

## HOUSE BILL NO. HB0128

Multi-state lottery.

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

## A BILL

for

1 AN ACT relating to a state lottery organization; creating  
2 the Wyoming lottery board; granting authority to the  
3 Wyoming lottery board to oversee a multi-state lottery with  
4 authority to operate instant ticket games and to  
5 participate with other states for operating a lottery as  
6 specified; providing rulemaking authority to the board;  
7 providing for licensing of lottery game retailers; creating  
8 a lottery account in the enterprise fund; authorizing  
9 expenditures for the lottery; specifying how lottery  
10 profits shall be distributed; providing generally for the  
11 operation of the lottery; exempting sales of lottery  
12 tickets from sales and use tax; providing penalties;  
13 providing a continuous appropriation and making an  
14 appropriation; and providing for an effective date.

15

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

1

2       **Section 1.** W.S. 9-2-2901 through 9-2-2911 are created  
3 to read:

4

5

ARTICLE 29

6

WYOMING STATE LOTTERY ORGANIZATION

7

8       **9-2-2901. Definitions.**

9

10       (a) As used in this article:

11

12               (i) "Board" means the Wyoming lottery board  
13 created by W.S. 9-2-2903;

14

15               (ii) "Immediate family" means any person  
16 residing as a member of the same household in the principal  
17 place of residence of a member of the board, employee or  
18 independent contractor of the board, or a licensed lottery  
19 game retailer;

20

21               (iii) "Lottery" means any lottery created and  
22 operated under this article, which shall be limited to  
23 instant ticket games and multi-state games operated by

1 agreement between Wyoming and at least one (1) other state  
2 lottery organization;

3

4 (iv) "Lottery game retailer" means a person who  
5 contracts with or seeks to contract with the board to sell  
6 tickets in lottery games to the public under this article;

7

8 (v) "Supplier" means any person who enters into  
9 a contract to supply gaming materials or equipment to the  
10 lottery;

11

12 (vi) "Ticket" means any evidence issued under  
13 the authority of the board establishing proof of  
14 participation in any lottery conducted under this article.

15

16 **9-2-2902. Wyoming lottery board; creation.**

17

18 (a) The Wyoming lottery board is created which shall  
19 act in all respects for the benefit of the people of the  
20 state through the operation of a state lottery and in the  
21 performance of other essential public functions entrusted  
22 to it and shall strive to maximize net lottery proceeds.

23

1           (b) The board shall be composed of seven (7) members,  
2 subject to the following:

3

4           (i) The members shall be appointed by the  
5 governor and confirmed by the senate as provided in W.S.  
6 9-1-218;

7

8           (ii) The members shall be residents of the state  
9 of Wyoming;

10

11           (iii) No person shall serve as a member of the  
12 board who has been convicted of:

13

14                   (A) Any felony;

15

16                   (B) A misdemeanor involving gambling,  
17 theft, computer offenses, forgery, perjury, dishonesty or  
18 unlawfully selling or providing a product or substance to a  
19 minor;

20

21                   (C) Any violation of this article; or

22

23                   (D) Any offense in a federal court,  
24 military court, or court of another state, territory or

1 jurisdiction which under the laws of this state would  
2 disqualify such person pursuant to subparagraph (A), (B) or  
3 (C) of this paragraph.

4

5 (iv) Prior to the appointment of a person as a  
6 member, the governor shall submit the names of potential  
7 members to the division of criminal investigation which  
8 shall conduct a criminal history records check on all such  
9 persons. In order for the governor to determine a  
10 potential board appointee's eligibility, all persons  
11 considered for appointment to the Wyoming lottery board  
12 shall be required to submit to fingerprinting for the  
13 purpose of obtaining state and national criminal history  
14 record information. The division of criminal investigation  
15 shall contract with the federal bureau of investigation,  
16 other law enforcement agency or any other legally  
17 authorized entity to assist in such investigation. The  
18 division of criminal investigation shall conduct such  
19 investigation as soon as practicable after submission of  
20 names by the governor. The board shall pay, as an  
21 operating expense, the cost of the records check. The  
22 results of such a records check shall not be considered a  
23 record open to the public;

