

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

SENATE FILE NO. [BILL NUMBER]

Wyoming gaming commission-2.

Sponsored by: Senator(s) Driskill

A BILL

for

1 AN ACT relating to gaming; amending statutes concerning
2 gaming and gambling; amending exceptions to the prohibition
3 on gambling; establishing the Wyoming gaming commission to
4 subsume the pari-mutuel commission and to regulate specified
5 types of gaming; providing for administration, licensure,
6 fees, revenue distribution and penalties; authorizing local
7 authorities to prohibit specified types of gaming;
8 authorizing criminal background checks; amending a public
9 records provision; providing applicability; providing for a
10 transfer of funds and appropriations; requiring rulemaking;
11 and providing for effective dates.

12

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

1

2 **Section 1.** W.S. 9-23-101 through 9-23-119 are created
3 to read:

4

5

CHAPTER 23

6

WYOMING GAMING COMMISSION

7

8

9-23-101. Definitions.

9

10 (a) As used in this chapter:

11

12 (i) "Bingo game" means a game of chance in which
13 a prize is awarded to a player who obtains a designated
14 pattern or sequence of numbers or symbols on a card or ticket
15 that is the same pattern or sequence of numbers or symbols
16 selected at random by a mechanical blower or similar device
17 or a random number generator;

18

19 (ii) "Bona fide amusement device" means any device,
20 machine or equipment that:

21

22 (A) Displays or manipulates pictures, words,
23 numbers or symbols;

1

2

(B) Allows a person to play or simulate the play of any game of skill or chance of whatever name or kind;

4

5

(C) Allows a person, by inserting currency, coins, tokens or other similar objects into the device, or by otherwise making some payment of consideration, to make the device available for the person to play;

9

10

(D) Allows a person playing the device an opportunity to win cash, credits, tokens, tickets, vouchers or other things that can be exchanged for cash or other forms of money;

14

15

(E) Can result in payment of an item described in subparagraph (ii) (D) of this subsection to a winning player automatically from the device or in any other manner; and

18

19

(F) Is not a device that allows for pari-mutuel wagering on events that have previously occurred as authorized under W.S. 11-25-102 (a) (v).

22

1 (iii) "Calcutta wagering" means wagering on the
2 outcome of amateur contests, cutter horse racing, dog sled
3 racing, professional rodeo events or professional golf
4 tournaments where those who wager bid at auction for the
5 exclusive right to purchase or wager upon a particular
6 contestant or entrant in the event and where the outcome of
7 the event has been decided, the total of all wagers, less a
8 percentage paid to the event's sponsor, is distributed to
9 those who purchased or wagered upon the winning contestants
10 or entrants;

11

12 (iv) "Card game" means a game of poker played
13 between natural persons;

14

15 (v) "Card game dealer" means an individual who
16 deals cards in a card game and is not a player in the card
17 game;

18

19 (vi) "Charitable or nonprofit organization" means
20 an organization recognized as a charitable or nonprofit
21 organization under Wyoming statutes and which possesses a
22 valid exemption from federal income tax issued by the Internal
23 Revenue Service under the provisions of 26 U.S.C. § 501(c);

1

2 (vii) "Commission" means the Wyoming gaming
3 commission;

4

5 (viii) "Establishment" means a place of business
6 under one (1) management at one (1) physical location;

7

8 (ix) "Game of chance" means any of the following:

9

10 (A) Bingo games and pull tab games;

11

12 (B) Calcutta wagering;

13

14 (C) Card games;

15

16 (D) Bona fide amusement devices.

17

18 (x) "Pull tab game" means a game in which a player
19 purchases a pull tab game piece with concealed numbers or
20 symbols that the player must expose, often by tearing off a
21 covering tab, to determine wins or losses. "Pull tab game"
22 includes charitable gaming tickets, break opens, banded
23 tickets, jar tickets, tip tickets, pickle cards, instant

1 bingo tickets and other similar games with names designated
2 by manufacturers, distributors or players.

