(b) The written system of internal controls must address the following items, at a minimum:

- (i) Automated and manual risk management procedures;
- (ii) Employee management, including access controls and segregation of duties;
- (iii) Information regarding identifying and reporting fraud and suspicious conduct;
- (iv) Controls ensuring regulatory compliance;
- (v) Description of Anti-Money Laundering (AML) compliance standards including procedures for detecting structuring to avoid reporting requirements;
- (vi) Description of all software applications that comprise the sports wagering system;
- (vii) Description of all types of wagers available to be offered by the sports wagering operator or sports wagering vendor;
- (viii) Description of the method to prevent past-post wagers from being placed;
- (ix) Description of all integrated third-party platforms; and
- (x) Any other information which may be required by the regulatory body through the issuance of Commission Directives.

(c) To the extent a third-party is involved in or provides any of the internal controls required in these rules, the sports wagering operator's or sports wagering vendor's controls, or the controls of both of them must document the roles and responsibilities of the third-party and must include procedures to evaluate the adequacy of and monitor compliance with the third-party's internal control procedures.

Section 3. Amendments to Internal Controls. Unless otherwise provided by the Commission, all of the following provisions apply to amendments to the internal control procedures:

(a) Amendments to any portion of the internal control procedures must be submitted to the Commission for approval. If within thirty (30) days the Commission has not approved, denied, or otherwise provided written notice, a sports wagering operator or sports wagering vendor, or both, may implement the amended internal controls as submitted with the Commission retaining its authority to require further amendment, approval, or denial;

(b) The Commission may, in writing, approve, deny, or require a revision to the amendment to the internal control procedures. If the sports wagering operator or sports wagering vendor is notified of a required revision, the sports wagering operator or sports wagering vendor must work with the Commission to address the revision;

(c) If the Commission requests additional information, clarification, or revision of an amendment to an internal control and the sports wagering operator or sports wagering vendor, or both, fail to satisfy the request within thirty (30) days after the Commission request, the Commission shall consider the amendment denied and it cannot be implemented or, if previously implemented under subsection (a) of this section, the sports wagering operator or sports wagering vendor has fifteen (15) days to cease implementation of that amendment. If the sports wagering operator or sports wagering vendor subsequently wants to pursue the amendment, it must resubmit the request along with the additional information previously requested by the Commission.

Section 4. Emergency Procedures.

(a) In the event of an emergency, the sports wagering operator or sports wagering vendor, or both, may temporarily amend an internal control procedure. The director or his or her designee must be notified that an emergency exists before temporarily amending an internal control procedure.

(b) A sports wagering operator or sports wagering vendor, or both, must submit the temporary emergency amendment of the internal control procedures to the director or his or her designee within twenty-four (24) hours of the amendment. The submission must include the detailed emergency procedures that will be implemented and the time period the emergency procedures will be temporarily in place. Any concerns the Commission has with the submission must be addressed with the sports wagering operator or sports wagering vendor, or both.

Section 5. Failure to Comply with Requirements. If the Commission determines that the administrative or accounting procedures or written internal control procedures of the sports wagering operator or sports wagering vendor, or both, do not comply with the requirements of these rules or requires improvement, the Commission shall notify the sports wagering operator or sports wagering vendor, or both, in writing. Within fifteen (15) days after receiving the notification, the sports wagering operator or sports wagering vendor must amend its procedures and written internal control procedures accordingly and must submit, for Commission approval, a copy of the written internal control procedures, as amended, and a description of any other remedial measure taken.

Section 6. Compliance with Internal Controls.

(a) Sports wagering operators and sports wagering vendors must comply with all internal controls.

(b) If a sports wagering operator or sports wagering vendor fails to comply with any provision of its internal controls, the Commission may initiate a disciplinary action.

Section 7. Independent Audit of Internal Control Procedures.

(a) Sports wagering operators shall have their internal control procedures independently audited at least once every two (2) years with the results documented in a written report. This includes internal control procedures conducted by a sports wagering vendor on behalf of the sports wagering operator. Reports shall be maintained and available to the Commission.

(b) Such independent audits may be conducted by the Commission, or a Commission approved third-party auditor. The Commission may, in its discretion, allow for an internal audit department within the sports wagering operator or parent company of the sports wagering operator, which is independent of the sports wagering operation, to serve as a third-party auditor for use in completing this audit.