24

1           (v) One (1) member shall be appointed from each  
2 of the seven (7) appointment districts pursuant to W.S.  
3 9-1-218. Appointments in each appointment district shall  
4 be rotated among the several counties comprising the  
5 district;

6

7           (vi) Members shall serve terms of five (5)  
8 years; provided, however, that of the initial members  
9 appointed:

10

11           (A) Two (2) members shall be appointed for  
12 an initial term of one (1) year;

13

14           (B) Three (3) members shall be appointed  
15 for an initial term of three (3) years; and

16

17           (C) Two (2) members shall be appointed for  
18 an initial term of five (5) years.

19

20           (vii) A member's term may be terminated by the  
21 governor as provided by W.S. 9-1-202(a). Members shall  
22 continue in office until their successors are appointed and  
23 qualified. If a vacancy occurs, the governor shall appoint  
24 a successor to serve in accordance with W.S. 28-12-101;

1

2 (viii) A member of the board, or any member of  
3 their immediate family, shall not have a direct or indirect  
4 interest at the time of their appointment, or within a  
5 period of two (2) years prior to their appointment, in any  
6 undertaking that puts their personal interest in conflict  
7 with that of the board, including, but not limited to, any  
8 interest, through ownership, stock or otherwise, in a major  
9 procurement contract or a participating retailer; provided,  
10 however, that a board member or a member of the member's  
11 immediate family, may hold an incidental interest not to  
12 exceed one percent (1%) of the outstanding stock of a  
13 participating retailer;

14

15 (ix) The members shall elect from their  
16 membership a chair and vice chair;

17

18 (x) The board of directors may delegate to one  
19 (1) or more of its members or to any agent or employee of  
20 the board such powers and duties as it may deem proper;

21

22 (xi) A majority of the members shall constitute  
23 a quorum for the transaction of any business and for the  
24 exercise of any power or function of the board. Action may

1 be taken and motions and resolutions adopted by the board  
2 at any board meeting by the affirmative vote of a majority  
3 of present and voting members;

4

5 (xii) Upon approval by the chair, members of the  
6 board shall be reimbursed for actual and reasonable  
7 expenses incurred or a per diem not to exceed the per diem  
8 provided to state employees for each day's service spent in  
9 the performance of the duties of the board;

10

11 (xiii) The members of the board shall receive as  
12 compensation one hundred fifty dollars (\$150.00) for each  
13 day necessarily employed in attending the meetings of the  
14 board.

15

16 **9-2-2903. Wyoming lottery board; powers and duties.**

17

18 (a) The board shall:

19

20 (i) Promulgate rules governing supervision and  
21 oversight of the Wyoming lottery, including:

22

23 (A) The types of lotteries to be conducted,  
24 but no lottery shall be conducted by the board based upon



1 the outcome of any athletic event or race of any kind, and  
2 no lottery shall be conducted that is not an instant ticket  
3 game or a multi-state game operated by agreement between  
4 Wyoming and at least one (1) other state lottery  
5 organization;

6

7 (B) The price of tickets in the lottery,  
8 but no ticket in any instant lottery shall have a price of  
9 less than one dollar (\$1.00);

10

11 (C) The number and size of the prizes on  
12 the winning tickets and the manner in which prizes are paid  
13 to holders of winning tickets;

14

15 (D) The frequency of the drawings or  
16 selection of winning tickets;

17

18 (E) The types of locations at which tickets  
19 may be sold;

20

21 (F) The methods by which tickets are  
22 advertised to prospective buyers;

23

1                   (G) The licensing of lottery game retailers  
2 to sell tickets, except no person under the age of eighteen  
3 (18) years shall be licensed as a lottery game retailer and  
4 no license shall be transferable;

5

6                   (H) The manner and compensation to be paid  
7 to licensed lottery game retailers including special  
8 bonuses or incentives, as necessary, to provide for the  
9 adequate availability of tickets to prospective buyers and  
10 for the convenience of the public;

11

12                   (J) The type and form of records, books of  
13 accounts and other papers the board requires for the  
14 examination of licensed lottery game retailers pursuant to  
15 W.S. 9-2-2905(e);

16

17                   (K) Other matters necessary for the  
18 efficient and economical operation and administration of  
19 the lottery and for the convenience of purchasers of  
20 tickets or holders of winning tickets.

