

**WORKING DRAFT**

HOUSE BILL NO. \_\_\_\_\_

Gaming regulation.

Sponsored by: Joint Travel, Recreation, Wildlife and Cultural Resources Interim Committee

A BILL

for

1 AN ACT relating to gaming; authorizing games of chance  
2 subject to licensure requirements; creating a state gaming  
3 commission; establishing cities, towns and counties as  
4 local licensing authorities; amending and creating  
5 definitions; imposing duties and responsibilities on a  
6 state gaming commission and on local licensing authorities;  
7 delegating enforcement and granting rulemaking authority;  
8 imposing penalties; repealing definitions; and providing  
9 for an effective date.

10

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

12

13 **Section 1.** W.S. 6-7-201 through 6-7-216 are created  
14 to read:

15

1

## ARTICLE 2

2

## GAMING COMMISSION

3

4

**6-7-201. Wyoming gaming commission created; appointment, terms of office and political affiliation of members; vacancies; appointment districts; officers; director; meetings; quorum; records; licenses generally.**

8

9

(a) The Wyoming gaming commission is created to be composed of seven (7) persons who have resided in the state for four (4) years and are qualified electors of Wyoming.

12

13

(b) The governor with the consent of the senate shall appoint the seven (7) members of the commission in accordance with W.S. 28-12-101 through 28-12-103. One (1) member shall be appointed from each appointment district under W.S. 9-1-218. No more than four (4) members shall be registered in the same political party. Members shall be appointed for terms of four (4) years and until their successor is appointed and qualified. Any vacancy shall be filled by appointment by the governor as provided in W.S. 28-12-101. A member of the commission may succeed himself for one (1) full four (4) year term. The governor may remove any member as provided in W.S. 9-1-202.

24

1

2 (c) The commission shall annually elect from its  
3 membership a president and vice-president, and may employ a  
4 director or an executive secretary, or both. Salary for  
5 the director or executive secretary shall be determined by  
6 the commission with the consent of the personnel division.  
7 The commission may also employ other personnel required to  
8 carry out this act.

9

10 (d) The commission shall hold an annual fall meeting  
11 in Wyoming and shall hold special meetings at such times  
12 and places within Wyoming as the majority of the members  
13 determine. A majority of the commission constitutes a  
14 quorum and a majority vote of a quorum may act for the  
15 commission. The secretary of the commission shall keep a  
16 record of the proceedings of the commission which is open  
17 at all times for public inspection.

18

19 **6-7-202. State gaming commission; duties; authority**  
20 **to issue subpoenas; refusal to comply.**

21

22 (a) The state gaming commission shall:

23

1           (i) Investigate the qualifications of  
2 applicants for local licenses authorized under this  
3 chapter and review the merits of applications;

4

5           (ii) Regulate and license manufacturers,  
6 distributors and operators of equipment, devices and  
7 supplies for use in licensed games of chance authorized  
8 under this chapter;

9

10          (iii) Monitor the conduct or business of  
11 licensees under this chapter to the extent necessary to  
12 ensure compliance with this chapter and its rules and  
13 regulations;

14

15          (iv) Regulate games of chance conducted under  
16 any license issued under this chapter to assure the games  
17 are fairly held, operated and conducted in accordance  
18 with the requirements of the appropriate license and this  
19 chapter;

20

21          (v) Enforce this chapter and state gaming  
22 commission rules and regulations and assist local law  
23 enforcement in enforcing this chapter;

24

1           (vi) Promulgate rules and regulations necessary  
2 to carry out the provisions and responsibilities imposed  
3 by this chapter;

4  
5           (vii) Conduct necessary examinations, inspec-  
6 tions and investigations for the enforcement of this  
7 chapter, applicable state law and state gaming authority  
8 rules and regulations;

9  
10           (viii) Require that license applicants be  
11 fingerprinted for identification purposes as a condition  
12 of licensing;

13  
14           (ix) Receive reports from the pari-mutuel  
15 commission as provided in W.S. 11-25-104(k).

