

SENATE FILE NO. SF0045

Local approval for simulcasting.

Sponsored by: Management Council

A BILL

for

1 AN ACT relating to pari-mutuel wagering; specifying  
2 requirements for simulcasting permits, including historic  
3 horse racing terminals; requiring approval by a city, town  
4 or county for the issuance of a simulcasting permit as  
5 specified; authorizing conditions and revocation of  
6 approval; authorizing appeals; amending enforcement  
7 requirements; conforming provisions; specifying  
8 applicability; and providing for an effective date.

9

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

11

12 **Section 1.** W.S. 11-25-210 is created to read:

13

14 **11-25-210. Simulcasting permits; rulemaking; local**  
15 **approval; permit conditions; revocation; judicial review.**

16

1           (a) Simulcasting shall be conducted only by a person  
2 holding a simulcasting permit issued by the commission and  
3 approved by the local approving authority under this  
4 section.

5

6           (b) The commission shall promulgate rules for  
7 simulcasting that are reasonably necessary to protect the  
8 public interest.

9

10           (c) A simulcasting permit is a type of pari-mutuel  
11 event permit and, except as specifically provided for in  
12 this section, is subject to the same terms and conditions,  
13 and shall be issued and renewed by the commission in the  
14 same manner as pari-mutuel event permits issued under this  
15 act.

16

17           (d) A simulcasting permit issued or renewed by the  
18 commission off the permitted premises shall be subject to  
19 the following:

20

21           (i) If the simulcasting will be conducted within  
22 the corporate limits of any city or town the permit or  
23 renewal shall be subject to approval by the governing body

1 of that city or town, subject to paragraph (iii) of this  
2 subsection;

3

4 (ii) If the simulcasting will be conducted  
5 outside the corporate limits of any city or town the permit  
6 or renewal shall be subject to approval by the board of  
7 county commissioners of the county in which the  
8 simulcasting will be conducted, subject to paragraph (iii)  
9 of this subsection;

10

11 (iii) If the simulcasting will be conducted  
12 within the corporate limits of any city or town, the permit  
13 or renewal application shall be subject to review and  
14 objection by the board of county commissioners of the  
15 county in which the simulcasting will be conducted. If the  
16 simulcasting will be conducted within one-half (1/2) mile  
17 of the corporate limits of any city that has exercised the  
18 authority granted under W.S. 15-3-202(b)(ii), the permit or  
19 renewal application shall be subject to review and  
20 objection by the governing body of that city or town. Any  
21 city, town or county that objects under this paragraph  
22 shall submit written findings stating the basis for the  
23 objection, including impacts on land use, public safety,

1 taxation or other substantial interests. The objection  
2 shall be transmitted to the local approving authority  
3 within thirty (30) days of the objecting city, town or  
4 county receiving the permit or renewal application. An  
5 objection shall be deemed addressed once the local  
6 approving authority places it on a public agenda, considers  
7 the written findings and takes formal action to sustain,  
8 modify or overrule the objection. No permit or renewal  
9 shall be approved until all timely submitted objections  
10 have been addressed;

11

12 (iv) No simulcasting may be conducted within one  
13 hundred (100) miles of any live pari-mutuel event permitted  
14 under this act during the time the event is being held,  
15 except that the commission may waive the one hundred (100)  
16 mile limitation if the simulcasting permitholder obtains  
17 written approval from the live pari-mutuel event  
18 permitholder conducting the event;

19

20 (v) A simulcasting permit or renewal shall be  
21 issued by the commission only to an applicant authorized  
22 under this act to conduct a pari-mutuel event other than  
23 simulcasting.

1

2 (e) An applicant for a simulcasting permit or renewal  
3 shall:

4

5 (i) File an application for approval with the  
6 local approving authority. Renewal applications shall be  
7 filed not later than ninety (90) days prior to expiration  
8 of the permit;

9

10 (ii) At the time of filing the application, pay  
11 an amount sufficient to reimburse the actual cost of  
12 publishing notice of the application;

13

14 (iii) Identify in the application the specific  
15 location in the city, town or county where simulcasting  
16 will be conducted and the number of historic horse racing  
17 terminals to be permitted at that location.

