

HOUSE BILL NO. HB0096

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 effective dates.

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

16

ARTICLE 2

GAMING COMMISSION

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.

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

(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, provided that of the initial commission, three (3) members shall be appointed for a two (2) year term and four (4) members for a four (4) year term. Vacancies on the commission shall be filled by appointment of the governor for the unexpired term. A member of the commission may succeed himself for one (1)

1 full four (4) year term. The governor may remove any
2 member as provided in W.S. 9-1-202.

3

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

10

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

19

20 (e) The members of the commission shall receive as
21 compensation one hundred fifty dollars (\$150.00) for each
22 day necessarily employed in attending the meetings of the
23 commission, and shall also receive per diem and mileage
24 allowance as allowed to state employees for attending the

1 meetings and performing the duties incumbent upon them as
2 members of the commission.

3

4 **6-7-202. State gaming commission; duties; authority**
5 **to issue subpoenas; refusal to comply.**

6

7 (a) The state gaming commission shall:

8

9 (i) Investigate the qualifications of
10 applicants for local licenses authorized under this
11 chapter and review the merits of applications;

12

13 (ii) Regulate and license manufacturers,
14 distributors and operators of equipment, devices and
15 supplies for use in licensed games of chance authorized
16 under this chapter;

17

18 (iii) Monitor the conduct or business of
19 licensees under this chapter to the extent necessary to
20 ensure compliance with this chapter and commission rules
21 and regulations;

22

23 (iv) Regulate games of chance conducted under
24 any license issued under this chapter to assure the games

1 are fairly held, operated and conducted in accordance
2 with the requirements of the appropriate license and this
3 chapter;

4

5 (v) Enforce this chapter and state gaming
6 commission rules and regulations and assist local law
7 enforcement in enforcing this chapter;

8

9 (vi) Promulgate rules and regulations
10 necessary to carry out the provisions and
11 responsibilities imposed by this chapter, including the
12 establishment of application or renewal fees. Any funds
13 collected by the commission shall be deposited in the
14 general fund;

15

16 (vii) Conduct necessary examinations,
17 inspections and investigations for the enforcement of
18 this chapter, applicable state law and state gaming
19 commission rules and regulations;

20

21 (viii) Require that license applicants be
22 fingerprinted for identification purposes as a condition
23 of licensing;

24

1 (ix) Receive reports from the pari-mutuel
2 commission as provided in W.S. 11-25-105(d).

3

4 (b) In any examination, inspection or investigation
5 conducted pursuant to this chapter, the state gaming
6 commission may by subpoena require the papers, records,
7 files, correspondence, documents and other evidence
8 relevant to the inquiry.

9

10 (c) Upon refusal of any person to comply with any
11 subpoena and upon application by the state gaming
12 commission, the district court of the county in which the
13 examination, inspection or investigation is conducted or
14 in which the person resides or may be found, may issue an
15 order requiring the person to comply with the subpoena
16 and produce evidence. Failure to obey a court order is
17 grounds for immediate license suspension and may be
18 punished by the court as contempt.

19

20 **6-7-203. Investigation and review of applications**
21 **for local licensure; determination; submission to local**
22 **licensing authority; effect; conditions; investigation**
23 **costs; appeal.**

24

1 (a) The state gaming commission shall upon receipt
2 of any application for any local gaming license submitted
3 by a local licensing authority under this chapter,
4 investigate the qualifications of the applicant and the
5 merits of the application including requiring
6 fingerprints from persons enumerated under paragraph
7 (a)(i) of this section. In its investigation, the state
8 gaming commission shall determine:

9
10 (i) The existence of a prior criminal record
11 showing a conviction for violation of federal or state law
12 by any of the following persons:

13
14 (A) If applicable, any individual or
15 member of the applicant organization designated within the
16 application to be responsible for the conduct of the
17 authorized games of chance;

18
19 (B) If applicable, the person under whose
20 name the games of chance will be conducted.

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

1

2 (iii) If the authorized games of chance are to
3 be held, operated and conducted in accordance with
4 provisions of this chapter governing the holding,
5 operation and conduct of the games of chance and if
6 applicable, that the proceeds are to be disposed of as
7 required under this chapter.

8

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

20

21 (c) The state gaming commission shall not approve
22 any application submitted by a local licensing authority
23 if based upon the investigation conducted under paragraph
24 (a)(i) of this section, it determines the prior activity

1 or criminal record of the applicant and persons
2 enumerated under paragraph (a)(i) of this section:

3

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

7

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

12

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

19

20 (e) Any determination by the state gaming
21 commission under this chapter is subject to appeal in
22 accordance with the Wyoming Administrative Procedure Act,
23 however final agency action shall not be deemed to have

1 occurred until an application is approved or denied by
2 the local licensing authority.

