

HOUSE BILL NO. HB0120

Interactive gaming.

Sponsored by: Representative(s) Davis, Conrad, Newsome and Walters

A BILL

for

1 AN ACT relating to gaming; authorizing interactive gaming;  
2 providing for regulation by the Wyoming gaming commission;  
3 imposing fees; providing for the collection and  
4 distribution of revenues from interactive gaming; providing  
5 for a continuous appropriation; requiring rulemaking;  
6 providing penalties; and providing for effective dates.

7

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

9

10 **Section 1.** W.S. 9-24-201 through 9-24-207 are created  
11 to read:

12

13

ARTICLE 2

14

INTERACTIVE GAMING

15

1           **9-24-201. Definitions.**

2

3           (a) As used in this article:

4

5                   (i) "Interactive game" means an internet-based  
6 version or variation of poker, blackjack or any other card,  
7 slot or gambling game typically offered in a casino,  
8 including any internet based gambling game approved by the  
9 commission, in which:

10

11                           (A) A person wagers money or something of  
12 monetary value for the opportunity to win money or a thing  
13 of monetary value;

14

15                           (B) The outcome of the game is determined  
16 by a random number generator, excluding any skill element  
17 of the game; and

18

19                           (C) The game is accessed by the player  
20 using a computer, digital platform or mobile application on  
21 a mobile device that is connected to the internet.

22

1           (ii) "Interactive gaming" means engaging in  
2 interactive games conducted by an interactive gaming  
3 operator over the internet by use of a computer, digital  
4 platform or mobile application on a mobile device, that  
5 uses communications technology to accept wagers or any  
6 system or method of electronic wagering approved by  
7 commission rules. Interactive gaming shall not include any  
8 of the following:

9

10           (A) Activities other than interactive  
11 gaming that are exempted from criminal penalties under W.S.  
12 6-7-101 through 6-7-104;

13

14           (B) Activities outside of this article  
15 authorized or regulated by the commission;

16

17           (C) Lotteries authorized by law;

18

19           (D) Fantasy sports contests;

20

21           (E) Interactive games offered exclusively  
22 on Indian lands by an Indian tribe operating in accordance  
23 with a Tribal-State gaming compact and authorized to

1 conduct class III gaming pursuant to federal law. For  
2 purposes of this article, an interactive game is conducted  
3 exclusively on Indian lands only if the patron  
4 participating in interactive gaming is physically present  
5 on Indian lands when the interactive game is initiated and  
6 the game is offered by an Indian tribe operating on the  
7 same Indian lands as an intratribal transaction under 31  
8 U.S.C. § 5362(10)(c).

9

10 (iii) "Interactive gaming operator" means any  
11 qualified gaming entity authorized by the commission to  
12 accept interactive gaming wagers;

13

14 (iv) "Interactive gaming revenue" means the  
15 total amount of all wagers placed by patrons with an  
16 interactive gaming operator using cash or cash equivalents,  
17 excluding free wagers and promotional play, minus all  
18 payments to patrons and minus any applicable federal excise  
19 taxes. Payments to patrons include all payments of cash,  
20 cash equivalents, merchandise and any other thing of value;

21

22 (v) "Interactive gaming vendor" means a vendor  
23 that provides services to an interactive gaming operator

1 which directly affect wagering, play or results of  
2 interactive gaming including geolocation services, know  
3 your customer services, payment processors and game  
4 providers;

5

6 (vi) "Live game simulcast" means an interactive  
7 live feed of an interactive game that is conducted by a  
8 live interactive game studio and in which participants have  
9 the ability to wager in real time;

10

11 (vii) "Live interactive game studio" means a  
12 physical location that utilizes live video and audio  
13 streaming technology to provide an interactive gaming  
14 licensee with a live game simulcast;

15

16 (viii) "Patron" means a person who places an  
17 interactive gaming wager;

18

19 (ix) "Permissible jurisdiction" means a  
20 jurisdiction other than Wyoming where wagers on interactive  
21 gaming may be accepted pursuant to an interactive gaming  
22 reciprocal agreement;

23

1           (x) "Qualified gaming entity" means a gaming  
2 entity that offers interactive gaming through computers,  
3 digital platforms or mobile applications on a mobile  
4 devices in not less than three (3) states in the United  
5 States pursuant to a state regulatory structure.

