

HOUSE BILL 0020

HOUSE BILL 0020

Title:

AN ACT to amend W.S. 6-7-101 as recreated by Chapter 75, Session Laws of Wyoming, 1982 with an effective date of July 1, 1983 relating to gambling; providing that calcutta wagering does not constitute gambling when conducted by qualified organizations under restricted conditions; providing a definition; and providing for an effective date.

Introduced by:



DATE	ACTION	DATE	ACTION
JAN 11 1983	READ FIRST TIME		Received from House
	REFERRED TO COM. NO. <u>6</u>		Read first time
	DELIVERED TO COM. NO. <u>6</u>		Referred to Com. No. <u>6</u>
			Delivered to Com. No. <u>6</u>
FEB 5 1983	RETURNED		
	Recommended Amend and Do Pass <u>6/11/83</u>	2-18-83	STANDING COMM. REPORT
FEB 9 1983	CONSIDERED IN COM. OF WHOLE		AMEND AND DO PASS
	Standing Com. Amendment <u>HB20 H51/A</u>	2-23-83	CONSIDERED IN COM. OF WHOLE
	ADOPTED		STANDING COM. AMDT ADOPTED <u>HB20551-AE</u> ✓
	RECOMMENDED DO.....PASS		DO PASS
FEB 10 1983	READ SECOND TIME	2-23-83	READ SECOND TIME
	Amended as follows <u>HB20 H21/A</u>		AMENDED AS FOLLOWS <u>HB20551-AE</u> ✓
	ADOPTED	2-24-83	READ THIRD TIME
	Amended as follows <u>HB20 H23/A</u>		PASSED
	ADOPTED		AYES <u>32</u> NOES <u>8</u> EXCUSED <u>0</u> ABSENT <u>0</u>
	Amended as follows <u>HB20 H24/A</u>		SENT TO HOUSE
	ADOPTED	FEB 21 1983	<u>Rep. Jensen moved to commit</u> <u>on Senate Amendment</u>
FEB 11 1983	READ THIRD TIME		Received Amended
	PASSED		House did concur on Senate Amendments
	Ayes <u>33</u> Noes <u>31</u> Excused <u>0</u> Absent <u>0</u>		Ayes <u>10</u> Noes <u>21</u> Excused <u>2</u> Absent <u>1</u>
2-11-83	RECEIVED FROM LSO		RECEIVED FROM SENATE
	SENT TO LSO FOR ENGRASSING		SENT TO LSO FOR ENROLLING
	RECEIVED FROM LSO ENGROSSED		RECEIVED FROM LSO ENROLLED
2-11-83	ENGROSSED		
	<u>Sent to Senate</u>		

1
PEA NO. 65

SIGNED BY SPEAKER 2-28-83

SIGNED BY PRESIDENT 2-28-83

APPROVED BY GOVERNOR 3-2-83 14:35

CHAPTER NO. 105 SESSION LAWS OF WYOMING

HB 20 3d Date 2/24/83

Roll Call of the Senate

of the FORTY-SEVENTH LEGISLATURE

of Wyoming

	Excused	Absent	Ayes	Noes
ARNEY			✓	
BOYLE			✓	
CUNDALL			✓	
DIXON			✓	
EDDINS			✓	
FRISBY			✓	
GEIS				✓
HICKEY			✓	
KINNISON			✓	
LARSON, R.				✓
MAJHANOVICH			✓	
MOORE				
NICHOLAS			✓	
NORRIS			✓	
PARKS-GADDIS				✓
PECK			✓	
PREVEDEL			✓	
PROFFIT			✓	✓
PUGH			✓	
RECTOR			✓	
SCOTT				✓
SEDAR				✓
STAFFORD			✓	
STROOCK				✓
TAGGART			✓	
TROWBRIDGE			✓	
TRUE			✓	
TURNER			✓	
VINICH			✓	
ZIMMER				✓
MR. PRESIDENT			✓	