3

4 **6-7-204. Inspections and examinations; audits;**
5 **failure to permit entry; concurrent authority.**

6

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

9

10 (i) Enter and inspect at any time the premises
11 upon which games of chance are conducted or from which
12 supplies, devices and equipment for games of chance are
13 manufactured, maintained or supplied;

14

15 (ii) Examine the records, books of account and
16 equipment, supplies or devices of any license applicant
17 or licensee, as necessary to conduct examinations,
18 inspections and investigations under this chapter;

19

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

23

1 (iv) When warranted, conduct detailed
2 investigations and through the department of audit,
3 conduct detailed audits.

4

5 (b) Upon request of the state gaming commission,
6 the department of audit shall conduct an audit of any
7 license applicant or licensee as necessary to assist the
8 commission in enforcing this chapter.

9

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

23

1 (d) The state gaming commission shall have
2 concurrent authority and powers with the district and
3 county attorneys in this state in the investigation of
4 any criminal violation under this chapter. Upon refusal
5 of any district or county attorney to act on any criminal
6 violation of this chapter, the state gaming commission
7 may request the attorney general act on behalf of the
8 county, state or any agency thereof.

9

10 **6-7-205. Conflict of interests prohibited.**

11

12 (a) Members of the state gaming commission and any
13 employee of the commission shall not:

14

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

17

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

19

20 (iii) Conduct or operate any authorized game
21 of chance;

22

23 (iv) Receive any gift, gratuity or anything of
24 value from any licensee;

1

2 (v) Participate in any authorized game of
3 chance or be eligible to receive prizes awarded in any
4 authorized game of chance.

5

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

8

9 (a) Nothing in this chapter prohibits a local
10 licensing authority of an incorporated city, town or
11 county from refusing to issue any license or to renew
12 any license authorized under this chapter.

13

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

23

1 (c) Unless otherwise provided, the local licensing
2 authority shall uniformly assess local license fees
3 annually for each particular license. Applicants for a
4 local license shall pay the required fee as provided in
5 W.S. 6-7-211(b) in advance by cash or certified check.

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

11
12 (a) Games of chance shall be conducted only as
13 follows:

14
15 (i) Bingo games and pull tab games shall only
16 be conducted by charitable or nonprofit organizations,
17 licensed under this act, where the tickets for the bingo
18 are sold only in this state and the pull tabs are sold
19 only on the premises owned or occupied by the charitable
20 or nonprofit organization, subject to the following:

21
22 (A) Bingo games and pull tab games shall
23 only be conducted by charitable or nonprofit
24 organizations which have been in operation in this state

1 for at least three (3) years and have been issued a
2 license by the local licensing authority in accordance
3 with this chapter;

4

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

10

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

17

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

21

22 (E) Players of bingo games or pull tab
23 games shall be eighteen (18) years or older to play;

24

1 (F) Licensees may purchase or lease
2 supplies or equipment necessary to conduct bingo games
3 and pull tab games from a distributor or manufacturer at
4 a price based on a per card, raffle ticket or pull tab
5 basis and a minimum of sixty percent (60%) of the gross
6 sales less the prizes paid shall be retained by the
7 licensee after payment to the distributor or
8 manufacturer;

9
10 (G) Of the amount retained by the licensee
11 after payment of winnings and costs, at least seventy-
12 five percent (75%) shall be donated within one (1) year
13 by the licensee to a bona fide charitable or benevolent
14 purpose.

15
16 (ii) Calcutta wagering on contests or events
17 may be conducted by a bona fide nationally chartered
18 veterans', religious, charitable, educational or
19 fraternal organization or nonprofit local civic or
20 service club organized or incorporated under the laws of
21 this state, provided that:

22
23 (A) The contest or event is conducted
24 solely in this state;

1

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

4

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

8

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

13

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

17

18 (F) The sponsoring organization has
19 complied with the relevant sections of the Internal
20 Revenue Code of 1986, as amended, relating to taxes on
21 wagering.

22

23 (b) To conduct any authorized game of chance, an
24 applicant for any local license or local license renewal

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

11

12 (c) Upon receipt of an application for any local
13 license or license renewal containing all information
14 required under this chapter, the local licensing
15 authority shall immediately transmit a copy of the
16 completed application to the state gaming commission for
17 investigation and review pursuant to W.S. 6-7-202. No
18 local licensing authority shall approve the application
19 unless the state gaming commission first approves the
20 application in accordance with this chapter. The local
21 licensing authority shall approve or disapprove the
22 application within thirty (30) days after the hearing
23 required under W.S. 6-7-209(b) or denial of the
24 application by the state gaming commission.