21

22                   (ii) By October 1 each year, submit an annual  
23 report to the joint revenue interim committee and the joint  
24 travel, recreation, wildlife and cultural resources interim

1 committee regarding the operation of the lottery and  
2 recommendations for improvement;

3

4 (iii) Meet at least quarterly to carry out the  
5 duties prescribed by this article;

6

7 (iv) Direct the operation of the lottery in  
8 accordance with this article;

9

10 (v) Arrange an annual audit of all lottery  
11 accounts and transactions performed by an independent  
12 certified public accountant and submit the audit to the  
13 governor, the legislature and the state treasurer;

14

15 (vi) Maintain accurate records, including the  
16 distribution of tickets to licensed lottery game retailers,  
17 receipt of funds, prize claims, prize disbursements,  
18 expenses and other financial transactions of the lottery as  
19 necessary;

20

21 (vii) Report to the governor pursuant to W.S.  
22 9-2-1014, including a complete statement of the financial  
23 position and operation of the lottery;

24

1           (viii) Contract with a state agency or a private  
2 business experienced in security procedures to periodically  
3 conduct a comprehensive study and evaluation of all aspects  
4 of security in the operation of the lottery.

5

6           (b) The board may:

7

8           (i) Investigate any person who has applied for  
9 or has been awarded any license or contract issued or  
10 formed by the board under this article. The board is  
11 authorized to access criminal history record information  
12 for all licensees or contractors under W.S. 9-1-627(d) for  
13 the purposes of this article;

14

15           (ii) Employ personnel necessary to implement  
16 this article;

17

18           (iii) Contract for materials, equipment and  
19 supplies to design, install, operate and promote the  
20 lottery and for studies relevant to the successful  
21 operation of the lottery;

22

23           (iv) License lottery game retailers to sell  
24 lottery tickets;

1

2 (v) Enter into written agreements with one (1)  
3 or more government authorized lotteries to participate in  
4 the conduct and operation of lottery games, including  
5 powerball, and may enter into written agreements with one  
6 (1) or more government authorized lotteries or other  
7 persons, entities, organizations or associations to  
8 purchase goods or services in support of lottery games when  
9 necessary or desirable to make lottery games more  
10 remunerative for the state of Wyoming, so long as the games  
11 and purchases are consistent with this article.

12

13 (c) For purposes of enforcing this article, the board  
14 through its chairman, employees or agents may examine  
15 during business hours the records, books or other  
16 documentation of the conduct of the lottery kept by  
17 licensed lottery game retailers. In any examination, the  
18 board may require by subpoena the production of all  
19 documentation and other evidence relevant to the inquiry.

20

21 (d) Any Wyoming district court, upon application by  
22 the board through its chairman, may issue an order  
23 requiring compliance with a subpoena issued by the board.

1 Failure to obey the order of the court may be punished as  
2 contempt.

3

4 **9-2-2904. Licenses; issuance; suspension and**  
5 **revocation; persons prohibited from holding.**

6

7 (a) The board shall include in its licensing rules  
8 and regulations requirements relating to:

9

10 (i) Financial responsibility and bonding of  
11 lottery game retailers;

12

13 (ii) Accessibility of the licensee's place of  
14 business to the public;

15

16 (iii) Volume of expected sales;

17

18 (iv) Public display of the license;

19

20 (v) Other matters relating to the security and  
21 efficient operation of the lottery organization.