PRESENT	AYES	22
	NOES	0
	EXCUSED	0
	ABSENT	0
	TOTAL	30

96320

James M. Jensen
Conner Date *2/25/83*

2/25/83

Roll Call of the House

of the FORTY-SEVENTH LEGISLATURE
of Wyoming

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
ARNOLD	✓				PARKER	✓			
BARLOW	✓				PERKINS		✓		
BLACKWELL	✓				PHELAN		✓		
BROWN		✓			RANDOLPH	✓			
BUDD	✓				RATLIFF	✓			
BURNS	✓				ROBERTSON		✓		
BURTON		✓			ROTH		✓		
BYRD	✓				SALISBURY			✓	
CHAMBERLAIN	✓				SANDERS	✓	✓		
CROSS	✓				SCHMIDT	✓			
DICKEY	✓				SCHWOPE	✓			
DOBOS		✓			SHREVE		✓		
DOUGLAS					SIDI	✓			
EDWARDS	✓				SIMONS	✓			
GERINGER		✓			SIMPSON	✓			
GETTER	✓				SORENSEN			✓	
GRANT	✓				STAUFFER		✓		
HAGEMAN		✓			STEWART		✓		
HANSEN		✓			STRAND	✓			
HARRISON	✓				TIPTON		✓		
HENDRICKS	✓				TYSDAL	✓			
HERBST	✓				URBIGKIT, D.	✓			
HUMPHREY	✓				URBIGKIT, W.		✓		
JACKSON	✓				WALLIS	✓			
JENSEN	✓				WEAVER	✓			
JONES	✓				WIEDERSPAHN	✓			
LARSON, T.	✓				WOLFLEY		✓		
MACMILLAN	✓				ZUMBRUNNEN		✓		
MADER	✓			✓	MR. SPEAKER	✓			
MALDONADO	✓				PRESENT _____ AYES <u>40</u> NOES <u>21</u> EXCUSED <u>2</u> ABSENT <u>1</u> TOTAL <u>64</u> -LESS <u>24</u> <u>40</u>				
MARTON	✓								
MCILVAIN	✓								
MEENAN	✓								
MICHEL		✓							
MURPHY		✓							
ODDE	✓	✓							

WB30 Thurs. Evening Date 2/11/83

Roll Call of the House
of the FORTY-SEVENTH LEGISLATURE
of Wyoming

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
ARNOLD	✓			⓪	PARKER	✓			
BARLOW	✓				PERKINS		✓		
BLACKWELL	✓				PHELAN		✓		
BROWN	✓				RANDOLPH		✓		
BUDD	✓				RATLIFF	✓			
BURNS	✓				ROBERTSON		✓		
BURTON		✓			ROTH		✓		
BYRD	✓				SALISBURY	✓			
CHAMBERLAIN	✓				SANDERS		✓		
CROSS		✓			SCHMIDT	✓			
DICKEY	✓				SCHWOPE	✓			
DOBOS		✓			SHREVE		✓		
DONLEY					SIDI		✓		
EDWARDS		✓			SIMONS	✓			
GERINGER		✓			SIMPSON	✓			
GETTER	✓				SORENSEN		✓		
GRANT		✓			STAUFFER		✓		
HAGEMAN		✓			STEWART	✓			
HANSEN		✓			STRAND	✓			
HARRISON	✓				TIPTON		✓		
HENDRICKS	✓				TYSDAL		✓		
HERBST	✓				URBIGKIT, D.	✓			
HUMPHREY	✓				URBIGKIT, W.	✓			
JACKSON		✓			WALLIS	✓			
JENSEN	✓				WEAVER		✓		
JONES		✓			WIEDERSPAHN	✓			
LARSON, T.	✓				WOLFLEY		✓		
MACMILLAN		✓			ZUMBRUNNEN		✓		
MADER		✓			MR. SPEAKER		✓		
MALDONADO	✓								
MARTON		✓							
MCILVAIN		✓							
MEENAN	✓								
MICHEL		✓							
MURPHY	✓								
ODDE	✓								

PRESENT _____

AYES 33

NOES 31

EXCUSED _____

ABSENT _____

TOTAL 64

LESS 33

31

THE LEGISLATURE OF THE STATE OF WYOMING

House of Representatives

HB0020HS1/

Cheyenne, February 4, 1983.