(c) The Commission, or third-party auditor shall be responsible for auditing the sports wagering operator's compliance with the statute and these rules, including those standards adopted in appendix A of GLI-33, the internal control system, and any other applicable rules and regulations.

(d) Documentation, including checklist, programs, reports, corrective actions, and other items, shall be prepared to evidence all independent audit work performed as it relates to the requirements of this section, including all instances of noncompliance.

(e) Independent audit reports shall include objectives, procedures and scope, findings and conclusions, and recommendations.

(f) Independent audit findings shall be reported to management. Management shall be required to respond to the independent audit findings and the stated corrective measures to be taken to avoid recurrence of the audit exception. Such management responses shall be included in the final independent audit report.

(g) Follow-up observation and examinations shall be performed to verify that corrective action has been taken regarding all instances of noncompliance cited by the independent audits, or by the Commission. The verification shall be performed within six (6) months following the date of notification.

(h) Where approved by the Commission, it is acceptable to leverage the results of prior audits conducted within the audit period by the same third-party auditor in another sports wagering jurisdiction. Such leveraging shall be noted in the audit report. This leveraging does not include any internal control procedures unique to the state, which will require new audits.

Section 8. Accounting Records.

(a) Sports wagering operators and sports wagering vendors must maintain complete, accurate, and legible records of all transactions related to their online sports wagering operations, including transactions pertaining to revenues, expenses, assets, liabilities, and equity in conformance with generally accepted accounting principles.

(b) The Commission may direct sports wagering operators and sports wagering vendors to alter the manner in which the records are maintained if a sports wagering operator's or sports wagering vendor's records are not in accordance with generally accepted accounting principles or if the records are not in sufficient detail.

(c) The accounting records must be maintained using a double entry system of accounting with transactions recorded on the accrual basis and supported by detailed subsidiary records.

(d) The detailed subsidiary records must include, at a minimum, all of the following:

(i) Detailed general ledger accounts identifying all revenue, expenses, assets, liabilities, and equity;

(ii) A record of all investments, advances, loans, and accounts receivable balances due the establishment;

(iii) A record of all loans and other accounts payable;

(iv) A record of all accounts receivable written off as uncollectible;

(v) Journal entries prepared;

(vi) Tax work papers used in preparation of any state or federal tax return if applicable;

(vii) Records supporting the accumulation of the costs for complimentary services and items. A complimentary service or item provided to individuals in the normal course of a sports wagering business must be recorded in an amount based upon the full retail price normally charged for the service or item or as is otherwise consistent with generally accepted accounting principles;

(viii) Records required by the internal control system; and

(ix) Other records that the Commission requires to be maintained.

(e) The sports wagering operator and sports wagering vendor must maintain all

records supporting the online sports wagering revenue.

(f) If a sports wagering operator or sports wagering vendor, or both, fails to maintain the records used by it to calculate the online sports wagering revenue, the Commission may compute and determine the amount upon the basis of an audit conducted by the Commission using available information.

Section 9. Financial Audits.

(a) Upon application for a permit, and annually thereafter, each sports wagering operator shall submit to the Commission, within ninety (90) days of the operator's fiscal year end, its most recent financial audit.

(b) The financial audit must be performed by an independent certified public accountant currently authorized to practice in Wyoming and presented in accordance with generally accepted accounting principles and contain the opinion of the independent certified public accountant as to its fair preparation and presentation in accordance with generally accepted accounting principles.

(c) The Commission shall determine the date of filing and the number of copies of audits or reports required under this rule. The audits or reports must be received by the Commission or postmarked no later than the required filing date.

(d) The reporting year-end of the sports wagering operator is December 31 unless otherwise approved by the Commission.

Section 10. Commission Access to System Data. Sports wagering operators and sports wagering vendors must detail the controls that are in place to assure that all data the Commission requires to be maintained under the statutes or these rules is appropriately segregated and controlled to prevent unauthorized access. Sports wagering operators and sports wagering vendors must provide the Commission with access to all such data, upon request, within a time provided for by the Commission. A sports wagering operator or sports wagering vendor must retain such data for a minimum of five (5) years.

Section 11. Records Retention.

(a) Each sports wagering operator or sports wagering vendor must maintain, in a place secure from theft, loss, or destruction, adequate records of its business and accounting operations.