22

1           (b) A license shall be revoked if the board finds,  
2 after notice and an opportunity for a hearing, that the  
3 licensee has:

4

5           (i) Provided false or misleading information to  
6 the board;

7

8           (ii) Been convicted of any felony, a crime  
9 involving fraud or misrepresentation or a gambling related  
10 offense; or

11

12           (iii) Endangered the security of the lottery.

13

14           (c) A license may be suspended, revoked or not  
15 renewed for any of the following if after notice and  
16 opportunity for a hearing the board finds the holder has:

17

18           (i) Changed business location;

19

20           (ii) An insufficient sales volume;

21

22           (iii) Failed to pay monies owed to the lottery  
23 organization;

24

1           (iv) Endangered the efficient operation of the  
2 lottery organization; or

3

4           (v) Violated this article or any rule or  
5 regulation of the board.

6

7           (d) Any person who has reached the age of eighteen  
8 (18) years or an organization may be a licensed lottery  
9 game retailer except:

10

11           (i) A person employed solely as a lottery game  
12 retailer;

13

14           (ii) A person convicted of a felony, a crime  
15 involving fraud or misrepresentation or a gambling related  
16 offense;

17

18           (iii) A person who is or has been engaged in any  
19 form of illegal gambling; or

20

21           (iv) An organization in which a person listed in  
22 paragraph (ii) or (iii) of this subsection:

23

24           (A) Has a financial interest;



1

2

(B) Is an officer, director or managing agent;

4

5

(C) Participates in the management or sales of lottery tickets.

7

8

(e) Each licensed lottery game retailer shall maintain records and other documentation that completely describes all lottery transactions and any other information necessary for the proper administration of the lottery as required by the board's rules and regulations.

13

14

(f) Licenses shall specify the place at which the sales will occur, but no license shall be issued for any premises that provides living accommodations for the lottery game retailer.

18

19

(g) All hearings and appeals from board decisions regarding the granting, renewing, suspending or revoking of a license shall be governed by the Wyoming Administrative Procedure Act.

23

1           **9-2-2905. Contractors supplying gaming equipment;**  
2 **disclosures.**

3

4           (a) Any person submitting an application to contract  
5 as a supplier under this article shall disclose under oath  
6 in the application:

7

8                   (i) The business name and address and names and  
9 addresses of the following:

10

11                           (A) All general and limited partners if the  
12 applicant is a partnership;

13

14                           (B) The trustee and all persons entitled to  
15 receive income or benefit from the trust if the applicant  
16 is a trust;

17

18                           (C) The members, officers and directors if  
19 the applicant is an association or limited liability  
20 company;

21

22                           (D) The officers, directors and each owner  
23 or holder, directly or indirectly, of any equity security  
24 or other evidence of ownership of any interest if the

1 applicant is a corporation. In the case of owners or  
2 holders of publicly held equity securities of a publicly  
3 traded corporation, then only the names and addresses of  
4 those owning or holding one percent (1%) or more of the  
5 publicly held securities shall be provided;

6  
7 (E) The holding or parent company involved  
8 if the applicant is a subsidiary company, and the officers,  
9 directors and stockholders of each. In the case of owners  
10 or holders of publicly held securities of a holding company  
11 that is a publicly traded corporation, then only the names  
12 and addresses of those owning or holding one percent (1%)  
13 or more of the publicly held securities shall be provided.

14  
15 (ii) All the states in which a business  
16 organization applicant is incorporated or otherwise  
17 registered to do business and the nature of that business;

18  
19 (iii) Other jurisdictions in which the applicant  
20 has contracts to supply gaming materials or equipment;

21  
22 (iv) The details of any state or federal  
23 criminal conviction of the applicant or any person whose

1 name and address is required under paragraph (i) of this  
2 subsection;

3

4 (v) The details of any disciplinary action taken  
5 by any state against the applicant or any person whose name  
6 and address is required under paragraph (i) of this  
7 subsection regarding any matter related to the selling,  
8 leasing, offering for sale or lease, buying or servicing of  
9 gaming materials or equipment;