Mr. Speaker:

Your Committee No. 6 on TRAVEL, RECREATION & WILDLIFE
to whom was referred H.B. No. 0020
respectfully reports same back to the House with the recommendation that it

DO PASS with the following amendments:

Page 1 - line 5 After ";" insert "providing for a disposition of funds;".

Page 4 - lines 4 through 6 Delete ^{lines}entirely and redesignate all subsequent subdivisions accordingly.

Page 4 - line 7 Delete "TEN" insert "NINETY".

Page 4 - line 8 Delete ~~"(10%)"~~ insert "(90%)".

AYES

Rep. Budd,
Dickey
Edwards
Grant
Schwope
Tysdal

NOES

Rep. Dobos
Randolph
ZumBrunnen
Shreve, Chairman

EXCUSED

Peg Shreve ABK

PEG SHREVE

Chairman

1983

STATE OF WYOMING

83LSO-0023/eng

HOUSE BILL NO. 0020

ENGROSSED

Gambling - calcutta wagering.

Sponsored by: Representative(s) JENSEN

A BILL

for

1 AN ACT to amend W.S. 6-7-101 as recreated by Chapter 75,
2 Session Laws of Wyoming, 1982 with an effective date of
3 July 1, 1983 relating to gambling; providing that calcutta
4 wagering does not constitute gambling when conducted by
5 qualified organizations under restricted conditions; pro-
6 viding a definition; and providing for an effective date.

7 Be It Enacted by the Legislature of the State of Wyoming:

8 Section 1. W.S. 6-7-101 as recreated by Chapter 75,
9 Session Laws of Wyoming, 1982 with an effective date of
10 July 1, 1983 is amended to read:

1 6-7-101. Definitions.

2 (a) As used in this article:

3 (i) "CALCUTTA WAGERING" MEANS WAGERING ON THE
4 OUTCOME OF AMATEUR CONTESTS OF SKILL, SPEED OR ENDURANCE,
5 SUCH AS TRAP SHOTS, HOG WRESTLING, TRACTOR PULLS, PRIVATE
6 OR INVITATIONAL GOLF TOURNAMENTS OR CUTTER HORSE RACING
7 EVENTS, IN WHICH THOSE WHO WAGER BID AT AUCTION FOR THE
8 EXCLUSIVE RIGHT TO "PURCHASE" OR WAGER UPON A PARTICULAR
9 CONTESTANT OR ENTRANT IN THE EVENT AND WHEN THE OUTCOME OF
10 THE EVENT HAS BEEN DECIDED THE TOTAL WAGERS COMPRISING THE
11 POOL LESS A PERCENTAGE "TAKE-OUT" BY THE EVENT'S SPONSOR
12 IS DISTRIBUTED TO THOSE WHO "PURCHASED" OR WAGERED UPON
13 THE WINNING CONTESTANTS OR ENTRANTS;

14 ~~(i)~~(ii) "Gain" means the direct realization of
15 winnings;

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

1 (A) Bona fide contests of skill, speed,
2 strength or endurance in which awards are made only to
3 entrants or the owners of entries; ~~or~~

4 (B) Bona fide business transactions
5 which are valid under the law of contracts; ~~or~~

6 (C) Other acts or transactions now or
7 hereafter expressly authorized by law; ~~or~~

8 (D) Raffles or bingo conducted by chari-
9 table or nonprofit organizations where the tickets for the
10 raffle or bingo are sold only in this state; ~~or~~

11 (E) Any game, wager or transaction which
12 is incidental to a bona fide social relationship, is par-
13 ticipated in by natural persons only, and in which no
14 person is participating, directly or indirectly, in pro-
15 fessional gambling; or OR

16 (F) CALCUTTA WAGERING ON CONTESTS OR
17 EVENTS CONDUCTED BY A BONA FIDE NATIONALLY CHARTERED VET-
18 ERANS', RELIGIOUS, CHARITABLE, EDUCATIONAL OR FRATERNAL
19 ORGANIZATION OR NONPROFIT LOCAL CIVIC OR SERVICE CLUB
20 ORGANIZED OR INCORPORATED UNDER THE LAWS OF THIS STATE,
21 PROVIDED THAT:

1 (I) THE CONTEST OR EVENT IS CON-
2 DUCTED SOLELY IN THIS STATE;

3 (II) ANY RULES AFFECTING THE CON-
4 TEST OR REQUIREMENTS FOR PARTICIPANTS ARE CLEARLY POSTED;

5 (III) THE TOTAL PRIZES OR PRIZE
6 MONEY PAID OUT IN ANY ONE (1) CONTEST OR EVENT DOES NOT
7 EXCEED NINETY PERCENT (90%) OF THE TOTAL WAGERS;

8 (IV) A MINIMUM OF TEN PERCENT
9 (10%) OF THE TOTAL WAGERS ON EACH CONTEST OR EVENT IS
10 DONATED WITHIN ONE (1) YEAR BY THE SPONSORING ORGANIZATION
11 TO A BONA FIDE CHARITABLE OR BENEVOLENT PURPOSE;

12 (V) NO SEPARATE ORGANIZATION OR
13 PROFESSIONAL PERSON IS EMPLOYED TO CONDUCT THE CONTEST OR
14 EVENT OR ASSIST THEREIN;

15 (VI) THE SPONSORING ORGANIZATION
16 BEFORE CONDUCTING THE CONTEST OR EVENT GIVES THIRTY (30)
17 DAYS WRITTEN NOTICE OF THE TIME AND PLACE THEREOF TO THE
18 GOVERNING BODY OF THE COUNTY OR MUNICIPALITY IN WHICH IT
19 INTENDS TO CONDUCT THE CONTEST OR EVENT AND THE GOVERNING
20 BODY DOES NOT PASS A RESOLUTION OBJECTING THERETO.

21 ~~+++~~(iv) "Gambling device" means any device,

1 machine, paraphernalia or equipment that is used or usable
2 in the playing phases of any professional gambling activ-
3 ity, whether that activity consists of gambling between
4 persons or gambling by a person involving the playing of a
5 machine;

6 ~~(iv)~~(v) "Gambling premise" means any building,
7 room, enclosure, vehicle, vessel or other place, whether
8 open or enclosed, used or intended to be used for profes-
9 sional gambling. Any place where a gambling device is
10 found is presumed to be intended to be used for profes-
11 sional gambling;

12 ~~(v)~~(vi) "Gambling proceed" means all money or
13 property at stake or displayed in or in connection with
14 professional gambling;

15 ~~(vi)~~(vii) "Gambling record" means any record,
16 receipt, ticket, certificate, token, slip or notation
17 given, made, used or intended to be used in connection
18 with professional gambling;

19 ~~(vii)~~(viii) "Professional gambling" means:

20 (A) Aiding or inducing another to engage
21 in gambling, with the intent to derive a profit therefrom;
22 or

1 (B) Participating in gambling and hav-
2 ing, other than by virtue of skill or luck, a lesser
3 chance of losing or a greater chance of winning than one
4 or more of the other participants; and

5 ~~{viii}~~(ix) "Profit" means benefit other than a
6 gain, which is realized or unrealized and direct or indi-
7 rect, including benefits from proprietorship, management
8 or unequal advantage in a series of transactions.

9 Section 2. This act is effective July 1, 1983.

10 (END)

14-B. 20

✓
HB0020SS1/AE

TO ENGROSSED COPY

✓ Page 2-line 5
✓ Page 2-line 6

Delete ", PRIVATE".
Delete "OR INVITATIONAL GOLF TOURNAMENTS".
-TRUE

✓
HB0020S21/AE

TO ENGROSSED COPY

✓ Page 2-line 4
✓ Page 2-line 5

After "CONTESTS" insert "," and delete the
balance of the line.
Delete "SUCH AS" and insert "LIMITED TO".
-PARKS-GADDIS