3

4 **9-23-102. Wyoming gaming commission.**

5

6 (a) The Wyoming gaming commission is created to be
7 composed of nine (9) persons who reside in the state and are
8 qualified electors of Wyoming.

9

10 (b) The governor with the consent of the senate shall
11 appoint the nine (9) members of the commission in accordance
12 with W.S. 28-12-101 through 28-12-103. One (1) member shall
13 be appointed from each appointment district under
14 W.S. 9-1-218. One (1) member shall be appointed who
15 represents a law enforcement agency. Of the initial
16 appointments to the commission, three (3) members shall be
17 appointed who have previously served on the pari-mutuel
18 commission. Members shall be appointed for terms of four (4)
19 years, provided that of the initial commission, four (4)
20 members shall be appointed for two (2) year terms and five
21 (5) members for four (4) year terms. Any vacancy on the
22 commission shall be filled for the unexpired term by
23 appointment by the governor as provided in W.S. 28-12-101. A

1 member of the commission may succeed himself for one (1) full
2 four (4) year term. The governor may remove any member of the
3 commission as provided in W.S. 9-1-202.

4

5 (c) The commission shall annually elect from its
6 membership a president and vice-president.

7

8 (d) The commission shall hold an annual meeting in
9 Wyoming and shall hold other meetings at such times and places
10 within Wyoming as the majority of the members determine. The
11 commission may travel outside of Wyoming for purposes
12 necessary for the proper administration of the commission and
13 performance of its duties. A majority of the commission
14 constitutes a quorum and a majority vote of a quorum may act
15 for the commission. No formal action by the commission shall
16 take place outside of Wyoming. The commission shall keep a
17 record of the proceedings of the commission.

18

19 (e) The members of the commission shall receive per
20 diem and mileage as provided in W.S. 33-1-302(a)(vii), and
21 compensation of fifty dollars (\$100.00) for each day during
22 which they are actually engaged in the discharge of their
23 duties.

1

2 **9-23-103. Commission duties; authority to issue**
3 **subpoenas; refusal to comply.**

4

5 (a) The commission shall carry out and enforce this
6 chapter, W.S. 11-25-102 through 11-25-113 and commission
7 rules.

8

9 (b) The commission may:

10

11 (i) Review the qualifications of applicants for
12 licenses authorized under this chapter and W.S. 11-25-102
13 through 11-25-113, review the merits of applications and
14 license qualified applicants;

15

16 (ii) Exempt from requirements of this chapter
17 nonelectric, mechanical slot machines that use denominations
18 of coins worth not more than twenty-five cents (\$0.25);

19

20 (iii) Establish and maintain an electronic system
21 for submission of license applications, license renewals, fee
22 payments and other purposes as the commission may require;

23

1 (iv) Monitor the conduct and business of licensees
2 under this chapter and W.S. 11-25-102 through 11-25-113 to
3 the extent necessary to ensure compliance with this chapter,
4 W.S. 11-25-102 through 11-25-113 and commission rules;

5

6 (v) Regulate games of chance conducted under any
7 license issued under this chapter to assure the games are
8 fairly held, operated and conducted in accordance with the
9 requirements of the applicable license and this chapter. The
10 commission shall not regulate a game of chance that does not
11 require a license under this chapter;

12

13 (vi) Promulgate rules necessary to carry out this
14 chapter and W.S. 11-25-102 through 11-25-113. The commission
15 shall consult with the joint travel, recreation, wildlife and
16 cultural resources interim committee regarding any proposed
17 rules. The joint travel, recreation, wildlife and cultural
18 resources interim committee shall review commission proposals
19 for rules and provide recommendations to the commission
20 concerning the proposed rules before promulgation;

21

1 (vii) Establish reasonable application and renewal
2 fees. License application and renewal fees shall be deposited
3 in the Wyoming gaming account;

4
5 (viii) Conduct necessary examinations,
6 inspections and investigations to implement and enforce this
7 chapter, W.S. 11-25-102 through 11-25-113, applicable state
8 law and commission rules. The commission may:

9
10 (A) Coordinate with the Wyoming department of
11 revenue liquor division to inspect bona fide amusement
12 devices situated in establishments that the liquor division
13 inspects;

14
15 (B) Access criminal history record
16 information under W.S. 9-1-627(d) for purposes of evaluating
17 license applicants;

18
19 (C) Require a license applicant to submit
20 fingerprints for the purpose of conducting a criminal history
21 record check on the applicant as provided under
22 W.S. 7-19-201;

23

1 (D) Subpoena papers, records, files,
2 correspondence, documents and other evidence relevant to an
3 examination, inspection or investigation conducted pursuant
4 to this paragraph.