1

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

16

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

22

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

1

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

4

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

13

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

16

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

20

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

24

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
5 one (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 local licensing authority
14 shall promptly prepare a notice of application, place the
15 notice conspicuously upon the premises shown by the
16 application as the proposed location upon which the games
17 are to be conducted and publish the notice in a newspaper
18 of local circulation once a week for a period of four (4)
19 consecutive weeks. The notice shall state that a named
20 applicant has applied for a local license or license
21 renewal, the proposed location upon which the games are
22 to be conducted and that protests against the issuance or
23 renewal of the license will be heard at a designated
24 meeting of the local licensing authority. Each applicant

1 shall at the time of filing his application, pay the
2 clerk an amount sufficient to cover the costs of
3 publishing the notice.

4

5 (b) Any local license authorized under this chapter
6 shall not be issued or renewed until on or after the
7 date set in the notice for public hearing. If a hearing
8 is for license renewal, the hearing shall be held no
9 later than thirty (30) days preceding the expiration
10 date of the license and no later than forty-five (45)
11 days following approval of the license renewal by the
12 state gaming commission.

13

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

16

17 (i) The state gaming commission approves the
18 qualifications of the applicant and the merits of the
19 application;

20

21 (ii) The state gaming commission has executed
22 and transmitted the proposed license or license renewal
23 to the local licensing authority;

24

1 (iii) The applicant complies with the
2 criteria, standards and regulations imposed by this
3 chapter.

4
5 (d) Upon approval or denial of a local license or a
6 license renewal, the local licensing authority shall
7 promptly notify the state gaming commission.

8
9 (e) An applicant for license renewal may appeal to
10 the district court from an adverse decision by the local
11 licensing authority or the state gaming commission. In
12 an appeal pursuant to this subsection, the person
13 applying for license renewal shall be named as plaintiff
14 and the local licensing authority as defendant. Upon
15 notice of an appeal, the local licensing authority shall
16 transmit to the clerk of district court a certified copy
17 of the application, of any protests and of the minutes
18 recording the decision appealed. The appeal shall be
19 heard pursuant to the Wyoming Administrative Procedure
20 Act.

21

22 **6-7-210. Proof of financial responsibility**
23 **required.**

24

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

10
11 **6-7-211. Disposition of license fees; refunds**
12 **prohibited.**

13
14 Fees authorized by this section shall be established by the
15 state gaming commission in amounts sufficient to ensure
16 that the total revenue generated by the collection of such
17 fees approximates the direct and indirect costs incurred by
18 the local licensing authority in carrying out its duties
19 under this chapter. The amounts of all fees shall be
20 reviewed annually by the state gaming commission. The
21 local licensing authority shall furnish to the commission
22 an annual accounting of all fee and fine revenues received
23 and expenditures made pursuant to this chapter, together
24 with a list of all fees in effect.

1

2 **6-7-212. Term of license and permit; exception.**

3

4 (a) Any local license issued or renewed under this
5 chapter by a local licensing authority is considered a
6 privilege to the holder and the term of the license is
7 for two (2) years unless sooner revoked or for a lesser
8 term as provided in subsection (b) of this section.

9

10 (b) The term of a local license may be less than
11 two (2) years if specified by the local licensing
12 authority to coincide with the date set by the authority
13 for consideration of license issuance and license
14 renewals. A local licensing authority issuing a license
15 for a term less than two (2) years shall prorate the fee
16 accordingly.

17

18 **6-7-213. Transfer of license location or ownership**
19 **prohibited; ownership transfer specified.**

20

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

23

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

5

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

8

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

14

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

20

21 (c) The following shall be shown on each local
22 license:

23

24 (i) The name of the licensee;

1

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

4

5 (iii) The date of issuance;

6

7 (iv) The amount of the fee;

8

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

10

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

13

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

16

17 **6-7-215. Suspension and revocation; judicial**
18 **review.**

19

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

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

6
7 (b) The state gaming commission may suspend or
8 revoke any local license issued under this chapter for
9 any violation of this chapter or rule or regulation of
10 the commission. Suspension or revocation by the state
11 gaming commission is subject to appeal in accordance with
12 the Wyoming Administrative Procedure Act.

13
14 **6-7-216. Penalties for violation.**

15
16 (a) Any person violating any provision of this
17 chapter for which no specific penalty is provided is
18 guilty of a felony punishable by a fine of not more than
19 one thousand dollars (\$1,000.00), imprisonment for not
20 more than five (5) years, or both. Each violation is a
21 separate offense.