6

7           **9-24-202. Interactive gaming regulation; rulemaking.**

8

9           (a) The commission shall regulate interactive gaming  
10 and interactive gaming operators and vendors.

11

12           (b) The commission shall promulgate rules to  
13 implement this article. The rules the commission  
14 promulgates shall establish standards and procedures for  
15 interactive gaming and associated interactive gaming  
16 systems. The rules shall include:

17

18           (i) Governance of the conduct of interactive  
19 gaming and the system of wagering associated with  
20 interactive gaming, including all of the following:

21

22           (A) Terms and conditions for interactive  
23 gaming that are compliant with all applicable federal laws;

1

2 (B) Identification of the types of  
3 interactive games upon which wagers may be accepted;

4

5 (C) The manner in which interactive gaming  
6 wagers are received and payoffs are remitted;

7

8 (D) Procedures for managing and resolving  
9 suspected cheating, irregularities and complaints;

10

11 (E) A requirement that a patron shall be  
12 physically present in Wyoming when making a wager unless  
13 otherwise authorized by the commission pursuant to a  
14 reciprocal agreement;

15

16 (F) A requirement for each interactive  
17 gaming operator to use a geolocation system to ensure that  
18 a patron making an interactive gaming wager is physically  
19 present in the state when making the wager unless otherwise  
20 authorized by the commission pursuant to a reciprocal  
21 agreement;

22

1                   (G) Internal controls for all aspects of  
2 interactive gaming, including procedures for system  
3 integrity, system security, operations and accounting;

4

5                   (H) Operational controls for interactive  
6 gaming accounts;

7

8                   (J) Procedures to ensure that interactive  
9 gaming operators do not offer prohibited interactive games;

10

11                   (K) Requirements for the offering of live  
12 game simulcasting, which shall be permitted to be conducted  
13 from live interactive game studio premises in any location  
14 and shall not be required to be located in Wyoming.

15

16                   (ii) Methods for calculating interactive gaming  
17 revenue and standards for the counting and recording of  
18 cash and cash equivalents received in the conduct of  
19 interactive gaming, including requirements for internal  
20 controls, financial records and audits;

21

22                   (iii) Reasonable minimum qualifications for  
23 interactive gaming operators;



1

2 (iv) Any other matters necessary for overseeing  
3 interactive gaming and interactive gaming operators and  
4 vendors.

5

6 (c) In promulgating rules pursuant to this section,  
7 the commission shall examine the regulations implemented in  
8 Wyoming for online sports wagering and regulations  
9 promulgated in other states where interactive gaming is  
10 conducted and shall, as far as practicable, adopt a similar  
11 regulatory framework to maximize revenue generated to the  
12 state.

13

14 (d) Interactive gaming shall not be conducted from  
15 any physical location designed for a patron to physically  
16 visit to place a wager. Interactive gaming shall be deemed  
17 to take place at the location of the patron participating  
18 in an interactive game and not the location of the server  
19 of an interactive gaming licensee or any other location.

20

21 **9-24-203. Permits; fees; application.**

22

1           (a) An interactive gaming operator shall possess a  
2 permit issued by the commission to accept interactive  
3 gaming wagers. No person shall accept interactive gaming  
4 wagers without holding a valid permit issued by the  
5 commission.

6

7           (b) A qualified gaming entity applying for an  
8 interactive gaming operator permit shall do so on an  
9 application furnished by the commission. The commission  
10 shall offer an abbreviated application for a qualified  
11 gaming entity that holds an online sports wagering operator  
12 permit pursuant to W.S. 9-24-103, and the commission may  
13 consider an online sports wagering operator permitholder  
14 fully qualified to hold an interactive gaming operator  
15 permit under this section without additional investigation.  
16 The fee for both an initial application and renewal  
17 application shall be two thousand five hundred dollars  
18 (\$2,500.00). The application shall require an applicant, at  
19 a minimum, to provide:

20

21           (i) The full name, current address and contact  
22 information of the applicant;

23

1           (ii) Disclosure of each person identified in  
2 subsection (g) of this section;