10

11 (vi) A statement of the gross receipts realized  
12 in the preceding year from the sale, lease or distribution  
13 of gaming materials or equipment to states operating  
14 lotteries and to private persons licensed to conduct  
15 gambling. The statement shall differentiate that portion  
16 of the gross receipts attributable to transactions with  
17 states operating lotteries from that portion of the gross  
18 receipts attributable to transactions with private persons  
19 licensed to conduct gambling;

20

21 (vii) The name and address of any source of  
22 gaming materials or equipment for the applicant;

23

1           (viii) The number of years the applicant has  
2 been in the business of supplying gaming materials or  
3 equipment;

4  
5           (ix) Any other information accompanied by any  
6 documents the board may by rule or regulation require as  
7 necessary or appropriate.

8  
9           (b) The involved holding or parent company shall  
10 supply the information required of the applicant by this  
11 section if the applicant is a subsidiary company.

12  
13           (c) The reasonable costs of any investigation into  
14 the background of the applicant seeking a contract shall be  
15 assessed against the applicant and shall be paid by the  
16 applicant at the time the application is filed.  
17 Investigations may be conducted by the board, any qualified  
18 investigator hired or designated by the board, or another  
19 law enforcement entity as appropriate.

20  
21           (d) No person, firm, association or corporation  
22 contracting to supply gaming equipment or materials to the  
23 state for use in the operation of the state lottery  
24 organization shall be:

1

2 (i) Directly or indirectly associated with any  
3 person, corporation or other business organization licensed  
4 as a lottery game retailer under this article;

5

6 (ii) A member of the board;

7

8 (iii) An employee or independent contractor of  
9 the board; or

10

11 (iv) The immediate family of members, employees  
12 or independent contractors of the board.

13

14 (e) No contract shall be formed with an applicant if:

15

16 (i) A person disclosed pursuant to paragraph  
17 (a)(i) or (vii) of this section has been convicted of a  
18 felony or gambling related offense, engaged in any form of  
19 illegal gambling, is not of good character and reputation  
20 relevant to the secure and efficient operation of the  
21 lottery or has been convicted of a crime involving fraud or  
22 misrepresentation; or

23

1           (ii) A disciplinary action disclosed pursuant to  
2 paragraph (a)(v) of this section was resolved adversely to  
3 the supplier.

4  
5           (f) No contract for the supply of gaming materials or  
6 equipment for use in the operation of the state lottery  
7 organization shall be enforceable against the state if the  
8 supplier fails to comply with the provisions of this  
9 section.

10

11           (g) If a contract for lottery tickets, lottery  
12 consulting services or lottery terminals or equipment  
13 exceeds one hundred thousand dollars (\$100,000.00) or if a  
14 contract is for drawing equipment regardless of value, each  
15 prospective corporate supplier shall at the time of  
16 submission of its bid or proposal, provide a current  
17 personal financial statement and individual federal and  
18 state income tax returns from the past three (3) years for  
19 each of its officers and directors and for each of the  
20 officers and directors of all parent and holding companies  
21 affiliated with the supplier.

22

23           **9-2-2906. Conflicts of interest.**

24

1           (a) No member of the board, employee or independent  
2 contractor of the board, or member of their immediate  
3 families shall have any financial interest in:

4

5           (i) Any lottery;

6

7           (ii) The sale of any lottery tickets; or

8

9           (iii) Any organization supplying equipment,  
10 materials or services for use in the operation of the  
11 lottery or licensed as a lottery game retailer under this  
12 article.

13

14           (b) No member of the board, employee or independent  
15 contractor of the board, licensed lottery game retailer or  
16 member of their immediate families shall purchase any  
17 ticket for or receive any prize from a lottery under this  
18 article.

19

20           **9-2-2907. Prizes; not assignable; withholding of**  
21 **amounts owed state; discharge of liability.**

22

23           (a) The right of any person to a prize is not  
24 assignable, except payment of a prize may be paid to the



1 estate of a deceased prizewinner or as directed by court  
2 order.