5
6 (c) Upon refusal of any person to comply with any
7 subpoena issued pursuant to subparagraph (b) (viii) (D) of this
8 section and upon application by the commission, the district
9 court of the county in which the examination, inspection or
10 investigation is to be conducted or in which the person
11 resides or may be found, may issue an order requiring the
12 person to comply with the subpoena and produce evidence.
13 Failure to comply with a valid subpoena shall be grounds for
14 immediate license suspension.

15

16 **9-23-104. Disposition of funds; Wyoming gaming account.**

17

18 (a) The Wyoming gaming account is created. Sums paid to
19 the commission that are required to be deposited in the
20 Wyoming gaming account shall be so deposited. All other sums
21 paid to the commission under this chapter shall be deposited
22 or credited as required by law. License fees shall be
23 separately accounted for within the Wyoming gaming account

1 and shall be expended by the commission for the payment of
2 all expenses incurred in administering and enforcing this
3 chapter and commission rules. All fines and penalties
4 collected under this act shall be paid to the state treasurer
5 and credited as provided in W.S. 8-1-109. The state treasurer
6 shall pay out of the account all warrants drawn by the state
7 auditor, upon vouchers issued and signed by the president,
8 vice-president or designee of the commission. The commission
9 shall keep an accurate and true account of all funds received
10 and all vouchers issued by the commission.

11

12 (b) Notwithstanding the requirement in
13 W.S. 11-25-105(d) for total expenses not to exceed the total
14 amount in the pari-mutuel account, the total expenses
15 incurred by the commission shall not exceed the total amount
16 in the Wyoming gaming account and the pari-mutuel account.

17

18 **9-23-105. Investigation and review of applications for**
19 **licensure; determination; investigation costs; appeal.**

20

21 (a) The commission shall upon receipt of any
22 application for any gaming license submitted by an applicant
23 under this chapter, investigate the qualifications of the

1 applicant and the merits of the application. In its
2 investigation of an applicant, the commission shall determine
3 whether the applicant is duly qualified to hold the license.
4

5 (b) Within a reasonable period of time not to exceed
6 one hundred twenty (120) days following receipt of any
7 application for a new license under this chapter or within
8 thirty (30) days following receipt of any application for
9 license renewal, the commission shall submit to the applicant
10 in writing its approval or denial of the application for
11 licensure or renewal together with its findings.
12

13 (c) The commission may issue, amend or refuse to issue
14 a license in its discretion.
15

16 (d) The cost of any necessary background investigation
17 of any applicant for initial licensure or license renewal
18 under this chapter shall be paid by the applicant. The
19 commission shall by rule establish the conditions and
20 procedures for payment and may require payment in advance.
21

22 (e) Any determination by the commission under this
23 chapter is subject to appeal in accordance with the Wyoming

1 Administrative Procedure Act. For purposes of an appeal,
2 final agency action shall not be deemed to have occurred until
3 an application is approved or denied by the commission.
4

5 **9-23-106. Inspections and examinations; failure to**
6 **permit entry.**

7

8 (a) In enforcing this chapter and W.S. 11-25-102
9 through 11-25-113, the commission through its employees may:

10

11 (i) Subject to subsection (b) of this section,
12 enter and inspect at any time the premises upon which games
13 of chance are conducted;

14

15 (ii) Examine the records, books of account and
16 equipment, supplies or devices of any license applicant or
17 licensee, as necessary to conduct examinations, inspections
18 and investigations under this chapter or W.S. 11-25-102
19 through 11-25-113;

20

21 (iii) Seize, remove and impound from the premises
22 of any licensee or permittee, equipment, supplies and devices
23 for the purpose of examination and inspection;

1

2

(iv) Conduct detailed investigations.