(b) A sports wagering operator or sports wagering vendor must make the records available to the Commission, upon request, within a time provided for by the Commission. A sports wagering operator or sports wagering vendor must hold the records for not less than five (5) years. The records must include, but not be limited to, all of the following:

(i) All correspondence with, or reports to, the Commission or any local,

state, or federal governmental agency; and

(ii) All correspondence concerning the business of a sports wagering operator or sports wagering vendor.

(c) A sports wagering operator or sports wagering vendor must keep and maintain, in a manner and form required by the Commission, accurate, complete, and legible records of any books, records, or documents pertaining to, prepared in, or generated by, the sports wagering operator or sports wagering vendor, including but not limited to, all of the following:

(i) Forms;

(ii) Reports;

(iii) Accounting records;

(iv) Ledgers;

(v) Subsidiary records;

(vi) Internal audit records;

(vii) Correspondence; and

(viii) Personnel records.

(d) A sports wagering operator or sports wagering vendor must organize and index all required records in a manner that enables the Commission to locate, inspect, review, and analyze the records with reasonable ease and efficiency.

Section 12. Reports of Online Sports Wagering Operations. The sports wagering operator or sports wagering vendor must be able to prepare reports supporting online sports wagering revenue, wagering liability, winnings, and any other reports considered necessary by the Commission or as required by the internal controls. The reporting must be done on a form and in the manner prescribed by the Commission. Additional reporting requirements may be specified by the Commission through the issuance of Commission Directives. Any information provided under this section is confidential and proprietary and is exempt from disclosure.

Chapter 8

Responsible Gaming and Advertising

“Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules”

Section 1. Responsible Gaming Plan. Applicants for a sports wagering operator permit shall submit a Responsible Gaming Plan to the Commission at the time of first application, within ten (10) business days of any changes to the plan, and at permit renewal. The plan must be approved by the Commission prior to commencing operations in Wyoming. The plan shall include, at a minimum, the following:

- (a) The goals of the plan, procedures and deadlines for implementation of the plan;
- (b) The identification of the individual(s) who will be responsible for the implementation and maintenance of the plan;
- (c) The applicant’s plan for creating and disseminating promotional material to educate patrons about compulsive and problem gambling and to inform them about treatment services available to compulsive and problem gamblers and their families. The applicant shall provide examples of the materials to be used as part of its plan and a description of how the material will be disseminated;
- (d) Details of the applicant’s plan for responsible gaming training for its employees;
- (e) The duties and responsibilities of the key employees and gaming employees designated to implement or participate in the plan;
- (f) Procedures to prevent underage gambling; and
- (g) Other policies and procedures as determined by the Commission to prevent problem gambling and encourage responsible gambling.

Section 2. Self-Exclusion Program.

(a) The Self-Exclusion Program is established for the purpose of allowing persons who wish to refrain from sports wagering and other types of gambling offered by the Commission, to notify the Commission that they will accept responsibility for refraining from engaging in sports wagering and other gambling activities offered by the Commission and its Permittees. Each person seeking placement in the Self-Exclusion Program acknowledges that it is his or her responsibility to refrain from engaging in sports wagering and other gambling activities under the jurisdiction of the Commission.

(b) An individual may request to have their name placed on the Self-Exclusion List by completing the application.

(c) Upon the filing of an application for placement in the Self-Exclusion Program, the

Commission may file a Notice of Placement in the Self-Exclusion Program and such application and notice may be disclosed to sports wagering permittees and their agents and employees, as approved by the Commission.

Section 3. Involuntary Exclusion List. The Commission shall maintain an Involuntary Exclusion List that consists of the names of people who the director determines meet anyone of the following criteria:

- (a) Any person whose presence in a gaming facility would be inimical to sports wagering in the State of Wyoming, including the following:
 - (i) Any person who cheats;
 - (ii) Any person who poses a threat to the safety of the patrons or employees;
 - (iii) Persons who pose a threat to themselves;
 - (iv) Persons with a documented history of conduct involving the disruption of a facility or website conducting activities under the jurisdiction of the Commission;
 - (v) Persons included on another jurisdiction's exclusion list;
 - (vi) Persons subject to a Court order excluding those persons from a facility or website conducting activities under the jurisdiction of the Commission;
 - (vii) Any felon or person who has been convicted of any crime gambling or offense involving gambling and whose presence in a facility under the jurisdiction of the Commission or whose participation in activities under the jurisdiction of the Commission would be harmful to or negatively affect the reputation of the State of Wyoming; or
 - (viii) Any person who enhances a risk of unfair or illegal practices in the conduct of activities under the jurisdiction of the Commission.
- (a) The director's determination of the basis for placing a person on the involuntary exclusion list may be based upon any of the following:
 - (i) The nature and notoriety of the person to be excluded from all wagering and gaming activities under the jurisdiction of the Commission;
 - (ii) The history and nature of the involvement of the person's wagering, gaming, or gambling activity in Wyoming or any other jurisdiction;
 - (iii) The nature and frequency of any contacts or associations of the person with any permittee; or
 - (iv) Any other factor reasonably related to the maintenance of public

confidence in the regulatory process or the integrity of sports wagering in the State of Wyoming.

(b) The Involuntary Exclusion List shall contain the following information, if known, for each excluded person:

- (i) The full name and all known aliases and the date of birth;
- (ii) A physical description or photograph, if available;
- (iii) The date the person's name was placed on the Involuntary Exclusion List;
- (iv) Social Security Number, if available;
- (v) The person's occupation and current home and business addresses; and
- (vi) Any other relevant information as deemed necessary by the Commission.

(c) The Commission shall distribute the Involuntary Exclusion List to permittees involved in the operation of wagering, gaming or gambling under the jurisdiction of the Commission.

(d) The Commission shall attempt to provide notice to any person who is placed on the Involuntary Exclusion List.

(e) Each excluded person who has been listed on the Involuntary Exclusion List and wishes to contest being placed on the Involuntary Exclusion List may request an administrative hearing.

Section 4. Sports Wagering Operator or Sports Wagering Vendor Responsibilities.

(a) The sports wagering operator or sports wagering vendor shall receive the Self-Exclusion List and Involuntary Exclusion List from the Commission.

(b) The Self-Exclusion List and Involuntary Exclusion List may only be accessed by individuals authorized in accordance with the internal controls.

(c) Except as authorized or required by these rules, the Self-Exclusion List and Involuntary Exclusion List shall be kept confidential and the sports wagering operator or sports wagering vendor shall not disclose the names included on these lists.

(d) The Self-Exclusion List and Involuntary Exclusion List shall not be publicly disclosed by the sports wagering operator, sports wagering vendor, employee, affiliate or other person authorized to access the lists. However, the sports wagering operator or sports wagering vendor may share the lists with other designated permittees in the State of Wyoming or its affiliates in other jurisdictions for the purpose of assisting in the proper administration of

responsible play programs.

(e) The sports wagering operator or sports wagering vendor shall establish procedures to add the names from the Self-Exclusion List and Involuntary Exclusion List into their internal list to exclude from sports wagering. If the sports wagering operator or sports wagering vendor utilizes an internal management system to track individuals on the Self-Exclusion List and Involuntary Exclusion List, they shall update that system at least every seventy-two (72) hours with names of individuals being added or removed from the Self-Exclusion List and Involuntary Exclusion List.

(f) The sports wagering operator or sports wagering vendor shall establish procedures that are designed, to the greatest extent practicable, to:

(i) Prevent an individual on the Self-Exclusion List or Involuntary Exclusion List from opening a new sports wagering account;

(ii) Identify and suspend any sports wagering accounts of an individual on the Self-Exclusion List or Involuntary Exclusion List;

(iii) Promptly notify the Commission, or its designee, if an individual on the Self-Exclusion List or Involuntary Exclusion List attempts to place or is discovered to have placed or attempted to place a wager;

(iv) In cooperation with the Commission, and where reasonably possible, determine the amount wagered and lost by an individual identified to be on the Self-Exclusion List or Involuntary Exclusion List. The monetary value of the losses shall be paid to the Commission within forty-five (45) days;

(v) Deny an individual identified to be on the Self-Exclusion List or Involuntary Exclusion List from any winnings derived from wagering while on the Self-Exclusion List or Involuntary Exclusion List. The monetary value of the withheld winnings shall be paid to the Commission within forty-five (45) days;

(vi) Refund any remaining balance to an individual on the Self-Exclusion List or Involuntary Exclusion List provided that the sports wagering operator or sports wagering vendor acknowledges that the funds have cleared; and

(vii) Ensure that individuals on the Self-Exclusion List or Involuntary Exclusion List do not receive, either from the sports wagering operator, sports wagering vendor or any agent thereof, targeted mailings, telemarketing promotions, player club materials, or other targeted promotional materials relating to sports wagering.