3

4 (b) Unclaimed prize money shall be retained for a  
5 period set by rule of the board. Any person who fails to  
6 claim a prize after the period set by the board shall  
7 forfeit all rights to the prize. If a valid claim is not  
8 made for the money within the period set by the board, the  
9 prize money shall be added to future prize pools.

10

11 (c) Before payment of any prize in excess of five  
12 hundred dollars (\$500.00), the director shall check the  
13 name, address and social security number of the person  
14 claiming the prize with lists of people identified as  
15 having an outstanding debt owed to the state of Wyoming or  
16 from a support order, as defined in W.S. 20-6-102. The  
17 department of revenue and the department of family services  
18 shall provide lists to the board. The chairman shall  
19 withhold payment of prize money from any prizewinner whose  
20 name appears on a list, but shall, after notice and  
21 hearing, transfer it to pay the outstanding debt as  
22 provided by applicable law.

23

1           (d) The board is discharged of all liability upon  
2 payment of any prize under this section.

3

4           **9-2-2908. Prohibited acts.**

5

6           (a) No person shall:

7

8                   (i) Sell a lottery ticket at a price different  
9 from that fixed by the board;

10

11                   (ii) Sell a lottery ticket unless licensed to do  
12 so under this article;

13

14                   (iii) Sell or transfer a lottery ticket to a  
15 minor;

16

17                   (iv) Sell a lottery ticket at a location other  
18 than that specified on the license;

19

20                   (v) If a minor, purchase a lottery ticket.

21

22           **9-2-2909. Advertising.**

23

1 Promotional advertising regarding the lottery shall state  
2 the odds of winning. Promotional advertising expenses  
3 shall be paid from the lottery account.

4

5 **9-2-2910. Revenue from sales; disposition; lottery**  
6 **account created.**

7

8 (a) There is created a lottery account in the  
9 enterprise fund.

10

11 (b) Revenues from the sale of lottery tickets shall  
12 be paid to the state treasurer for deposit into the lottery  
13 account. All expenses of the board incurred under this  
14 article including salaries and benefits shall be paid from  
15 the lottery account, as appropriated by the legislature.

16

17 (c) Prizes shall be paid from the lottery account.  
18 Total disbursements for lottery prizes shall be not less  
19 than forty-five percent (45%) of the total revenue accruing  
20 from the sale of lottery tickets, and sufficient funds to  
21 pay prizes are continuously appropriated from that account.

22

23 (d) By rule and regulation the board may reserve up  
24 to one percent (1.0%) of the total revenue accruing from

1 the sale of lottery tickets for grants to be awarded to  
2 local governments and nonprofit organizations to support  
3 prevention and treatment of problem gambling. Criteria for  
4 the award of grants shall include consideration of the  
5 program's:

6

7 (i) Determination of the characteristics and  
8 symptoms of compulsive or pathological gambling behavior;

9

10 (ii) Determination of the prevalence of  
11 compulsive gambling in the general population;

12

13 (iii) Studies of the relation of compulsive  
14 gambling to other addictions;

15

16 (iv) Studies of the social costs of compulsive  
17 gambling;

18

19 (v) Identification of individuals with  
20 compulsive or addictive gambling behavior;

21

22 (vi) Intervention techniques to be employed  
23 where a compulsive gambling problem is identified or  
24 suspected; and

1

2           (vii) Assistance and referral programs,  
3 including specific resources and training on how to discuss  
4 compulsive gambling and give advice concerning access to  
5 available resources.

6

7           (e) Annually, the state treasurer shall transfer  
8 remaining revenues in excess of expenses, prizes, grants  
9 and reserves necessary for efficient operation as follows:

10

11           (i) The first five million dollars  
12 (\$5,000,000.00) in revenues under this subsection shall be  
13 transferred to the Wyoming game and fish fund created by  
14 W.S. 23-1-501 for the purpose of providing additional  
15 funding for the annual operation of the game and fish  
16 commission;

17

18           (ii) All remaining revenues to the department of  
19 state parks and cultural resources' capital construction  
20 account.