22
23 (b) Any person conducting games of chance
24 authorized by this chapter without holding a local

1 license authorizing the conduct is guilty of professional
2 gambling as prohibited and penalized under W.S.
3 6-7-102(b) .

4
5 **Section 2.** W.S. 6-7-101(a)(intro), (iii) by creating
6 new subparagraphs (H) and (J), (vi), (viii)(A), (ix) and by
7 creating new paragraphs (xi) through (xv), 6-7-104 and
8 7-19-201(a) by creating a new paragraph (vi) are amended to
9 read:

10
11 **6-7-101. Definitions.**

12
13 (a) As used in this ~~article~~chapter:

14
15 (iii) "Gambling" means risking any property for
16 gain contingent in whole or in part upon lot, chance, the
17 operation of a gambling device or the happening or outcome
18 of an event, including a sporting event, over which the
19 person taking a risk has no control, but does not include:

20
21 (H) Games of chance authorized and licensed
22 under W.S. 6-7-207;

23

1 (J) Raffles conducted for charitable
2 purposes.

3

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

7

8 (viii) "Professional gambling" means:

9

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

14

15 (ix) "Profit" means benefit other than a gain,
16 which is realized or unrealized and direct, ~~or indirect,~~
17 including benefits from ~~proprietorship, management or~~
18 unequal advantage in a series of transactions but does not
19 include benefits of proprietorship or management of a
20 business wherein a game, wager or transaction described in
21 W.S. 6-7-101(a)(iii)(E) occurs;

22

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

1

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

6

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

9

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

16

17 (xv) "Bingo game" means a game of chance in
18 which a prize or prizes are awarded to a player or players
19 who obtain a designated pattern or sequence of numbers or
20 symbols on a card that is the same pattern or sequence of
21 numbers or symbols selected at random by a mechanical
22 blower or a computer generated random generator subject to
23 the following:

24

1 (A) The bingo card shall be a paper, hard
2 card or electronically generated card, but an
3 electronically generated card shall be played only in
4 conjunction with a paper or hard card unless the player has
5 a disability that prevents the use of a paper or hard card.
6 The licensee conducting the bingo game shall keep a paper
7 copy of all electronically generated cards offered, used or
8 sold on the premises;

9
10 (B) All players during the course of a
11 bingo game shall compete for the same prizes utilizing the
12 same set of numbers or symbols and shall share the same
13 deck or series of bingo cards for each game wherein no two
14 (2) cards distributed to the players are identical in the
15 same game and at least one (1) player shall win the prize
16 in each game played;

17
18 (C) There shall be a minimum of two (2)
19 players participating in each game before a game can begin.

20
21 **6-7-104. Advertising of allowable gambling activities**
22 **or events.**

1 Nothing in this chapter prohibits the advertising of any
2 gambling activity or event excluded from gambling under
3 W.S. 6-7-101(a)(iii), ~~and~~ conducted by or for any
4 charitable or nonprofit organization or conducted as a
5 promotional activity by a private business entity which is
6 clearly occasional and ancillary to the primary business of
7 that entity unless otherwise regulated under W.S. 6-7-201
8 through 6-7-216.

9
10 **7-19-201. State or national criminal history record**
11 **information.**

12
13 (a) The following persons shall be required to submit
14 to fingerprinting in order to obtain state and national
15 criminal history record information:

16
17 (vi) Persons applying to the state gaming
18 commission for a license to provide games of chance under
19 W.S. 6-7-201 through 6-7-216 or those referenced in W.S.
20 6-7-203(a)(i).

21
22 **Section 3.** W.S. 6-7-101(a)(iii)(D) and (F) is
23 repealed.

1 **Section 4.** There is appropriated three hundred
2 thousand dollars (\$300,000.00) from the general fund to the
3 state gaming commission for purposes of this act.

4

5 **Section 5.** Initial appointments to the state gaming
6 commission shall be made not later than July 15, 2006. The
7 governor shall submit the names for senate approval during
8 the 2007 legislative session.

9

10 **Section 6.** The state gaming commission shall adopt
11 final rules to implement this act not later than May 1,
12 2007. The commission and local licensing authorities shall
13 accept applications for gaming licenses after May 1, 2007.

14

15 **Section 7.**

16

17 (a) Except as provided in subsection (b) of this
18 section, this act is effective January 1, 2008.

19

1 (b) Sections 5 and 6 of this act are effective
2 immediately upon completion of all acts necessary for a
3 bill to become law as provided by Article 4, Section 8 of
4 the Wyoming Constitution.

5

6

(END)