16  
17           (b) In any examination, inspection or investigation  
18 conducted pursuant to this chapter, the state gaming  
19 commission may by subpoena require the papers, records,  
20 files, correspondence, documents and other evidence  
21 relevant to the inquiry.

22  
23           (c) Upon refusal of any person to comply with any  
24 subpoena and upon application by the state gaming

1 commission, the district court of the county in which the  
2 examination, inspection or investigation is conducted or  
3 in which the person resides or may be found, may issue an  
4 order requiring the person to comply with the subpoena  
5 and produce evidence. Failure to obey a court order is  
6 grounds for immediate license suspension and may be pun-  
7 ished by the court as contempt.

8

9       **6-7-203. Investigation and review of applications**  
10 **for local licensure; determination; submission to local**  
11 **licensing authority; effect; conditions; investigation**  
12 **costs; appeal.**

13

14       (a) The state gaming commission shall upon receipt  
15 of any application for any local gaming license submitted  
16 by licensing authority under this chapter, investigate  
17 the qualifications of the applicant and the merits of the  
18 application including requiring fingerprints from persons  
19 enumerated under paragraph (a)(i) of this section. In  
20 its investigation, the state gaming commission shall  
21 determine:

22

1           (i) The existence of a prior criminal record  
2 showing a conviction for violation of federal or state law  
3 by any of the following persons:

4  
5           (A) If applicable, any individual or member  
6 of the applicant organization designated within the appli-  
7 cation to be responsible for the conduct of the authorized  
8 games of chance;

9  
10           (B) If applicable, the person under whose  
11 name the games of chance will be conducted;

12  
13           (C) Any individual to be employed or per-  
14 forming services for the applicant in connection with the  
15 authorized games of chance;

16  
17           (D) Any person leasing premises upon which  
18 the authorized games of chance are to be conducted.

19  
20           (ii) If the applicant is duly qualified to hold,  
21 operate and conduct games of chance under this chapter;

22  
23           (iii) If the authorized games of chance are to  
24 be held, operated and conducted in accordance with provi-

1 sions of this chapter governing the holding, operation and  
2 conduct of the games of chance and if applicable, that the  
3 proceeds are to be disposed of as required under this  
4 chapter.

5  
6 (b) Within a reasonable period of time not to  
7 exceed one hundred twenty (120) days following receipt  
8 of any application for a new license under W.S. 6-7-207  
9 or within thirty (30) days following receipt of any  
10 application for license renewal, the state gaming  
11 commission shall submit to the appropriate local  
12 licensing authority in writing its approval or denial of  
13 the application for licensure under this chapter  
14 together with its findings. The local licensing  
15 authority shall not issue or renew a local license  
16 authorized under this chapter unless the state gaming  
17 commission has approved the application.

18  
19 (c) The state gaming commission shall not approve  
20 any application submitted by a local licensing authority  
21 if based upon the investigation conducted under paragraph  
22 (a)(i) of this section, it determines the prior activity  
23 or criminal record of the applicant and persons  
24 enumerated under paragraph (a)(i) of this section:



1

2 (i) Poses a threat to the public interest of  
3 the state or the effective regulation and control of  
4 authorized games of chance; or

5

6 (ii) Creates a danger of unlawful practices,  
7 methods or activities in the conduct of authorized games  
8 of chance or in the conduct of business and financial  
9 arrangements incidental to games of chance.

10

11 (d) The cost of any necessary background  
12 investigation of any applicant for a local license or  
13 license renewal under this section shall be paid by the  
14 applicant. The state gaming commission shall by rule and  
15 regulation establish the conditions and procedures for  
16 payment and may require payment in advance.

17

18 (e) Any determination by the state gaming commission  
19 under this chapter is subject to appeal in accordance  
20 with the Wyoming Administrative Procedure Act.