1 HB0020H22/F

2 Page 2-line 5 Delete ", GOLF TOURNAMENTS". -SIDI

2117

1 HB0020HW1/F

2 Page 2-line 5 Delete ", GOLF TOURNAMENTS". -SIDI

2117

1227-8



1 X HB0020HS1/A

2 Page 1-line 5 After "," insert "providing for a disposi-
3 tion of funds;".

4 Page 4-lines 4 through 6 Delete lines entirely and
5 redesignate all subsequent subdivisions
6 accordingly.

7 Page 4-line 7 Delete "TEN" insert "NINETY".

8 Page 4-line 8 Delete "(10%)" insert "(90%)". -SHREVE,
9 CHAIRMAN *ABK*

deleted by HB0020HS1/A

ADOPTED

1 X HB0020H21/A

2 Delete the standing committee amendment (HB0020HS1/A).
3 -JACKSON *ADU*

ADOPTED

1 X HB0020H23/A

2 Page 2-line 5 After "," insert "PRIVATE OR INVITATIONAL".
3 -SIDI

SHK

ADOPTED

1 X HB0020H24/A

2 Page 2-line 5 After "SHOOTS" insert "HOG WRESTLING, TRAC-
3 TOR PULLS,". -HAGEMAN

SHK

ADOPTED

House of Intro
To Com No. _____
Stand Report Do _____ Amd _____ Not _____
Com Whole Do _____ Amd _____ Not _____
2nd Reading Amd _____
3rd Reading Amd _____ Pass _____ Fail _____

Second House
To Com No. _____
Stand Report Do _____ Amd _____ Not _____
Com Whole Do _____ Amd _____ Not _____
2nd Reading Amd _____
3rd Reading Amd _____ Pass _____ Fail _____

INTRODUCED

1983

STATE OF WYOMING

83LSO-0023.01

HOUSE BILL NO. 0020

Gambling - calcutta wagering.

Sponsored by: Representative(s) JENSEN

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8 ULAR CONTESTANT OR ENTRANT IN THE EVENT AND WHEN THE OUT-
9 COME OF THE EVENT HAS BEEN DECIDED THE TOTAL WAGERS
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21 (A) Bona fide contests of skill, speed,

1 strength or endurance in which awards are made only to
2 entrants or the owners of entries; ~~or~~

3 (B) Bona fide business transactions
4 which are valid under the law of contracts; ~~or~~

5 (C) Other acts or transactions now or
6 hereafter expressly authorized by law; ~~or~~

7 (D) Raffles or bingo conducted by chari-
8 table or nonprofit organizations where the tickets for the
9 raffle or bingo are sold only in this state; ~~or~~

10 (E) Any game, wager or transaction which
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13 person is participating, directly or indirectly, in pro-
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H.B.20

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3 persons or gambling by a person involving the playing of a
4 machine;

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6 room, enclosure, vehicle, vessel or other place, whether
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8 sional gambling. Any place where a gambling device is
9 found is presumed to be intended to be used for profes-
10 sional gambling;

11 ~~{v}~~(vi) "Gambling proceed" means all money or
12 property at stake or displayed in or in connection with
13 professional gambling;

14 ~~{vi}~~(vii) "Gambling record" means any record,
15 receipt, ticket, certificate, token, slip or notation
16 given, made, used or intended to be used in connection
17 with professional gambling;

18 ~~{vii}~~(viii) "Professional gambling" means:

19 (A) Aiding or inducing another to engage
20 in gambling, with the intent to derive a profit therefrom;
21 or

H.B. 20

1 (B) Participating in gambling and hav-
2 ing, other than by virtue of skill or luck, a lesser
3 chance of losing or a greater chance of winning than one
4 or more of the other participants; and

5 ~~{viii}~~(ix) "Profit" means benefit other than a
6 gain, which is realized or unrealized and direct or indi-
7 rect, including benefits from proprietorship, management
8 or unequal advantage in a series of transactions.

9 Section 2. This act is effective July 1, 1983.

10 (END)

Gambling - calcutta wagering.

83LSO- 0023.L2

FISCAL NOTE

Anticipated REVENUE to: Fiscal Year 19 Fiscal Year 19

TOTAL ESTIMATED REVENUE		

Anticipated COST to: Fiscal Year 19 Fiscal Year 19

TOTAL ESTIMATED COST		

No apparent fiscal or personnel impact.

H.B. 20