3

4           (iii) If not already on file with the  
5 commission, the applicant's fingerprints and the  
6 fingerprints of each person identified in subsection (g) of  
7 this section;

8

9           (iv) Consent to permit the commission to conduct  
10 a criminal history record check of the applicant and each  
11 person identified in subsection (g) of this section in  
12 accordance with procedures established by the commission.  
13 This paragraph shall not require an applicant or person who  
14 has been subject to a criminal background check pursuant to  
15 W.S. 9-24-103, or who has otherwise submitted to a criminal  
16 background check in this or any other state within the  
17 twelve (12) months before submitting the application, to  
18 resubmit to another criminal background check provided that  
19 the applicant or person submits the results of the previous  
20 criminal background check and affirms that there has been  
21 no material change in the criminal history since the time  
22 of the criminal background check. The cost of the criminal

1 history record background check shall be paid using a  
2 portion of the applicant's application fee;

3

4 (v) For the applicant and each person identified  
5 in subsection (g) of this section, if not already on file  
6 with the commission, a record of previous issuances and  
7 denials of any gaming or gambling related license or  
8 application under Wyoming statutes or in any other  
9 jurisdiction in the United States;

10

11 (vi) Any additional information required by  
12 commission rules.

13

14 (c) The commission shall charge a permit fee of one  
15 hundred thousand dollars (\$100,000.00) for an initial  
16 interactive gaming operator permit. An initial permit and  
17 any renewal permit shall each be valid for five (5) years.  
18 The commission shall charge a fee of fifty thousand dollars  
19 (\$50,000.00) for renewal of an interactive gaming operator  
20 permit.

21

22 (d) An interactive gaming vendor shall possess a  
23 permit issued by the commission to conduct business in the

1 state. No person shall provide vendor services to an  
2 interactive gaming operator without holding a valid permit  
3 issued by the commission.

4

5 (e) The commission shall charge a fee of ten thousand  
6 dollars (\$10,000.00) for an initial interactive gaming  
7 vendor permit. An initial permit and any renewal permit  
8 shall each be valid for five (5) years. The commission  
9 shall charge a fee of five thousand dollars (\$5,000.00) for  
10 renewal of an interactive gaming vendor permit.

11

12 (f) Interactive gaming operator and interactive  
13 gaming vendor permit fees charged pursuant to subsections  
14 (c) and (e) of this section shall be deposited in the  
15 interactive gaming account, which is hereby created.  
16 Subject to legislative appropriation, amounts within the  
17 account may be used by the commission for all expenses  
18 incurred in administering this article. On a quarterly  
19 basis, the commission shall transfer amounts within the  
20 account in excess of five hundred thousand dollars  
21 (\$500,000.00) to the state treasurer for credit to the  
22 general fund.

23

1           (g) The following persons are considered to have  
2 control of an interactive gaming operator permit applicant  
3 or permit holder:

4

5           (i) Each holding company, parent company or  
6 subsidiary company of the applicant or permit holder;

7

8           (ii) Each person, except for a bank or other  
9 licensed lending institution that holds a mortgage or other  
10 lien acquired in the ordinary course of business, who owns  
11 fifteen percent (15%) or more of an applicant or permit  
12 holder and has the ability to:

13

14                   (A) Control the activities of the applicant  
15 or permit holder; or

16

17                   (B) Elect a majority of the board of the  
18 applicant or permit holder.

19

20           (iii) Any person the commission otherwise  
21 determines has the ability to control the noncorporate  
22 applicant or permit holder;

23

1           (iv) Key personnel of an applicant or permit  
2 holder, including any executive, employee or agent having  
3 the power to exercise ultimate decision making authority  
4 over the applicant's or permit holder's interactive gaming  
5 operations in this state.

6

7           (h) The commission shall, not more than ninety (90)  
8 days after the date of receipt of an application for a  
9 permit or renewal of a permit, either:

10

11           (i) Issue the permit; or

12

13           (ii) Deny the application based on the grounds  
14 that the applicant failed to qualify as provided by  
15 subsection (j) of this section.