21

22 **6-7-204. Inspections and examinations; audits;**  
23 **failure to permit entry; concurrent authority.**

24

1           (a) In enforcing this chapter, the state gaming  
2 commission through its employees or agents may:

3

4           (i) Enter and inspect at any time the premises  
5 upon which games of chance are conducted or from which  
6 supplies, devices and equipment for games of chance are  
7 manufactured, maintained or supplied;

8

9           (ii) Examine the records, books of account and  
10 equipment, supplies or devices of any license applicant  
11 or licensee, as necessary to conduct examinations,  
12 inspections and investigations under this chapter;

13

14           (iii) Seize, remove and impound from the  
15 premises of any licensee, equipment, supplies and devices  
16 for the purpose of examination and inspection;

17

18           (iv) When warranted, conduct detailed  
19 investigations and through the department of audit,  
20 conduct detailed audits.

21

22           (b) Upon request of the state gaming commission, the  
23 department of audit shall conduct an audit of any license

1 applicant or licensee as necessary to assist the  
2 commission in enforcing this chapter.

3

4 (c) Entry for purposes of inspection is authorized  
5 only during open business hours unless it is in the  
6 presence of the licensee or a duly authorized  
7 representative of the licensee, or unless the officer  
8 making entry does so under court order, under search  
9 warrant issued by a court of competent jurisdiction or  
10 has reasonable grounds to believe that evidence of any  
11 violation of this chapter is within the place to be  
12 entered. Refusal to permit the entry of an agent of the  
13 state gaming commission to the licensed premises or place  
14 of business for the purpose of inspection in accordance  
15 with this subsection is grounds for immediate license  
16 suspension.

17

18 (d) The state gaming commission shall have  
19 concurrent authority and powers with the district and  
20 county attorneys in this state in the investigation of  
21 any criminal violation under this chapter. Upon refusal  
22 of any district or county attorney to act on any criminal  
23 violation of this chapter, the state gaming commission  
24 may request the attorney general act on behalf of the

1 county, state or any agency thereof and the cost of the  
2 prosecution arising from the investigation shall be paid  
3 out of the budget of the district or county attorney for  
4 which the prosecution is undertaken.

5

6 **6-7-205. Conflict of interests prohibited.**

7

8 (a) Members of the state gaming commission and any  
9 employee of the commission shall not:

10

11 (i) Have any financial interest with or  
12 involving any person licensed under this chapter;

13

14 (ii) Hold a license issued under this chapter;

15

16 (iii) Conduct or operate any authorized game of  
17 chance;

18

19 (iv) Receive any gift, gratuity or anything of  
20 value from any licensee;

21

22 (v) Participate in any authorized game of  
23 chance or be eligible to receive prizes awarded in any  
24 game of chance.

1

2           **6-7-206. Authority of cities, towns and counties;**  
3 **limitations; assessment and payment of fees.**

4

5           (a) Nothing in this chapter prohibits a local  
6 licensing authority of an incorporated city, town or  
7 county from refusing to issue any license or to renew  
8 any license authorized under this chapter.

9

10           (b) The state preempts the field of games of chance  
11 authorized under this chapter and no city, town or  
12 county shall authorize, regulate or prohibit authorized  
13 games of chance except as provided by this chapter.  
14 This subsection shall not prohibit any city, town or  
15 county by local ordinance or resolution, from regulating  
16 the general health, safety and welfare within the local  
17 jurisdiction or from imposing other requirements not in  
18 conflict with this chapter.

19

20           (c) Unless otherwise provided, the licensing  
21 authority shall uniformly assess local license fees  
22 annually for each particular license. Applicants for a  
23 local license shall pay the required fee in advance by  
24 cash or certified check.

1

2           **6-7-207. Games of chance authorized; application for**  
3 **licenses and license renewals; contents; submission to**  
4 **state gaming commission; notification of change in**  
5 **application information; penalty.**

6

7           (a) Games of chance shall be conducted only as  
8 follows:

9

10           (i) Raffles, bingo games, pull tab games and  
11 casino nights shall only be conducted by charitable or  
12 nonprofit organizations, licensed under this act, where  
13 the tickets for the raffle or bingo are sold only in this  
14 state and the pull tabs are sold and casino nights are  
15 held only on the premises owned or occupied by the  
16 charitable or nonprofit organization, subject to the  
17 following:

18

19           (A) Raffles, bingo games, pull tab games  
20 and casino nights shall only be conducted by charitable  
21 or nonprofit organizations which have been in operation  
22 in this state for at least three (3) years and have been  
23 issued a license by the local licensing authority in  
24 accordance with this chapter;

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(B) In conducting raffles, bingo games, pull tab games and casino nights the licensee shall use only volunteers who are bona fide members of the charitable or nonprofit organization or employees who are paid by the organization to assist in the operation of the game of chance;

(C) Any licensee conducting a raffle, bingo game, pull tab game or casino night shall report to the state gaming authority no later than fifteen (15) days after the last day of the month, the amounts paid to the licensee by persons playing the game of chance and the amounts redeemed to players as winnings;

(D) At least sixty-five percent (65%) of all gambling proceeds collected shall be redeemed as winnings each month;

(E) Casino nights may only be held three (3) times per year by any individual licensee and may last no longer than three (3) days in duration;

1                   **\*\*\* Staff note: Casino night**  
2                   **implies that the game will only**  
3                   **last one night. Should this be**  
4                   **different than the three day**  
5                   **limitation on poker tournaments?**  
6                   **\*\*\***

7  
8                   (F) Players of raffles, bingo games, pull  
9 tab games and casino nights shall be eighteen (18) years  
10 or older to play;

11  
12                   (G) Licensees may purchase or lease  
13 supplies or equipment necessary to conduct raffles, bingo  
14 games and pull tab games from a distributor or  
15 manufacturer at a price based on a per card, raffle  
16 ticket or pull tab basis and a minimum of sixty percent  
17 (60%) of the gross sales less the prizes paid shall be  
18 retained by the licensee after payment to the distributor  
19 or manufacturer.

20  
21                   (ii) Poker tournaments, card tournaments or  
22 other games, wagers or transactions incidental to a bona  
23 fide social relationship may be held in a business  
24 licensed under this chapter subject to the following:

25  
26                   (A) Poker tournaments and card  
27 tournaments may only be held three (3) times per year at



1 any individual business and each tournament may last no  
2 longer than three (3) days in duration;

3

4 (B) The licensee holding poker  
5 tournaments, card tournaments or other games, wagers or  
6 transactions incidental to a bona fide social  
7 relationship may not profit directly from the gambling  
8 proceeds in any game of chance;

9

10 (C) The licensee holding poker  
11 tournaments, card tournaments or other games, wagers or  
12 transactions incidental to a bona fide social  
13 relationship may indirectly profit from sponsoring the  
14 game of chance through sales of other products, but  
15 purchase of other products shall not be required of the  
16 participants as a condition of participation.

17

18 (iii) Calcutta wagering on contests or events  
19 may be conducted by a bona fide nationally chartered  
20 veterans', religious, charitable, educational or  
21 fraternal organization or nonprofit local civic or  
22 service club organized or incorporated under the laws of  
23 this state, provided that:

24

1                   (A) The contest or event is conducted  
2 solely in this state;

3

4                   (B) Any rules affecting the contest or  
5 requirements for participants are clearly posted;

6

7                   (C) The total prizes or prize money paid  
8 out in any one (1) contest or event does not exceed  
9 ninety percent (90%) of the total wagers;

10

11                   (D) A minimum of ten percent (10%) of the  
12 total wagers on each contest or event is donated within  
13 one (1) year by the sponsoring organization to a bona  
14 fide charitable or benevolent purpose;

15

16                   (E) No separate organization or  
17 professional person is employed to conduct the contest or  
18 event or assist therein;

19

20                   (F) The sponsoring organization has  
21 complied with the relevant sections of the internal  
22 revenue code of 1986, as amended, relating to taxes on  
23 wagering.

24

1           (b) To conduct any authorized game of chance, an  
2 applicant for any local license or local license renewal  
3 under this chapter shall file written application with  
4 the appropriate local licensing authority. The  
5 application shall be made under oath upon a form prepared  
6 by the state gaming commission and furnished to the local  
7 licensing authority. The application shall contain  
8 information required by this chapter for granting or  
9 renewing any local license authorizing the conduct of a  
10 specified and authorized game of chance and shall be  
11 filed in the office of the clerk of the appropriate local  
12 licensing authority.

