

HOUSE BILL NO. HB0040

Pull tab authorized sales.

Sponsored by: Representative(s) Stafford, Edwards and  
McMurtrey

A BILL

for

1 AN ACT relating to gaming; authorizing the sale of pull  
2 tabs under certain conditions; providing definitions;  
3 providing penalties; and providing for an effective date.

4

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

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7 **Section 1.** W.S. 11-25-114 is created to read:

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9 **11-25-114. Pull tab selling permits; authorized**  
10 **sales; penalties.**

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12 (a) The commission may issue permits to sell pull  
13 tabs at any premise where an event is authorized. The  
14 commission shall supervise the conduct of all pull tab  
15 permittees provided for and regulated by this section and  
16 shall make reasonable rules and regulations for the

1 control, supervision and direction of applicants and  
2 permittees. The commission may require that permit  
3 applicants be fingerprinted for identification purposes as  
4 a condition of getting a permit. The commission shall  
5 establish reasonable fees for permits provided for by this  
6 section. The fees shall be established to ensure that the  
7 costs of administering this section are recovered through  
8 the permit fee.

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10 (b) Each permittee and permittees' employee shall be  
11 licensed by the commission and shall comply with all rules  
12 and regulations and all orders issued by the commission.  
13 No person shall sell any pull tabs pursuant to this section  
14 without obtaining a permit. The commission is authorized  
15 to access criminal history record information for all  
16 licensees and permittees selling pull tabs under W.S.  
17 9-1-627(d) for the purposes of this act.

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19 (c) The commission may designate a representative to  
20 enforce rules of the commission and this section. The  
21 representative shall exercise such reasonable and necessary  
22 authority as is designated by rules of the commission  
23 including the following:

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1           (i) Enforce rules of the commission and this  
2 section;

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4           (ii) Report infractions to the commission.

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6           (d) No permit shall be granted to any person or any  
7 corporation or association except upon the express  
8 condition that it shall not, by any lease, contract,  
9 understanding or arrangement of whatever kind or nature,  
10 grant, assign or turn over to any other person, corporation  
11 or association the operation or management of the pull tab  
12 sales permitted under this section or permit any other  
13 person, corporation or association to retain any of the  
14 money received for the sale of pull tabs. The commission  
15 shall revoke the permit of any permittee for any violation  
16 of the foregoing condition and such acts are a violation of  
17 this section.

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19           (e) Applications for permits to sell pull tabs shall  
20 be made to the commission and shall fully identify the  
21 applicant, include a proper financial statement showing the  
22 financial responsibility of the applicant, and the  
23 arrangements for the payment due on the sale of pull tabs,  
24 the names and identification of those to supervise the sale

1 of pull tabs and the controls and supervision by the  
2 permittee. The commission shall approve all equipment used  
3 in the sale of pull tabs.

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5 (f) The commission may issue, amend or refuse to  
6 issue permits or licenses in its discretion.

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8 (g) The commission or representatives of the  
9 commission shall have access to the books and records of  
10 the pull tab permittees regarding the sale and payouts of  
11 permittees authorized under this section.

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13 (h) It is unlawful for any person to give or promise  
14 to give or attempt to give or for any person to receive or  
15 agree to receive or attempt to receive, any money, bribe or  
16 thing of value with intent to influence any person to  
17 dishonestly permit, manage, direct or participate in the  
18 sale of any pull tab sold under this section with the  
19 intention or purpose that the randomly selected result of  
20 the pull tab will be affected. Violation of this  
21 subsection is a felony punishable by imprisonment for not  
22 more than five (5) years, a fine of not more than five  
23 thousand dollars (\$5,000.00) or both.

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1           (j) The commission or the representative of the  
2 commission may exclude from attendance at or near any pull  
3 tab selling premises as authorized by this section any  
4 person who has been convicted of subsection (h) of this  
5 section and any person who refuses to leave when ordered to  
6 do so by the commission or representative of the commission  
7 is guilty of a misdemeanor.

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9           (k) Any person, corporation or association selling  
10 pull tabs pursuant to this section without a permit issued  
11 in accordance with this section or any person, corporation  
12 or association who violates any other provision of this  
13 section except as provided for in subsection (h) of this  
14 section is guilty of a misdemeanor and shall be fined not  
15 more than ten thousand dollars (\$10,000.00), imprisoned for  
16 not more than six (6) months or both.

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18           **Section 2.** W.S. 9-1-627(d), 11-25-102(a)(viii) and by  
19 creating a new paragraph (xi) and 11-25-109(c) are amended  
20 to read:

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22           **9-1-627. Authority to compile, disseminate and**  
23 **exchange information; immunity; access to information**  
24 **limited; security precautions.**

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2 (d) Access to criminal history record information is  
3 available to the Wyoming pari-mutuel commission as provided  
4 by W.S. 11-25-104(j) and 11-25-114(d). The commission  
5 shall take reasonable security precautions to prevent  
6 unauthorized persons from gaining access to criminal  
7 history record information in accordance with rules and  
8 regulations established by the Wyoming division of criminal  
9 investigation. For the purpose of this subsection  
10 "criminal history record information" means information,  
11 records and data compiled by criminal justice agencies on  
12 individuals for the purpose of identifying criminal  
13 offenders consisting of identifiable descriptions of the  
14 offenders and notations or a summary of arrests,  
15 detentions, indictments, information, pre-trial  
16 proceedings, nature and disposition of criminal charges,  
17 sentencing, rehabilitation, incarceration, correctional  
18 supervision and release. Criminal history record  
19 information is limited to information recorded as the  
20 result of the initiation of criminal proceedings. It does  
21 not include intelligence data, analytical prosecutorial  
22 files, investigative reports and files of statistical  
23 records and reports in which individual identities are not  
24 ascertainable.

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

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(a) As used in this act:

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(viii) "This act" means W.S. 11-25-101 through

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~~11-25-113~~ 11-25-114;

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(xi) "Pull tab" means a single or banded ticket

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or card each with its face covered to conceal one (1) or

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more numbers or symbols, where one (1) or more cards or

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tickets in each set have been designated in advance as a

13

winner.

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**11-25-109. Bribery, touting and betting by minors**

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**prohibited.**

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(c) No person under the age of eighteen (18) years

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shall place or be allowed to place a bet or buy a pull tab

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from a permittee under this act.

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**Section 3.** This act is effective July 1, 2002.

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(END)