18

19 (f) After receipt of an approval or renewal  
20 application, the local approving authority shall promptly  
21 prepare and publish notice of the application in a  
22 newspaper of general circulation in the state once a week  
23 for two (2) consecutive weeks and shall post the notice on

1 its official website. The notice shall state that the named  
2 applicant has applied for approval or renewal of a  
3 simulcasting permit, that protests against the issuance or  
4 renewal of the permit, if any, will be heard at a  
5 designated meeting of the local approving authority, and  
6 shall include the date, time and meeting place of the  
7 designated meeting. For a renewal application, the local  
8 approving authority shall hold the designated meeting not  
9 later than thirty (30) days prior to expiration of the  
10 permit.

11

12 (g) A local approving authority, in considering the  
13 approval or renewal of simulcasting permits issued by the  
14 commission:

15

16 (i) Shall not approve or deny an application  
17 before the date set for the designated meeting in the  
18 published notice of the application;

19

20 (ii) Shall not consider, modify or impose  
21 conditions that are solely within the jurisdiction of the  
22 commission;

23

1           (iii) May impose reasonable conditions on  
2 approval or renewal, which shall be negotiated in good  
3 faith with the applicant, including the following:

4  
5           (A) A schedule of operating hours for the  
6 permitted premises, provided the hours of operation shall  
7 not be more restrictive than the hours of operation for  
8 alcohol sales set pursuant to W.S. 12-5-101 for the holder  
9 of a retail liquor license under W.S. 12-4-201;

10  
11           (B) Designation of areas within the  
12 permitted premises where historic horse racing terminals  
13 may be located, to the extent the designations are not  
14 inconsistent with rules of the commission.

15  
16           (iv) May modify any condition imposed under  
17 paragraph (iii) of this subsection only upon a showing of  
18 good cause;

19  
20           (v) Shall grant approval for the same term as is  
21 granted by the commission for the simulcasting permit, if  
22 the application is approved;

23

1           (vi) Shall issue written findings and  
2 conclusions if the application is denied;

3

4           (vii) Shall have the right to revoke approval or  
5 deny a renewal only for good cause, which shall be limited  
6 to any of the following:

7

8           (A) A breach of a reasonable condition  
9 imposed by the local approving authority or the commission,  
10 if the permitholder fails to take reasonable steps to cure  
11 the breach within ten (10) business days after receiving  
12 written notice of the breach from the local approving  
13 authority or the commission, or a date agreed upon by the  
14 permitholder and the local approving authority or  
15 commission;

16

17           (B) Notification from the commission that  
18 the permitholder has been found in violation of any Wyoming  
19 gaming law specified in this chapter, W.S. 6-7-101 through  
20 6-7-104 or 9-24-101 through 9-24-106;

21

22           (C) Failure to demonstrate commencement of  
23 simulcasting at the permitted location within two (2) years

1 after the permit is issued. Upon a showing of good cause by  
2 the permitholder, the local approving authority and  
3 commission may extend the period for commencement of  
4 simulcasting for one (1) additional year;

5

6 (D) The welfare of the people residing in  
7 the vicinity of the permitted premises is adversely and  
8 seriously affected by the permitted premises.

9

10 (h) A simulcasting permitholder may appeal a denial  
11 of renewal or revocation of approval by the local approving  
12 authority to the district court in the county where the  
13 permitted premises are located.

14

15 (j) An applicant for a new simulcasting permit may  
16 appeal a decision of the local approving authority to the  
17 district court in the county where the application is filed  
18 only if that authority has previously granted approval for  
19 a simulcasting permit within its jurisdiction. If the  
20 local approving authority has not previously granted an  
21 approval for a simulcasting permit, the applicant shall  
22 have no right of appeal from the decision of the local  
23 approving authority.

1

2 (k) Subject to the approval of the local approving  
3 authority, the transfer of an existing simulcasting permit  
4 involving a change of location within the same local  
5 approving authority's area of jurisdiction shall be treated  
6 as a renewal of a simulcasting permit. A transfer involving  
7 a change of location outside of the current local approving  
8 authority's area of jurisdiction shall be treated as a new  
9 application and shall be subject to all application, review  
10 and approval requirements applicable to a new simulcasting  
11 permit.