3

4

(b) Entry for purposes of inspection is authorized only during open business hours unless the inspection is conducted in the presence of the licensee or a duly authorized representative of the licensee, or unless the officer making entry does so under court order or under search warrant issued by a court of competent jurisdiction. Refusal to permit the entry of an employee of the commission where games of chance are conducted for the purpose of inspection in accordance with this subsection shall be grounds for immediate license suspension.

14

15

(c) Any person, municipality or the attorney general may complain to the commission of anything, actual or proposed, done or omitted to be done, in violation of this chapter or W.S. 11-25-102 through 11-25-113. Upon its own motion, or on complaint of any person, municipality or the attorney general the commission shall have power to investigate and determine whether a violation has occurred.

22

23

9-23-107. Interests of commission members and family.

1

2 Any member of the commission who has a personal or private
3 interest, or whose spouse or immediate family member has any
4 interest, in any matter proposed or pending before the
5 commission shall publicly disclose this fact to the
6 commission and, if the commission determines, shall not vote
7 on the matter.

8

9 **9-23-108. Authority of cities, towns and counties.**

10

11 Any city, town or county by local ordinance or resolution may
12 establish prohibitions on any person conducting any game of
13 chance within the city, town or county's jurisdiction. The
14 commission shall not issue a license, license renewal or
15 sticker under this chapter that would conflict with a
16 prohibition on games of chance enacted by a city, town or
17 county.

18

19 **9-23-109. Bona fide amusement devices.**

20

21 (a) The commission shall regulate bona fide amusement
22 devices to ensure that:

23

1 (i) Any person operating an establishment with a
2 bona fide amusement device is licensed by the commission to
3 operate bona fide amusement devices at that establishment;

4

5 (ii) No establishment with a bona fide amusement
6 device shall contain more than two (2) bona fide amusement
7 devices at any one (1) time;

8

9 (iii) Each bona fide amusement device operated by
10 a licensee shall be marked with a sticker issued by the
11 commission that identifies the operator and the period for
12 which the license is valid;

13

14 (iv) No bona fide amusement device shall allow a
15 maximum bet of more than two dollars (\$2.00) for any one (1)
16 play;

17

18 (v) Each bona fide amusement device shall allow a
19 maximum payout or prize of no more than fifteen hundred
20 dollars (\$1,500.00) for any one (1) play;

21

22 (vi) Any person who plays a bona fide amusement
23 device shall be twenty-one (21) years of age or older;

1

2 (vii) No bona fide amusement device shall be
3 located in an area of an establishment in which anyone under
4 the age of twenty-one (21) years may enter;

5

6 (viii) On or before the second Wednesday of each
7 month, the operator of a bona fide amusement device shall:

8

9 (A) File a report with the commission showing
10 the total amount of money wagered on the bona fide amusement
11 device during the prior calendar month;

12

13 (B) Pay an amount equal to two percent (2%)
14 of the net proceeds earned from a bona fide amusement device
15 during the prior calendar month, as shown by the report to
16 the commission, to be credited to the Wyoming gaming
17 commission account; and

18

19 (C) Pay an amount equal to two percent (2%)
20 of the net proceeds earned from a bona fide amusement device
21 during the prior calendar month, as shown by the report to
22 the commission, to be transferred by the commission to the
23 county and the city or town in which the bona fide amusement

1 device is located, in equal shares, or to the county alone if
2 the bona fide amusement device is not located within the
3 boundaries of a city or town.