Section 5. Advertising. The Commission shall prohibit sports wagering advertising that it determines to be deceptive to the public. The Commission shall also require that every form of advertising contain a statement that minors are not allowed to open or have access to sports wagering accounts as well as information about available programs to prevent, treat, or

monitor compulsive or problem gambling, and procedures for self-exclusion.

Chapter 8
Responsible Gaming and Advertising

“Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules”

Section 1. Responsible Gaming Plan. Applicants for a sports wagering operator permit shall submit a Responsible Gaming Plan to the Commission at the time of first application, within ten (10) business days of any changes to the plan, and at permit renewal. The plan must be approved by the Commission prior to commencing operations in Wyoming. The plan shall include, at a minimum, the following:

- (a) The goals of the plan, procedures and deadlines for implementation of the plan;
- (b) The identification of the individual(s) who will be responsible for the implementation and maintenance of the plan;
- (c) The applicant’s plan for creating and disseminating promotional material to educate patrons about compulsive and problem gambling and to inform them about treatment services available to compulsive and problem gamblers and their families. The applicant shall provide examples of the materials to be used as part of its plan and a description of how the material will be disseminated;
- (d) Details of the applicant’s plan for responsible gaming training for its employees;
- (e) The duties and responsibilities of the key employees and gaming employees designated to implement or participate in the plan;
- (f) Procedures to prevent underage gambling; and
- (g) Other policies and procedures as determined by the Commission to prevent problem gambling and encourage responsible gambling.

Section 2. Self-Exclusion Program.

(a) The Self-Exclusion Program is established for the purpose of allowing persons who wish to refrain from sports wagering and other types of gambling offered by the Commission, to notify the Commission that they will accept responsibility for refraining from engaging in sports wagering and other gambling activities offered by the Commission and its Permittees. Each person seeking placement in the Self-Exclusion Program acknowledges that it is his or her responsibility to refrain from engaging in sports wagering and other gambling activities under the jurisdiction of the Commission.

(b) An individual may request to have their name placed on the Self-Exclusion List by completing the application.

(c) Upon the filing of an application for placement in the Self-Exclusion Program, the

Commission may file a Notice of Placement in the Self-Exclusion Program and such application and notice may be disclosed to sports wagering permittees and their agents and employees, as approved by the Commission.

Section 3. Involuntary Exclusion List. The Commission shall maintain an Involuntary Exclusion List that consists of the names of people who the director determines meet anyone of the following criteria:

(a) Any person whose presence in a gaming facility would be inimical to sports wagering in the State of Wyoming, including the following:

- (i) Any person who cheats;
- (ii) Any person who poses a threat to the safety of the patrons or employees;
- (ii) Persons who pose a threat to themselves;
- (iv) Persons with a documented history of conduct involving the disruption of a facility or website conducting activities under the jurisdiction of the Commission;
- (v) Persons included on another jurisdiction's exclusion list;
- (vi) Persons subject to a Court order excluding those persons from a facility or website conducting activities under the jurisdiction of the Commission;
- (vii) Any felon or person who has been convicted of any crime gambling or offense involving gambling and whose presence in a facility under the jurisdiction of the Commission or whose participation in activities under the jurisdiction of the Commission would be harmful to or negatively affect the reputation of the State of Wyoming; or
- (viii) Any person who enhances a risk of unfair or illegal practices in the conduct of activities under the jurisdiction of the Commission.

(a) The director's determination of the basis for placing a person on the involuntary exclusion list may be based upon any of the following:

- (i) The nature and notoriety of the person to be excluded from all wagering and gaming activities under the jurisdiction of the Commission;
- (ii) The history and nature of the involvement of the person's wagering, gaming, or gambling activity in Wyoming or any other jurisdiction;
- (iii) The nature and frequency of any contacts or associations of the person with any permittee; or
- (iv) Any other factor reasonably related to the maintenance of public

confidence in the regulatory process or the integrity of sports wagering in the State of Wyoming.