13

14           (c) Upon receipt of an application for any local  
15 license or license renewal containing all information  
16 required under this chapter, the local licensing  
17 authority shall immediately transmit a copy of the  
18 completed application to the state gaming commission for  
19 investigation and review pursuant to W.S. 6-7-202. No  
20 local licensing authority shall approve the application  
21 unless the state gaming commission first approves the  
22 application in accordance with this chapter.

23

1           (d) An applicant shall during pendency of the  
2 application, immediately notify the local licensing  
3 authority of any change in the information stated in the  
4 application. If any substantial change occurs after  
5 local license issuance or renewal, the change shall be  
6 reported to the local licensing authority within ten (10)  
7 days after the date of the change. The local licensing  
8 authority shall immediately notify the state gaming  
9 commission of any change reported by an applicant or  
10 licensee. Failure to report any change in the  
11 information stated in the initial application or any  
12 substantial change after issuance or renewal of a local  
13 license shall be grounds for denial of an application or  
14 revocation of an existing license.

15

16           (e) Any person knowingly submitting an application  
17 containing false information in violation of this chapter  
18 is guilty of a felony punishable by a fine of not more  
19 than ten thousand dollars (\$10,000.00), imprisonment for  
20 not more than three (3) years, or both.

21

22           **6-7-208. Combination of interests prohibited;**  
23 **license limitation per person.**

24

1           (a) Any local license authorized by this chapter  
2 shall not be held by, issued or transferred to:

3

4           (i) Any person or organization in which any  
5 officer, director, manager, employee or agent has a  
6 direct or indirect interest in any manufacturer,  
7 distributor or operator of equipment, devices or supplies  
8 used in a game of chance, or who serves as an officer,  
9 director, proprietor or employee or is a stockholder  
10 holding more than two percent (2%) of the outstanding  
11 shares of the manufacturer, distributor or operator;

12

13           (ii) Any mayor, member of a town council or  
14 county commissioner within their respective jurisdiction;

15

16           (iii) Any person employed by the local  
17 licensing authority or to any organization in which the  
18 employed person has an ownership interest;

19

20           (iv) Any person employed by the state gaming  
21 commission or to any organization in which the employed  
22 person has an ownership interest;

23

1           (v) Any peace officer employed by the state or  
2 any city, town or county.

3

4           (b) No licensing authority shall issue more than one  
5 (1) local license to any one (1) applicant.

6

7           **6-7-209. Publication of notice; grant or denial;  
8 copy of application and notice to state gaming  
9 commission; judicial review.**

10

11           (a) Upon receipt of an application for any local  
12 license or license renewal and following approval by the  
13 state gaming commission, the clerk of the local  
14 licensing authority shall promptly prepare a notice of  
15 application, place the notice conspicuously upon the  
16 premises shown by the application as the proposed  
17 location upon which the games are to be conducted and  
18 publish the notice in a newspaper of local circulation  
19 once a week for a period of three (3) consecutive weeks.  
20 The notice shall state that a named applicant has  
21 applied for a local license or license renewal, the  
22 proposed location upon which the games are to be  
23 conducted and that protests against the issuance or  
24 renewal of the license will be heard at a designated

1 meeting of the local licensing authority. Each  
2 applicant shall at the time of filing his application,  
3 pay the clerk an amount sufficient to cover the costs of  
4 publishing the notice.

5

6 **\*\*\* Staff note: This is a very**  
7 **tight time frame and may not be**  
8 **workable. \*\*\***  
9

10 (b) Any local license authorized under this chapter  
11 shall not be issued or renewed until on or after the  
12 date set in the notice for public hearing. If a  
13 hearing is for license renewal, the hearing shall be  
14 held no later than thirty (30) days preceding the  
15 expiration date of the license and no later than thirty  
16 (30) days following approval of the license renewal by  
17 the state gaming commission.