4

5 **9-23-110. Bingo and pull tab games.**

6

7 (a) The commission shall regulate all bingo games and
8 pull tab games in this state to ensure that:

9

10 (i) Bingo games and pull tab games shall only be
11 conducted by charitable or nonprofit organizations that have
12 been in existence in this state for not less than three (3)
13 years and have been issued a license by the commission
14 pursuant to this chapter;

15

16 (ii) Bingo cards and tickets and pull tab games
17 are sold only on premises owned or occupied by the charitable
18 or nonprofit organization;

19

20 (iii) In conducting bingo games and pull tab games
21 a charitable or nonprofit organization shall use only
22 volunteers who are bona fide members of the organization or

1 employees or contractors who are paid by the organization to
2 assist in the operation of the games;

3

4 (iv) Players of bingo and pull tab games shall be
5 eighteen (18) years of age or older;

6

7 (v) At least sixty-five percent (65%) of all gross
8 sales shall be redeemed as winnings each month. The net
9 proceeds after payment of winnings shall be restricted as
10 follows:

11

12 (A) No more than forty percent (40%) of net
13 proceeds shall be paid to distributors or manufacturers of
14 supplies or equipment necessary to conduct the event; and

15

16 (B) The organization shall donate annually
17 not less than seventy-five percent (75%) of the net proceeds
18 remaining after payment of all costs and supplies to a bona
19 fide charitable or benevolent purpose.

20

21 (vi) The charitable or nonprofit organization
22 conducting the bingo game or pull tab game may purchase
23 supplies or equipment necessary to conduct the game from a

1 distributor or manufacturer at a price based on a per card,
2 ticket or per pull tab basis subject to the limitations
3 provided in subparagraph (v) (A) of this subsection.

4

5 (b) The commission shall establish a reasonable fee to
6 be charged on each bingo card and ticket and pull-tab game
7 sold by a charitable or nonprofit organization. The
8 commission shall establish the fees by rule. Fees required by
9 this subsection shall be remitted to the commission on a
10 quarterly basis for deposit in the Wyoming gaming account.

11

12 (c) Notwithstanding subsection (a) of this section, the
13 commission may exempt from regulation bingo and pull tab games
14 with net proceeds of less than two thousand five hundred
15 dollars (\$2,500.00) per game.

16

17 **9-23-111. Calcutta wagering events.**

18

19 (a) The commission may regulate the conduct of all
20 calcutta wagering events in this state to ensure that:

21

22 (i) Each calcutta wagering event is conducted by
23 a bona fide nationally chartered veterans', religious,

1 charitable, educational or fraternal organization or
2 nonprofit local civic or service club organized or
3 incorporated under the laws of this state and which has been
4 issued a license by the commission pursuant to this chapter;

5

6 (ii) All rules affecting the calcutta wagering
7 event and requirements for participants are clearly posted;

8

9 (iii) The total prizes or prize money paid out in
10 any one (1) calcutta wagering event does not exceed ninety
11 percent (90%) of the total wagers;

12

13 (iv) Not less than ten percent (10%) of the total
14 wagers on each calcutta wagering event are donated within one
15 (1) year by the licensee to a bona fide charitable or
16 benevolent purpose;

17

18 (v) No separate organization or professional
19 person is employed to conduct the contest or event or assist
20 therein;

21

22 (b) The commission shall not regulate or require a
23 license of any calcutta wagering event in which one hundred

1 percent (100%) of the total wagers are distributed to those
2 who purchased or wagered upon the winning contestants or
3 entrants.

4

5 **9-23-112. Card games.**

6

7 (a) The commission shall regulate card games to ensure
8 that:

9

10 (i) Any person operating an establishment where
11 card games are played is licensed by the commission to conduct
12 card games at that establishment;

13

14 (ii) Every card game dealer is licensed by the
15 commission. All card game dealers shall visibly display the
16 license from the commission on their person while conducting
17 a card game. A card game dealer licensed by the commission
18 may deal in any card game conducted in accordance with this
19 chapter and applicable commission rules;

20

21 (iii) Each card game table operated by a licensee
22 shall be marked with a sticker issued by the commission that

1 identifies the operator and the period for which the license
2 is valid;

3

4 (iv) The establishment where a card game is
5 conducted shall not take or receive any portion of a wager
6 made in the card game;

7

8 (v) All persons playing a card game shall be
9 twenty-one (21) years of age or older.