(b) The Involuntary Exclusion List shall contain the following information, if known, for each excluded person:

- (i) The full name and all known aliases and the date of birth;
- (ii) A physical description or photograph, if available;
- (iii) The date the person's name was placed on the Involuntary Exclusion List;
- (iv) Social Security Number, if available;
- (v) The person's occupation and current home and business addresses; and
- (vi) Any other relevant information as deemed necessary by the Commission.

(c) The Commission shall distribute the Involuntary Exclusion List to permittees involved in the operation of wagering, gaming or gambling under the jurisdiction of the Commission.

(d) The Commission shall attempt to provide notice to any person who is placed on the Involuntary Exclusion List.

(e) Each excluded person who has been listed on the Involuntary Exclusion List and wishes to contest being placed on the Involuntary Exclusion List may request an administrative hearing.

Section 4. Sports Wagering Operator or Sports Wagering Vendor Responsibilities.

(a) The sports wagering operator or sports wagering vendor shall receive the Self-Exclusion List and Involuntary Exclusion List from the Commission.

(b) The Self-Exclusion List and Involuntary Exclusion List may only be accessed by individuals authorized in accordance with the internal controls.

(c) Except as authorized or required by these rules, the Self-Exclusion List and Involuntary Exclusion List shall be kept confidential and the sports wagering operator or sports wagering vendor shall not disclose the names included on these lists.

(d) The Self-Exclusion List and Involuntary Exclusion List shall not be publicly disclosed by the sports wagering operator, sports wagering vendor, employee, affiliate or other person authorized to access the lists. However, the sports wagering operator or sports wagering vendor may share the lists with other designated permittees in the State of Wyoming or its affiliates in other jurisdictions for the purpose of assisting in the proper administration of

responsible play programs.

(e) The sports wagering operator or sports wagering vendor shall establish procedures to add the names from the Self-Exclusion List and Involuntary Exclusion List into their internal list to exclude from sports wagering. If the sports wagering operator or sports wagering vendor utilizes an internal management system to track individuals on the Self-Exclusion List and Involuntary Exclusion List, they shall update that system at least every seventy-two (72) hours with names of individuals being added or removed from the Self-Exclusion List and Involuntary Exclusion List.

(f) The sports wagering operator or sports wagering vendor shall establish procedures that are designed, to the greatest extent practicable, to:

(i) Prevent an individual on the Self-Exclusion List or Involuntary Exclusion List from opening a new sports wagering account;

(ii) Identify and suspend any sports wagering accounts of an individual on the Self-Exclusion List or Involuntary Exclusion List;

(iii) Promptly notify the Commission, or its designee, if an individual on the Self-Exclusion List or Involuntary Exclusion List attempts to place or is discovered to have placed or attempted to place a wager;

(iv) In cooperation with the Commission, and where reasonably possible, determine the amount wagered and lost by an individual identified to be on the Self-Exclusion List or Involuntary Exclusion List. The monetary value of the losses shall be paid to the Commission within forty-five (45) days;

(v) Deny an individual identified to be on the Self-Exclusion List or Involuntary Exclusion List from any winnings derived from wagering while on the Self-Exclusion List or Involuntary Exclusion List. The monetary value of the withheld winnings shall be paid to the Commission within forty-five (45) days;

(vi) Refund any remaining balance to an individual on the Self-Exclusion List or Involuntary Exclusion List provided that the sports wagering operator or sports wagering vendor acknowledges that the funds have cleared; and

(vii) Ensure that individuals on the Self-Exclusion List or Involuntary Exclusion List do not receive, either from the sports wagering operator, sports wagering vendor or any agent thereof, targeted mailings, telemarketing promotions, player club materials, or other targeted promotional materials relating to sports wagering.

Section 5. Advertising. The Commission shall prohibit sports wagering advertising that it determines to be deceptive to the public. The Commission shall also require that every form of advertising contain a statement that minors are not allowed to open or have access to sports wagering accounts as well as information about available programs to prevent, treat, or

monitor compulsive or problem gambling, and procedures for self-exclusion.