18

19 (c) Any local license shall not be issued or  
20 renewed by the local licensing authority until:

21

22 (i) The state gaming commission approves the  
23 qualifications of the applicant and the merits of the  
24 application;

25

1           (ii) The state gaming commission has executed  
2 and transmitted the proposed license or license renewal  
3 to the local licensing authority;

4  
5           (iii) The applicant complies with the  
6 criteria, standards and regulations imposed by this  
7 chapter.

8  
9           (d) Upon approval or denial of a local license or a  
10 license renewal, the local licensing authority shall  
11 promptly notify the state gaming commission.

12  
13           (e) An applicant for license renewal may appeal to  
14 the district court from an adverse decision by the local  
15 licensing authority. In an appeal pursuant to this  
16 subsection, the person applying for license renewal  
17 shall be named as plaintiff and the local licensing  
18 authority as defendant. Upon notice of an appeal, the  
19 clerk shall transmit to the clerk of district a  
20 certified copy of the application, of any protests and  
21 of the minutes recording the decision appealed. The  
22 appeal shall be heard pursuant to the Wyoming  
23 Administrative Procedures Act.

24



1           **6-7-210. Proof of financial responsibility required.**

2

3 Before issuing or renewing any local license and in  
4 addition to payment of license fees, the local licensing  
5 authority shall require the license applicant to furnish  
6 the clerk of the local licensing authority a bond or  
7 other form of financial responsibility approved by the  
8 local licensing authority, in an amount established by  
9 the state gaming commission for the appropriate game of  
10 chance. Proof of financial responsibility shall be  
11 immediately forwarded to and recorded by the state gaming  
12 commission.

13

14           **6-7-211. Disposition of license fees; refunds**  
15 **prohibited.**

16

17 All fees for local licenses issued or renewed by a local  
18 licensing authority paid under this chapter shall be  
19 deposited into the general fund of the local licensing  
20 authority. No refund of all or any part of a license fee  
21 shall be made at any time following issuance.

22

23                   **\*\*\* Staff note: You have not**  
24                   **discussed what fees will be**  
25                   **required for licenses, whether**

1                   there is a fee paid to both the  
2                   local licensing authority and the  
3                   state gaming commission, whether  
4                   the local authority can set the  
5                   fee or if it will be set in  
6                   statute, and if up to the local  
7                   authority, what parameters there  
8                   will be. \*\*\*  
9

10                   **6-7-212. Term of license and permit; exception.**

11

12                   (a) Any local license issued or renewed under this  
13                   chapter by a local licensing authority is considered a  
14                   privilege to the holder and the term of the license is  
15                   for one (1) year unless sooner revoked or for a lesser  
16                   term as provided in subsection (b) of this section.

17

18                   (b) The term of a local license may be less than one  
19                   (1) year if specified by the local licensing authority to  
20                   coincide with the annual date set by the authority for  
21                   consideration of license issuance and license renewals.  
22                   A local licensing authority issuing a license for a term  
23                   less than one (1) year shall prorate the annual fee  
24                   accordingly.

25

26                   **6-7-213. Transfer of license location or ownership**  
27                   **prohibited; ownership transfer specified.**

28

1 (a) No local license issued under this chapter  
2 shall be transferred or sold.

3

4 (b) A transfer or sale of a cumulative fifty percent  
5 (50%) or more of the ownership of a local license is a  
6 transfer or sale for purposes of this section.

7

8 **6-7-214. Duty to prepare and furnish license forms;**  
9 **signature and attestation; contents; display required.**

10

11 (a) The state gaming commission shall prepare and  
12 furnish to each city, town and county a form for local  
13 licenses issued under this chapter. A license on a form  
14 other than as prescribed by the state gaming commission  
15 is invalid.

16

17 (b) Each local license issued by a city or town  
18 shall be signed by the mayor and attested by the clerk.  
19 Each local license issued by a county shall be signed by  
20 the chairman of the board of county commissioners and  
21 attested by the county clerk.

22

23 (c) The following shall be shown on each local  
24 license:

1

2 (i) The name of the licensee;

3

4 (ii) A description of the premises on which  
5 specific authorized games of chance may be conducted;

6

7 (iii) The date of issuance;

8

9 (iv) The amount of the fee;

10

11 (v) That the fee has been paid; and

12

13 (vi) The written signature of the state gaming  
14 commission and the local licensing authority.