10

11 **9-23-113. License applications; change in application**
12 **information; bond.**

13

14 (a) To conduct any game of chance not otherwise exempt
15 from regulation under this chapter, the person seeking to
16 hold, conduct or operate the game shall file an application
17 to do so with the commission. The application shall be made
18 under oath upon a form prepared by the commission. The
19 application shall contain information required by this
20 chapter and by rules promulgated by the commission.

21

22 (b) An applicant shall during pendency of an
23 application immediately notify the commission of any change

1 in the information stated in the application. If any
2 substantial change occurs after license issuance or renewal,
3 the change shall be reported to the commission within ten
4 (10) days after the date of the change. Failure to timely
5 report a material change shall be grounds for denial of an
6 application or denial of a renewal of an existing license.

7

8 (c) The commission may require a licensee to provide
9 and deliver to the commission a bond consistent with
10 W.S. 11-25-111.

11

12 **9-23-114. Fees.**

13

14 The commission shall set the amount of the fees authorized by
15 this chapter so that, when combined with fees authorized under
16 W.S. 11-25-102 through 11-25-113, the total revenue generated
17 approximates the costs incurred by the commission in carrying
18 out its duties under this chapter, W.S. 11-25-102 through
19 11-25-113 and commission rules. The amounts of all fees shall
20 be reviewed annually by the commission.

21

22 **9-23-115. Term of license and permit.**

23

1 Any license issued or renewed under this chapter is a
2 privilege to the holder and the term of the license is for
3 one (1) year unless sooner revoked. The commission may by
4 rule establish a system to consolidate licensees' annual
5 renewal dates to allow efficient management of renewal
6 applications.

7

8 **9-23-116. Transfer or sale of license; ownership**
9 **transfer specified.**

10

11 (a) No license issued under this chapter shall be
12 transferred or sold.

13

14 (b) A transfer or sale of a cumulative fifty percent
15 (50%) or more of the ownership or control of a licensee is a
16 transfer or sale of a license for purposes of this section.

17

18 **9-23-117. License forms; signature and attestation;**
19 **display required.**

20

21 (a) The commission shall prepare a form for licenses
22 issued under this chapter. A license on a form other than as
23 prescribed by the commission is invalid.

1

2 (b) The following shall be shown on each license:

3

4 (i) The name of the licensee;

5

6 (ii) A description of the premises on which
7 authorized games of chance may be conducted. Licenses issued
8 to card game dealers shall not contain this information;

9

10 (iii) The date of issuance;

11

12 (iv) The amount of the license fee; and

13

14 (v) That the fee has been paid.

15

16 (c) Each licensee shall display the license in a
17 conspicuous place in the establishment where games of chance
18 are conducted. Card game dealers licensed by the commission
19 shall visibly display the license on their person while
20 conducting a card game.

21

22 **9-23-118. Suspension and revocation; judicial review.**

23

1 The commission may suspend or revoke any license issued under
2 this chapter for any material violation of this chapter or
3 rule of the commission. Suspension or revocation by the
4 commission is subject to appeal in accordance with the Wyoming
5 Administrative Procedure Act.

6

7 **9-23-119. Penalties for violation.**

8

9 Any person holding, conducting or operating a game of chance
10 without holding a license to hold, conduct or operate the
11 game of chance when required by this chapter to hold a license
12 is guilty of a misdemeanor punishable by a fine of up to seven
13 hundred fifty dollars (\$750.00). The commission may revoke
14 any license issued under this chapter of a person convicted
15 of a second or subsequent offense under this section.

16

17 **Section 2.** W.S. 7-19-201(a) by creating a new paragraph
18 (xxvi), 9-1-627(d), 11-25-102(a)(ii), 11-25-104(a), 12-2-304
19 by creating a new subsection (d) and 16-4-203(b)(i) are
20 amended to read:

21

22 **7-19-201. State or national criminal history record**
23 **information.**

1

2 (a) The following persons shall be required to submit
3 to fingerprinting in order to obtain state and national
4 criminal history record information:

5

6 (xxvi) Persons applying to the Wyoming gaming
7 commission for a license under W.S. 9-23-101 through 9-23-119
8 or 11-25-102 through 11-25-113, if required by the Wyoming
9 gaming commission.