Chapter 9 Disciplinary Actions and Hearings

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Section 1. Grounds for Disciplinary Actions. The Commission may suspend or revoke, any permit issued by it or the director for any violations by the person holding the permit, or such permittee’s employees or agents, of any of the provisions of the statutes, or any of the rules promulgated thereunder. Acceptance or renewal of a sports wagering permit by a permittee constitutes an agreement on the part of the permittee to be bound by all the Commission rules. It is the responsibility of the permittee to remain self-informed of the content of all such rules, and ignorance thereof will not excuse violations.

Section 2. Initiation of Disciplinary Proceedings, Denial of Permit Application, and Contested Case Proceedings.

(a) Upon its own motion, upon motion of the director, or upon written complaint signed and sworn to by the complainant, the Commission may determine to initiate disciplinary proceedings against any person that has been issued a permit by the Commission to suspend or revoke the permit.

(b) The Commission may initiate disciplinary proceedings against a permittee where it determines that there is probable cause to believe: that the permittee, the permittee’s employees, or their agents have violated any of the provisions of the sports wagering statutes or rules; or that violations by the permittee, the permittee’s employees, or agents, of laws other than the sports wagering laws make the permittee no longer suitable for permitting by the Commission or director.

(c) Disciplinary proceedings shall be initiated by the Commission, or the director, sending to the permittee by first class mail at the last known mailing address of the permittee, a list of the grounds for the proposed disciplinary action and a notice containing at least the time and place for any hearing before the Commission concerning the proposed disciplinary action. Said list and notice shall be mailed to the permittee at least thirty (30) days prior to the hearing.

(d) A denial of an application, or a revocation or suspension of a permit, under W.S. § 9-24-101 through -106 shall be subject to the contested case procedures of the Wyoming Administrative Procedure Act, and the Office of Administrative Hearings’ Uniform Rules for Contested Case Practice and Procedure, which are incorporated by reference in these rules.

Section 3. Citizen Complaints Authorized — Procedure Following Filing. Any person claiming that a permittee has engaged or is engaging in conduct constituting grounds for disciplinary action may file with the director a sworn written complaint stating the name and address of the permittee complained against. The complaint must fully detail the conduct alleged to violate a specified sports wagering statute, rule, or other legal requirement, upon which the complaint is made. If the director determines the complaint has merit, the director

must immediately serve by first class mail on the permittee complained against and any other affected parties a copy of the complaint. The permittee complained against has twenty (20) days to answer after service of the complaint on the permittee, which answer shall be filed with the director, on behalf of the Commission. The director may reject a complaint if it does not meet the requirements of this section. If the permittee answers the complaint, the permittee must serve an original and one (1) copy.

Section 4. Dismissal of Citizen Complaint. After receipt of the answer to the complaint, after the time has expired to answer, or after having determined that no answer is necessary, the director must examine the complaint, any answer, and other supporting documents to determine whether the complaint has merit or is frivolous or whether it charges conduct constituting grounds for disciplinary action. If the director determines that the complaint is without merit or is frivolous or that it does not charge conduct constituting grounds for disciplinary action, the director must dismiss the complaint and notify in writing the complainant, the permittee complained against, and other affected parties, stating the reasons for dismissal. The director may investigate the complaint and use extrinsic evidence to determine if the complaint has merit.

Section 5. Informal Consultation. If the director considers the citizen complaint, or any other allegations, to be grounds for disciplinary action, the director may consult with the permittee and the parties affected in an effort to resolve the matter satisfactorily without a formal hearing. The director must notify in writing the complainant, the permittee complained against, and affected parties of the results of the informal consultation. The informal consultation does not prevent the Commission from conducting a formal hearing.

Section 6. Assurance of Voluntary Compliance. The director may accept an assurance of voluntary compliance regarding any act or practice alleged to violate article the statutes or these rules, from a person who has engaged in, is engaging in, or is about to engage in such acts or practices. The assurance must be in writing and may include a stipulation for the voluntary payment of an amount necessary to restore to a person money or property which may have been acquired by the alleged violator because of the acts or practices. An assurance of voluntary compliance may not be considered an admission of a violation for any purpose; however, proof of failure to comply with the assurance of voluntary compliance is prima facie evidence of a violation of the Statutes or these rules. The Commission may approve or review an assurance of voluntary compliance.

Section 7. Decision to Initiate Disciplinary Action. At any time during the review and investigation of a citizen complaint, the director or the Commission may decide to initiate formal disciplinary proceedings where grounds exist to sustain their initiation.