16

17           (j) The commission shall deny an application under  
18 this section upon finding any of the following:

19

20           (i) The applicant or permit holder has been  
21 convicted of, forfeited bail on or pleaded guilty or nolo  
22 contendere to:

23

1                   (A) A crime involving theft, dishonesty or  
2 fraud;

3

4                   (B) Bribery or unlawfully influencing a  
5 public official;

6

7                   (C) A felony crime involving physical harm  
8 to a person; or

9

10                   (D) Any other crime identified by rule of  
11 the commission that negatively impacts the applicant's  
12 credibility or the security, integrity or fairness of  
13 interactive gaming.

14

15                   (ii) The applicant intentionally tampered with  
16 submitted documentation or concealed, failed to disclose or  
17 otherwise attempted to mislead the commission with respect  
18 to any material fact contained in the application or  
19 contained in any other information required of or submitted  
20 by an applicant to the commission;

21

22                   (iii) The applicant or permit holder failed or  
23 refused to cooperate in the investigation of a crime



1 related to gambling, corruption of a public official or any  
2 organized criminal activity;

3

4 (iv) The applicant or permit holder  
5 intentionally failed to disclose the existence or identity  
6 of other persons who have control of the applicant or  
7 permit holder as required by this section;

8

9 (v) The applicant or permit holder does not  
10 demonstrate financial responsibility sufficient to  
11 adequately meet the requirements of this article, as  
12 specified by rule of the commission; or

13

14 (vi) The applicant or permit holder has not met  
15 the requirements of this section, any other provision of  
16 this article, or commission rules.

17

18 (k) Given a sufficient number of qualified  
19 applicants, at any one (1) time the commission shall issue  
20 not less than five (5) interactive gaming operator permits  
21 to applicants that satisfy the requirements under this  
22 article. If an insufficient number of applicants apply for  
23 an interactive gaming operator permit, this provision shall

1 not be interpreted to direct the commission to issue a  
2 permit to an unqualified applicant.

3

4 (m) Subject to the requirements of this article, the  
5 commission shall issue a permit to an interactive gaming  
6 vendor that is currently operating in good standing in a  
7 similar role in at least three (3) states in the United  
8 States under a state regulatory structure and that has paid  
9 all required fees under subsection (e) of this section.

10

11 (n) Permit holders under this article shall have an  
12 ongoing obligation to disclose in writing any material  
13 change in the information provided in the application to  
14 the commission, including:

15

16 (i) Changes to names and contact information;

17

18 (ii) Arrests, convictions, guilty or nolo  
19 contendere pleas, disciplinary actions or license denials  
20 in Wyoming or any other jurisdiction;

21

22 (iii) Any civil action brought against the  
23 permit holder; and

1

2 (iv) Any other information specified by rule of  
3 the commission.

4

5 (o) If the commission denies an application or  
6 intends to revoke or suspend a permit issued under this  
7 article, it shall notify the applicant or permittee in  
8 writing, stating the grounds for denial, revocation or  
9 suspension and informing the person of a right to submit,  
10 within not more than thirty (30) days, any additional  
11 documentation relating to the grounds for denial,  
12 revocation or suspension. Upon receiving any additional  
13 documentation, the commission shall reconsider its decision  
14 and inform the applicant of its decision within not more  
15 than twenty (20) days of the submission of information for  
16 reconsideration. A denial of an application or a revocation  
17 or suspension of a permit under this article shall be  
18 subject to the contested case procedures of the Wyoming  
19 Administrative Procedure Act.

20

21 **9-24-204. Distribution of revenue.**

22

1           (a) Not later than the fifteenth day of each month,  
2 in accordance with commission rules, an interactive gaming  
3 operator shall remit ten percent (10%) of its interactive  
4 gaming revenue from the prior month to the commission.

5  
6           (b) Each fiscal year, the first three hundred  
7 thousand dollars (\$300,000.00) of interactive gaming  
8 revenue collected under subsection (a) of this section  
9 shall be continuously appropriated to the department of  
10 health to be distributed to the counties for the purpose of  
11 funding county health programs to prevent and treat  
12 problematic gambling behavior. The remainder of monies  
13 remitted to the commission shall be deposited by the state  
14 treasurer into the general fund.