21

22           **9-2-2911. Criminal penalties.**

23

1           (a) Except as provided by subsection (b) of this  
2 section, a person violating this article commits a  
3 misdemeanor punishable by a fine of not more than one  
4 thousand dollars (\$1,000.00), imprisonment for not more  
5 than one (1) year, or both. Each violation is a separate  
6 offense.

7

8           (b) Any person who knowingly falsifies, alters,  
9 forges, passes or counterfeits a lottery ticket or receipt  
10 for the purchase of a lottery ticket issued under this  
11 article is guilty of a felony punishable by a fine of not  
12 less than five thousand dollars (\$5,000.00), imprisonment  
13 for not less than one (1) year, nor more than five (5)  
14 years, or both. Each violation is a separate offense.

15

16           **Section 2.** W.S. 6-7-101(a)(iii)(C), 9-1-627(d),  
17 39-15-105(a)(iv) by creating a new subparagraph (K) and  
18 39-16-105(a)(iv) by creating a new subparagraph (G) are  
19 amended to read:

20

21           **6-7-101. Definitions.**

22

23           (a) As used in this article:

24

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

6

7 (C) Other acts or transactions now or  
8 hereafter expressly authorized by law including  
9 participation in any state authorized lottery;

10

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

14

15 (d) Access to criminal history record information is  
16 available to the Wyoming pari-mutuel commission and Wyoming  
17 lottery board as provided by W.S. 11-25-104(k) and  
18 9-2-2902(b) and 9-2-2903(b). The commission and board  
19 shall take reasonable security precautions to prevent  
20 unauthorized persons from gaining access to criminal  
21 history record information in accordance with rules and  
22 regulations established by the Wyoming division of criminal  
23 investigation. For the purpose of this subsection  
24 "criminal history record information" means information,

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

15

16 **39-15-105. Exemptions.**

17

18 (a) The following sales or leases are exempt from the  
19 excise tax imposed by this article:

20

21 (iv) For the purpose of exempting sales of  
22 services and tangible personal property sold to government,  
23 charitable and nonprofit organizations, irrigation



1 districts and weed and pest control districts, the  
2 following are exempt:

3

4 (K) Sales of and retail commissions on  
5 lottery tickets issued by the Wyoming state lottery  
6 organization under W.S. 9-2-2901 through 9-2-2911.

7

8 **39-16-105. Exemptions.**

9

10 (a) The following purchases or leases are exempt from  
11 the excise tax imposed by this article:

12

13 (iv) For the purpose of exempting sales of  
14 services and tangible personal property sold to government,  
15 charitable and nonprofit organizations, irrigation  
16 districts and weed and pest control districts, the  
17 following are exempt:

18

19 (G) Purchases of and retail commissions on  
20 lottery tickets issued by the Wyoming state lottery  
21 organization under W.S. 9-2-2901 through 9-2-2911.

22

23 **Section 3.** There is appropriated from the general  
24 fund to the lottery account in the enterprise fund the sum

1 of two million dollars (\$2,000,000.00), or as much thereof  
2 as necessary, to carry out the purpose of this act. This  
3 appropriation is an advance to facilitate establishment of  
4 the lottery and shall be repaid from profits as soon as  
5 practicable but in no event later than one (1) year after  
6 the first prize is paid out. Repayment of these funds  
7 shall be made prior to any distributions pursuant to W.S.  
8 9-2-2910(e).

9  
10 **Section 4.** The Wyoming lottery board is authorized to  
11 expend and there is appropriated from the lottery account  
12 in the enterprise fund up to twenty percent (20%) of total  
13 revenue from sales of lottery tickets, to the board for  
14 salaries, benefits and all administrative expenses, except  
15 prizes and repayment of the advance from the general fund,  
16 necessary to operate the lottery through June 30, 2009, or  
17 as much thereof as necessary to carry out the purposes of  
18 this act.

19  
20 **Section 5.** This act is effective July 1, 2007.

21

22

(END)