12

13 **Section 2.** W.S. 11-25-102(a)(vii)(intro) and by  
14 creating new paragraphs (xxiii) and (xxiv),  
15 11-25-104(g)(intro) and 11-25-201(a) are amended to read:

16

17 **11-25-102. Definitions.**

18

19 (a) As used in this act:

20

21 (vii) "Simulcasting" means the sale of  
22 pari-mutuel pools electronically transmitted live or  
23 historic on interstate or intrastate pari-mutuel events as

1 prescribed by the commission; ~~The commission shall~~  
2 ~~authorize simulcasting subject to the following conditions:~~

3  
4 (xxiii) "Local approving authority" means the  
5 local authority with responsibility to approve, deny or  
6 revoke a site-specific application or renewal for a  
7 simulcasting permit issued by the commission;

8  
9 (xxiv) "Local authority" means the governing  
10 body of a city, town or county in Wyoming.

11  
12 **11-25-104. Gaming commission; officers; director;**  
13 **meetings; quorum; records; licenses generally; effect of**  
14 **financial interest in events.**

15  
16 (g) The commission may delegate authority to enforce  
17 rules of the commission and this act to three (3) stewards  
18 at each live pari-mutuel event, at least one (1) of whom  
19 shall be an employee of and selected by the commission. ~~The~~  
20 ~~commission shall require at least one (1) steward to~~  
21 ~~supervise each simulcast location that is approved by the~~  
22 ~~commission.~~ Stewards shall exercise such reasonable and

1 necessary authority as is designated by rules of the  
2 commission including the following:

3

4 **11-25-201. Pari-mutuel permits; fees and reports;**  
5 **disposition of funds; enforcement of provisions.**

6

7 (a) The commission may issue pari-mutuel permits for  
8 a specified period not to exceed three (3) years from the  
9 date of issuance to any Wyoming county, city, incorporated  
10 town, county fair board or any corporation or association  
11 ~~which~~that has been approved by the board of county  
12 commissioners, except as provided for simulcasting permits  
13 in W.S. 11-25-210, and that provides a bond acceptable to  
14 the commission. No permit shall be granted to any city,  
15 town, county, county fair board or any corporation or  
16 association except upon the express condition that it shall  
17 not, by any lease, contract, understanding or arrangement  
18 of whatever kind or nature, grant, assign or turn over to  
19 any person, corporation or association the operation or  
20 management of the pari-mutuel event permitted under this  
21 act or of the pari-mutuel system of wagering or in any  
22 manner permit any person, corporation or association to  
23 retain any of the money received for admission to the race

1 meeting or from the operations of the pari-mutuel system.  
2 The commission shall revoke the permit of any permittee for  
3 any violation of the foregoing condition and such acts are  
4 a violation of this act. The permit is effective only for  
5 the times and at the places for which issued. In addition  
6 to all other fees and charges, there shall be charged  
7 before issuance of a permit a daily fee established by the  
8 commission to defray expenses of enforcing this act.

9

10 **Section 3.** W.S. 11-25-102(a)(vii)(A) through (D) is  
11 repealed.

12

13 **Section 4.**

14

15 (a) Notwithstanding W.S. 11-25-210, as created by  
16 this act, a person holding a simulcasting permit as of the  
17 effective date of this act shall be authorized to continue  
18 operations through December 31, 2027, subject to the  
19 conditions of the existing permit and approval.

20

21 (b) Subject to this subsection, on and after July 1,  
22 2027, a person holding a simulcasting permit as of the  
23 effective date of this act shall be subject to the

1 requirements of W.S. 11-25-210. A city, town or county may  
2 deny or withhold approval of a simulcasting facility  
3 permitted as of the effective date of this act, only upon a  
4 showing of good cause, as specified in W.S.  
5 11-25-210(g)(vii).

6

7 **Section 5.** This act is effective July 1, 2026.

8

9

(END)