

SENATE FILE NO. SF0070

Local prohibition of poker.

Sponsored by: Senator(s) Burns, Coe, Cooper, Meyer and
Perkins and Representative(s) Childers,
Hammons, Pedersen and Shepperson

A BILL

for

1 AN ACT relating to gambling; exempting poker from the
2 definition of gambling as specified; allowing boards of
3 county commissioners and municipal governing bodies to
4 prohibit games, wagers or transactions incidental to bona
5 fide social relationships or poker in business
6 establishments; and providing for an effective date.

7

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

9

10 **Section 1.** W.S. 6-7-105 is created to read:

11

12 **6-7-105. County and municipal prohibition.**

13

14 Notwithstanding any other provision of law, a board of
15 county commissioners or municipal governing body may, by
16 resolution or ordinance respectively, prohibit games,

1 wagers or transactions taking place in a business
2 establishment which would otherwise be permitted under W.S.
3 6-7-101(a)(iii)(E) or (J). Any regulation by a municipality
4 within the county shall apply within that municipality if
5 it is at least as restrictive as the county restrictions or
6 if the county commissioners do not adopt a resolution
7 pursuant to this section.

8

9 **Section 2.** W.S. 6-7-101(a)(iii) by creating a new
10 subparagraph (J) and (ix) is amended to read:

11

12 **6-7-101. Definitions.**

13

14 (a) As used in this article:

15

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

21

22 (J) Poker games, whether or not incidental
23 to a bona fide social relationship, when held in any

1 establishment which does not receive a profit as defined in
2 paragraph (a)(ix) of this section.

3

4 (ix) "Profit" means benefit other than a gain,
5 which is realized or unrealized and direct, including
6 benefits from unequal advantage in a series of transactions
7 but does not include benefits of proprietorship or
8 management of a business wherein a game, wager or
9 transaction described in W.S. 6-7-101(a)(iii)(E) or (J)
10 occurs;

11

12 **Section 3.** This act is effective July 1, 2010.

13

14

(END)