15

16 (d) Each licensee shall display his local license in  
17 a conspicuous place on the licensed premises.

18

19 **6-7-215. Suspension and revocation; judicial review.**

20

21 (a) A local licensing authority may suspend or  
22 revoke any local license issued under this chapter for  
23 any violation of this chapter or rule or regulation of  
24 the state gaming commission. A licensee may appeal

1 license suspension or revocation by a local licensing  
2 authority to the district court in the manner specified  
3 under W.S. 6-7-209(e) and the appeal proceedings shall  
4 be in accordance with the Wyoming Rules of Appellate  
5 Procedure. The suspension or revocation shall remain in  
6 effect pending a decision by the district court.

7

8 (b) The state gaming commission may suspend or  
9 revoke any local license issued under this chapter for  
10 any violation of this chapter or rule or regulation of  
11 the commission. Suspension or revocation by the state  
12 gaming commission is subject to appeal in accordance with  
13 the Wyoming Administrative Procedure Act.

14

15 **6-7-216. Penalties for violation.**

16

17 (a) Any person violating any provision of this  
18 chapter for which no specific penalty is provided is  
19 guilty of a felony punishable by a fine of not more than  
20 one thousand dollars (\$1,000.00), imprisonment for not  
21 more than five (5) years, or both. Each violation is a  
22 separate offense.

23

1                   **\*\*\* Staff note: You have not**  
2                   **discussed the penalties, this is**  
3                   **just language to facilitate**  
4                   **discussion. \*\*\***  
5

6           (b)       Any person conducting games of chance  
7 authorized by this chapter without holding a local  
8 license authorizing the conduct is guilty of professional  
9 gambling as prohibited and penalized under W.S. 6-7-  
10 102(b).

11

12           **Section 2.** W.S. 6-7-101(a)(intro), (iii) by creating  
13 a new subparagraph (H), (vi), (viii), (ix) and by creating  
14 new paragraphs (xi) through (xv), 6-7-104, 7-19-201(a) by  
15 creating a new paragraph (vi) and 11-25-104 by creating a  
16 new subsection (k) are amended to read:

17

18           **6-7-101. Definitions.**

19

20           (a) As used in this ~~article~~chapter:

21

22                   (iii) "Gambling" means risking any property for  
23 gain contingent in whole or in part upon lot, chance, the  
24 operation of a gambling device or the happening or outcome  
25 of an event, including a sporting event, over which the  
26 person taking a risk has no control, but does not include:

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(H) Games of chance authorized and licensed under W.S. 6-7-207.

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(vi) "Gambling proceed" means all money or property at stake or displayed in or in connection with professional gambling or games of chance;

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(viii) "Professional gambling" means:

(A) Aiding or inducing another to engage in gambling other than an authorized game of chance licensed under W.S. 6-7-201 through 6-7-216, with the intent to derive a profit therefrom; or

(ix) "Profit" means benefit other than a gain, which is realized or unrealized and direct ~~or indirect~~, including benefits from ~~proprietorship, management or~~ unequal advantage in a series of transactions but does not include benefits of proprietorship or management of a business conducting authorized games of chance which are licensed under W.S. 6-7-201 through 6-7-216;

1           (xi) "Games of chance" means the specific kinds  
2 of games of chance authorized under W.S. 6-7-207(a);

3  
4           (xii) "Local licensing authority" means the  
5 governing body of an incorporated city, town or county in  
6 Wyoming with the responsibility to issue and administer a  
7 particular local gaming license;

8  
9           (xiii) "State gaming commission" means the state  
10 gaming commission created pursuant to W.S. 6-7-201;

11  
12           (xiv) "Charitable or nonprofit organization"  
13 means an organization recognized as a charitable or  
14 nonprofit organization under Wyoming statutes and which  
15 possesses a valid exemption from federal income tax issued  
16 by the Internal Revenue Service under the provisions of 26  
17 U.S.C. § 501(c) for the previous three (3) years.