15

16           **9-24-205. Age to engage in interactive gaming.**

17

18 No person under the age of eighteen (18) years shall engage  
19 in interactive gaming.

20

21           **9-24-206. Reciprocal agreements.**

22

1           (a) The state may enter into reciprocal agreements  
2 with permissible jurisdictions for the conduct of  
3 interactive gaming, provided the agreements are not  
4 inconsistent with federal law and the law of the  
5 jurisdiction in which the person placing a wager is  
6 located.

7

8           (b) An interactive gaming operator in this state may  
9 accept interactive gaming wagers from persons physically  
10 located in a permissible jurisdiction pursuant to a  
11 reciprocal agreement.

12

13           (c) A reciprocal agreement with a permissible  
14 jurisdiction may allow a person physically located in this  
15 state to place a wager on an interactive game offered  
16 pursuant to a regulatory structure in the permissible  
17 jurisdiction.

18

19           **9-24-207. Penalties; compliance.**

20

21           (a) Any person who knowingly accepts interactive  
22 gaming wagers or otherwise operates a business of  
23 interactive gaming and does not possess a valid permit

1 issued by the commission under this article shall be  
2 subject to the following, in addition to any penalty  
3 imposed under W.S. 6-7-102:

4

5 (i) For a first offense, a civil penalty of  
6 twenty-five thousand dollars (\$25,000.00);

7

8 (ii) For a second or subsequent offense, a civil  
9 penalty of fifty thousand dollars (\$50,000.00).

10

11 (b) Any person that allows a person under the age of  
12 eighteen (18) years to engage in interactive gaming or that  
13 provides or makes available computers or devices to enable  
14 members of the public to participate in interactive gaming  
15 in a specific place, or that establishes or maintains a  
16 facility for the conduct of interactive gaming by members  
17 of the public, shall be subject to the following, in  
18 addition to any penalty imposed under W.S. 6-7-102:

19

20 (i) For a first offense, a civil penalty of ten  
21 thousand dollars (\$10,000.00);

22

1           (ii) For a second or subsequent offense, a civil  
2 penalty of twenty-five thousand dollars (\$25,000.00).

3

4           (c) If a series of similar events result in a  
5 violation under this article, those events that occur  
6 within the same month shall be treated as one (1) offense  
7 and not separate and distinct offenses.

8

9           (d) The commission shall develop a compliance program  
10 that includes establishing procedures to review interactive  
11 gaming and related activities occurring in the state to  
12 ensure compliance with and enforcement of this article. The  
13 program shall include review and evaluation of the conduct  
14 of:

15

16           (i) Interactive gaming operators, interactive  
17 gaming vendors, qualified gaming entities, patrons and any  
18 other person permitted or authorized to engage in  
19 activities under this article; and

20

21           (ii) Persons operating without a valid permit  
22 under this article, engaging in activities not authorized

1 or regulated under this article or pursuing or engaging in  
2 activities otherwise in violation of this article.

3

4 **Section 2.** W.S. 6-7-101(a)(iii) by creating a new  
5 subparagraph (P) and 11-25-104(o) by creating a new  
6 paragraph (iii) are amended to read:

7

8 **6-7-101. Definitions.**

9

10 (a) As used in this article:

11

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

18

19 (P) Interactive gaming regulated under W.S.

20 9-24-201 through 9-24-207.

21



1           11-25-104. Gaming commission; officers; director;  
2 meetings; quorum; records; licenses generally; effect of  
3 financial interest in events.

4

5           (o) In addition to all other duties, the commission,  
6 in the reasonable exercise of its discretion, shall:

7

8                   (iii) Regulate online interactive gaming and  
9 interactive gaming operators and vendors under W.S.  
10 9-24-201 through 9-24-207.

11

12           **Section 3.** Not later than December 31, 2024 the  
13 commission shall promulgate rules required by this act.

14

1           **Section 4.**

2

3           (a) Except as provided in subsection (b) of this  
4 section, this act is effective immediately upon completion  
5 of all acts necessary for a bill to become law as provided  
6 by Article 4, Section 8 of the Wyoming Constitution.

7

8           (b) Sections 1 and 2 of this act are effective  
9 January 1, 2025.

10

11

(END)