Section 8. Criminal Convictions as Grounds for Revocation or Suspension. The Commission may revoke or suspend the sports wagering permit of any person who is convicted of a crime, even though the convicted person's post-conviction rights and remedies have not been exhausted, if the crime or conviction involves a felony, gambling, or sports wagering or if it discredits or tends to discredit the State of Wyoming, sports wagering or gaming industry.

Section 9. Facts of Criminal Charge. The charge in any jurisdiction of a permittee with a felony or with a misdemeanor involving moral turpitude is grounds for disciplinary action. The Commission may find the permittee committed a violation based on the facts of the criminal charge even though the permittee has been acquitted on the criminal charge.

Section 10. Final Action by Commission. After hearing the evidence and reaching a decision in connection with any disciplinary proceeding, the Commission may find the permittee did not commit a violation as alleged for disciplinary action; in which event the disciplinary proceedings shall be terminated. The Commission may, however, find the permittee committed, by clear and convincing evidence, some or all of the grounds alleged for disciplinary action; in which event the Commission may revoke the permit, may suspend the permit for a particular period of time, or may take any combination of these actions. This section does not prevent the Commission from compromising or settling at any time prior to a formal hearing, and the Commission may also allow an assurance of voluntary compliance. Written findings of fact, conclusions of law, and an order must be entered before any decision of the Commission to suspend or revoke a permit shall be considered final. The Commission may allow or require briefs of law before making any decision.

Section 11. Summary Suspension. Where the Commission has reasonable grounds to believe and finds that any person holding a permit has committed a deliberate or willful violation of any of the provisions of the statutes or rules, or that the permittee has been charged with a felony in Wyoming or in another state, or that due to other violations of law by the permittee, the public health, safety, or welfare imperatively requires emergency action, and where the Commission incorporates such findings in its order, the Commission may summarily suspend the permittee's permit pending disciplinary proceedings for suspension or revocation. Any such disciplinary proceedings shall be promptly instituted and determined.

Section 12. Notice of Summary Suspension. The director or his designee must have delivered a notice of summary suspension personally or by mail to the permittee who has been suspended. The notice must state when the suspension will begin and end, and must state the reasons for the suspension.

Section 13. Conditions Imposed by Commission for Reissuance of Permit. The Commission or director may require a person who formerly held a permit to meet certain conditions before reissuing a permit to that person, including but not limited to the following:

- (a) Restitution of money;
- (b) Restitution of property; and
- (c) Making periodic reports to the Commission or director as required.

Section 14. Incorporation by Reference.

- (a) The Commission hereby incorporates by reference the following uniform rules:

(i) Chapter 2 - Uniform Rules for Contested Case Practice and Procedure, adopted by the Office of Administrative Hearings and effective on July 20, 2017, found electronically at <http://gaming.wyo.gov>. The uniform rules for contested case practice and procedure adopted by the Office of Administrative Hearings shall govern all contested case proceedings.

(b) For these rules incorporated by reference:

(i) The Commission has determined that incorporation of the full text in these rules would be cumbersome or inefficient given the length or nature of the rules;

(ii) The incorporation by reference does not include any later amendments or editions of the incorporated matter beyond the applicable date identified in subsection (a)(i) of this section; and

(iii) The incorporated rules are maintained at the Wyoming Gaming Commission's office, 951 Werner Court, Suite 335, Casper, Wyoming and are available for public inspection and copying, at no cost to the public, at the same location.

Chapter 9

Disciplinary Actions and Hearings

“Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules”

Section 1. Grounds for Disciplinary Actions. The Commission may suspend or revoke, any permit issued by it or the director for any violations by the person holding the permit, or such permittee’s employees or agents, of any of the provisions of the statutes, or any of the rules promulgated thereunder. Acceptance or renewal of a sports wagering permit by a permittee constitutes an agreement on the part of the permittee to be bound by all the Commission rules. It is the responsibility of the permittee to remain self-informed of the content of all such rules, and ignorance thereof will not excuse violations.

Section 2. Initiation of Disciplinary Proceedings, Denial of Permit Application, and Contested Case Proceedings.

(a) Upon its own motion, upon motion of the director, or upon written complaint signed and sworn to by the complainant, the Commission may determine to initiate disciplinary proceedings against any person that has been issued a permit by the Commission to suspend or revoke the permit.

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