10

11 **9-1-627. Authority to compile, disseminate and exchange**
12 **information; immunity; access to information limited;**
13 **security precautions.**

14

15 (d) Access to criminal history record information is
16 available to the Wyoming ~~pari-mutuel-gaming~~ commission as
17 provided by W.S. 9-23-103(b)(viii)(B) and 11-25-104(k). The
18 commission shall take reasonable security precautions to
19 prevent unauthorized persons from gaining access to criminal
20 history record information in accordance with rules and
21 regulations established by the Wyoming division of criminal
22 investigation. For the purpose of this subsection "criminal
23 history record information" means information, records and

1 data compiled by criminal justice agencies on individuals for
2 the purpose of identifying criminal offenders consisting of
3 identifiable descriptions of the offenders and notations or
4 a summary of arrests, detentions, indictments, information,
5 pre-trial proceedings, nature and disposition of criminal
6 charges, sentencing, rehabilitation, incarceration,
7 correctional supervision and release. Criminal history record
8 information is limited to information recorded as the result
9 of the initiation of criminal proceedings. It does not include
10 intelligence data, analytical prosecutorial files,
11 investigative reports and files of statistical records and
12 reports in which individual identities are not ascertainable.

13

14 **11-25-102. Definitions.**

15

16 (a) As used in this act:

17

18 (ii) "Commission" means the Wyoming ~~pari-mutuel~~
19 ~~gaming~~-commission;

20

21 **11-25-104. Wyoming gaming commission; pari-mutuel**
22 **director; records; licenses generally; effect of financial**
23 **interest in events.**

1

2 (a) The commission ~~shall annually elect from its~~
3 ~~membership a president and vice president, and~~ may employ a
4 director who has a working knowledge of pari-mutuel betting
5 and horse racing or an executive secretary, or both. The
6 director may be retained on a yearly basis ~~. or for the racing~~
7 ~~season only as determined by the commission.~~ Salary for the
8 director or executive secretary shall be determined by the
9 commission with the consent of the personnel division. The
10 commission may also employ other personnel required to carry
11 out this act and W.S. 9-23-101 through 9-23-119.

12

13 **12-2-304. Inspections and examinations; failure to**
14 **permit entry.**

15

16 (d) The division, through its employees or agents, may
17 coordinate with the Wyoming gaming commission in accordance
18 with W.S. 9-23-103(b)(viii) to inspect bona fide amusement
19 devices situated in establishments that the liquor division
20 inspects.

21

1 **16-4-203. Right of inspection; grounds for denial;**
2 **access of news media; order permitting or restricting**
3 **disclosure; exceptions.**

4

5 (b) The custodian may deny the right of inspection of
6 the following records, unless otherwise provided by law, on
7 the ground that disclosure to the applicant would be contrary
8 to the public interest:

9

10 (i) Records of investigations conducted by, or of
11 intelligence information or security procedures of, any
12 sheriff, county attorney, city attorney, the attorney
13 general, the state auditor, police department, the Wyoming
14 gaming commission or any investigatory files compiled for any
15 other law enforcement or prosecution purposes;

16

17 **Section 3.** W.S. 6-7-101(a)(iii)(D)(intro), (E), (H) and
18 by creating a new subparagraph (L) and a new paragraph (xiii)
19 and 9-7-102 by creating a new subsection (c) are amended to
20 read:

21

22 **6-7-101. Definitions.**

23

1 (a) As used in this article:

2

3 (iii) "Gambling" means risking any property for
4 gain contingent in whole or in part upon lot, chance, the
5 operation of a gambling device or the happening or outcome of
6 an event, including a sporting event, over which the person
7 taking a risk has no control, but does not include any of the
8 following:

9

10 (D) ~~Bingo Games conducted, or pull tabs sold,~~
11 ~~by charitable or nonprofit organizations where the tickets~~
12 ~~for the bingo are sold only in this state and the pull tabs~~
13 ~~are sold only on the premises owned or occupied by the~~
14 ~~charitable or nonprofit organization provided that:~~ of chance
15 authorized by the Wyoming gaming commission pursuant to W.S.
16 9-23-101 through 9-23-119;