18  
19           **\*\*\* Staff note: These**  
20 **restrictions on the definition of**  
21 **a bingo game came from Steve**  
22 **Cranfill at the last subcommittee**  
23 **meeting designed to allow for**  
24 **electronic aids. Further**  
25 **restrictions on a licensed game**  
26 **are found in new W.S. 6-7-207(a).**  
27 **\*\*\***

28



1           (xv) "Bingo game" means a game of chance in  
2 which a prize or prizes are awarded to a player or players  
3 who obtain a designated pattern or sequence of numbers or  
4 symbols on a card that is the same pattern or sequence of  
5 numbers or symbols selected at random by a mechanical  
6 blower or a computer generated random generator subject to  
7 the following:

8  
9           (A) The bingo card shall be a paper, hard  
10 card or electronically generated card, but an  
11 electronically generated card shall be played only in  
12 conjunction with a paper or hard card, and the licensee  
13 conducting the bingo game shall keep a paper copy of all  
14 electronically generated cards offered, used or sold on the  
15 premises;

16  
17           (B) All players during the course of a  
18 bingo game shall compete for the same prizes utilizing the  
19 same set of numbers or symbols and shall share the same  
20 deck or series of bingo cards for each game wherein no two  
21 (2) cards distributed to the players are identical in the  
22 same game and at least one (1) player shall win the prize  
23 in each game played;

24

1                   (C) There shall be a minimum of two (2)  
2 players participating in each game before a game can begin;

3  
4                   (D) Electronic bingo aids shall only  
5 include equipment which is networked, is not a stand-alone  
6 device and which is connected to other bingo aids and a  
7 main host server located on the premises where the bingo  
8 game is being conducted. Electronic bingo aids shall not  
9 simulate, replicate or mimic slot machines in the images,  
10 symbols or play and shall play and display only bingo  
11 cards. Electronic bingo aids shall not accept or dispense  
12 any form of currency or tokens.

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14           **6-7-104. Advertising of allowable gambling activities**  
15 **or events.**

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17 Nothing in this chapter prohibits the advertising of any  
18 gambling activity or event excluded from gambling under  
19 W.S. 6-7-101(a)(iii), ~~and~~ conducted by or for any  
20 charitable or nonprofit organization or conducted as a  
21 promotional activity by a private business entity which is  
22 clearly occasional and ancillary to the primary business of  
23 that entity unless otherwise regulated under W.S. 6-7-201  
24 through 6-7-216.

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2           7-19-201. State or national criminal history record  
3 information.

4

5           (a) The following persons shall be required to submit  
6 to fingerprinting in order to obtain state and national  
7 criminal history record information:

8

9                   (vi) Persons applying to the state gaming  
10 commission for a license to provide games of chance under  
11 W.S. 6-7-201 through 6-7-216.

12

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

16

17                   (k) The commission shall provide a report to the  
18 state gaming commission annually which sets forth:

19

20                   \*\*\* Staff note: If the committee  
21 decides to make the pari-mutuel  
22 commission report directly to the  
23 gaming commission, you will need  
24 to decide the parameters of that  
25 reporting requirement. \*\*\*

26

1         **Section 3.**   W.S. 6-7-101(a)(iii)(D) through (F) are  
2 repealed.

3

4                     **\*\*\*         Staff       note:         These**  
5                     **definitions have been incorporated**  
6                     **into 6-7-207(a) which provides for**  
7                     **the types of games of chance that**  
8                     **may be authorized. \*\*\***

9

10         **Section 4.**    There is appropriated   XXX dollars  
11 (\$XXX.XX) from the general fund to the state gaming  
12 commission for purposes of this act.

13

14                     **\*\*\*       Staff note:    You have not**  
15                     **discussed how much this will cost**  
16                     **to set up the gaming commission,**  
17                     **whether the funds will come from**  
18                     **the       general       fund,       whether**  
19                     **licensees will be required to pay**  
20                     **for a license, whether employees**  
21                     **will be hired by the commission,**  
22                     **how local licensing authorities**  
23                     **will be funded, etc. \*\*\***

24

25         **Section 5.**   This act is effective July 1, 2006.

26

27   (END)