17

18 (E) Any game, wager or transaction in which:
19 ~~is incidental to a bona fide social relationship, is~~

20

21 (I) One hundred percent (100%) of the
22 property risked in the game, wager or transaction is

1 distributed to one (1) or more persons who risked property in
2 the game, wager or transaction;

3
4 (II) participated in by Only natural
5 persons ~~only, and in which~~ participate;

6
7 (III) No person is participating,
8 directly or indirectly, in professional gambling; and

9
10 (IV) The game, wager or transaction is
11 not a game of chance regulated by the Wyoming gaming
12 commission under W.S. 9-23-101 through 9-23-119.

13
14 (H) Raffles conducted for benevolent or
15 charitable purposes or by a major political party as defined
16 in W.S. 22-1-102(a)(xvii);

17
18 (L) Display or use of nonelectric, mechanical
19 slot machines that use denominations of coins worth not more
20 than twenty-five cents (\$0.25).

21
22 (xiii) "Game of chance" means as defined in
23 W.S. 9-23-101(a)(ix).

1

2

6-7-102. Gambling; professional gambling; penalties.

3

4

(c) A person who holds, conducts or operates a game of chance without a license issued by the Wyoming gaming commission, when required, to hold, conduct or operate the game of chance shall be subject to the penalties under W.S. 9-23-119 and shall not be subject to the penalties imposed by this section. All violations of this subsection issued to a person on one (1) particular date shall constitute one offense.

12

13

Section 4. W.S. 6-7-101(a) (i), (iii) (D) (I) through (V) and (F) is repealed.

15

16

Section 5. W.S. 11-25-101, 11-25-103 and 11-25-104 (b) and (c) are repealed.

18

19

Section 6.

20

21

(a) On the effective date of this section, the state auditor shall transfer one hundred fifty thousand dollars (\$150,000.00) or as much thereof as is available from

23

1 unexpended and unobligated funds, from the pari-mutuel
2 account to the Wyoming gaming account. Not later than
3 July 1, 2022, the Wyoming gaming commission shall repay from
4 the Wyoming gaming account to the pari-mutuel account all
5 amounts transferred under this subsection.

6
7 (b) The Wyoming gaming commission is appropriated one
8 hundred fifty thousand dollars (\$150,000.00) from the Wyoming
9 gaming account for purposes of carrying out this act. This
10 appropriation shall be for the period beginning with the
11 effective date of this section and ending June 30, 2021.
12 Notwithstanding any other provision of law, this
13 appropriation shall not be transferred or expended for any
14 other purpose and any unexpended, unobligated funds remaining
15 from this appropriation shall revert to the pari-mutuel
16 account on June 30, 2021.

17
18 (c) The Wyoming gaming commission is appropriated thirty
19 thousand dollars (\$30,000.00) from the general fund for
20 purposes of establishing an electronic system for submission
21 of license applications, license renewals, fee payments and
22 other purposes as provided under W.S. 9-23-103(b)(iii)
23 created by this act. This appropriation shall be for the

1 period beginning with the effective date of this section and
2 ending June 30, 2021. Notwithstanding any other provision of
3 law, this appropriation shall not be transferred or expended
4 for any other purpose and any unexpended, unobligated funds
5 remaining from this appropriation shall revert to the general
6 fund on June 30, 2021.

7

8 **Section 7.** The governor shall make initial appointments
9 to the Wyoming gaming commission not later than
10 September 1, 2019.

11

12 **Section 8.** The Wyoming gaming commission shall adopt
13 rules to implement this act not later than March 1, 2021. The
14 commission shall accept applications for games of chance
15 licenses beginning on March 1, 2021, with approved licenses
16 to be effective on or after July 1, 2021.

17

18 **Section 9.**

19

20 (a) Except as provided in subsection (b) of this section,
21 this act is effective July 1, 2019.

22

1 (b) Sections 3 and 4 of this act are effective July 1,
2 2021.

3

4

(END)