



**Certification Page**  
**Regular and Emergency Rules**  
Revised August 2023

**RECEIVED**  
JUL 16 2025  
WY SECRETARY OF STATE

☐ Emergency Rules (Complete Sections 1-3 and 5-6)

☒ Regular Rules

a. Agency/Board Name\*

Wyoming Gaming Commission

b. Agency/Board Address

951 Werner Court, Suite 335

c. City

Casper

d. Zip Code

82601

e. Name of Agency Liaison

Nicholas Larramendy

f. Agency Liaison Telephone Number

307-265-4015

g. Agency Liaison Email Address

nick.larramendy1@wyo.gov

h. Adoption Date

05/16/2025

i. Program

Online Sports Wagering

Amended Program Name (if applicable):

N/A

\* ☐ By checking this box, the agency is indicating it is exempt from certain sections of the Administrative Procedure Act including public comment period requirements. Please contact the agency for details regarding these rules.

a. Are these non-emergency or regular rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

☒ No.

☐ Yes.

If the rules are new, please provide the Legislative Chapter Number and Year Enacted:

Chapter:

Year:

a. Provide the Chapter Number, Title\* and Proposed Action for Each Chapter. Please use the "Additional Rule Information" form to identify additional rule chapters.

Chapter Number:

1

Chapter Name:

General Provisions

☐ New ☒ Amended ☐ Repealed

038.0002.1.07162025

Amended Chapter Name (if applicable):

N/A

Chapter Number:

8

Chapter Name:

Responsible Gaming and Advertising

☐ New ☒ Amended ☐ Repealed

038.0002.8.07162025

Amended Chapter Name (if applicable):

N/A

Chapter Number:

Chapter Name:

☐ New ☐ Amended ☐ Repealed

Amended Chapter Name (if applicable):

Chapter Number:

Chapter Name:

☐ New ☐ Amended ☐ Repealed

Amended Chapter Name (if applicable):

Chapter Number:

Chapter Name:

☐ New ☐ Amended ☐ Repealed

Amended Chapter Name (if applicable):

Chapter Number:

Chapter Name:

☐ New ☐ Amended ☐ Repealed

Amended Chapter Name (if applicable):

343

a. Notice was mailed 45 days in advance to all persons who made a timely request for advance notice. ☐ No. ☒ Yes. ☐ N/A

b. A public hearing was held on the proposed rules. ☐ No. ☐ Yes. Please complete the boxes below.

Date:

Time:

City:

Location:

a. ☐ For regular rules, the Statement of Principal Reasons is attached to this Certification and, in compliance with Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule

b. ☐ For emergency rules, the Memorandum to the Governor documenting the emergency, which requires promulgation of these rules without providing notice or an opportunity for a public hearing, is attached to this Certification.

The undersigned certifies that the foregoing information is correct. By electronically submitting the emergency or regular rules into the Wyoming Administrative Rules System, the undersigned acknowledges that the Registrar of Rules will review the rules as to form and, if approved, the electronic filing system will electronically notify the Governor's Office, Attorney General's Office, and Legislative Service Office of the approval and electronically provide them with a copy of the complete rule packet on the date approved by the Registrar of Rules. The complete rules packet includes this signed certification page; the Statement of Principal Reasons or, if emergency rules, the Memorandum to the Governor documenting the emergency; and a strike and underscore copy and clean copy of each chapter of rules.

  
Nicholas A. Larramendy

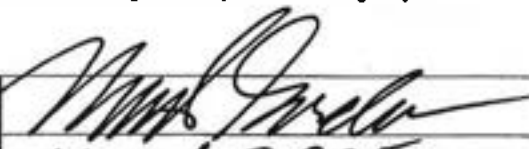
Executive Director

05/19/2025

I have reviewed these rules and determined that they:

1. Are within the scope of the statutory authority delegated to the adopting agency;
2. Appear to be within the scope of the legislative purpose of the statutory authority; and, if emergency rules,
3. Are necessary and that I concur in the finding that they are an emergency.

Therefore, I approve the same.

  
16 July 2025



## Notice of Intent to Adopt Rules

A copy of the proposed rules may be obtained at <https://rules.wyo.gov>

Revised August 2023

### 1. General Information

a. Agency/Board Name*		
b. Agency/Board Address	c. City	d. Zip Code
e. Name of Agency Liaison	f. Agency Liaison Telephone Number	
g. Agency Liaison Email Address		
h. Date of Public Notice	i. Comment Period End Date	
j. Public Comment URL or Email Address:		
k. Program		
Amended Program Name (if applicable):		
* <input type="checkbox"/> By checking this box, the agency is indicating it is exempt from certain sections of the Administrative Procedure Act including public comment period requirements. Please contact the agency for details regarding these rules.		

**2. Legislative Enactment** For purposes of this Section 2, "new" only applies to regular non-emergency rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.

a. Are these non-emergency regular rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

<input type="checkbox"/> No. <input type="checkbox"/> Yes. If the rules are new, please provide the Legislative Chapter Number and Year Enacted:	Chapter:	Year:
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**3. Rule Type and Information** For purposes of this Section 3, "New" means an emergency or regular rule that has never been previously created.

a. Provide the Chapter Number, Title and Proposed Action for Each Chapter. Please use the "Additional Rule Information" form to identify additional rule chapters.

Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):		

#### **4. Public Comments and Hearing Information**

a. A public hearing on the proposed rules has been scheduled. ☐ No. ☐ Yes. Please complete the boxes below.

Date:	Time:	City:	Location:

b. What is the manner in which interested persons may present their views on the rulemaking action?

☐ By submitting written comments to the Agency at the physical and/or email address listed in Section 1 above.

☐ At the following URL: \_\_\_\_\_

A public hearing will be held if requested by 25 persons, a government subdivision, or by an association having not less than 25 members. Requests for a public hearing may be submitted:

☐ To the Agency at the physical and/or email address listed in Section 1 above.

☐ At the following URL: \_\_\_\_\_

c. Any person may urge the Agency not to adopt the rules and request the Agency to state its reasons for overruling the consideration urged against adoption. Requests for an agency response must be made prior to, or within thirty (30) days after adoption, of the rule, addressed to the Agency and Agency Liaison listed in Section 1 above.

#### **5. Federal Law Requirements**

a. These rules are created/amended/repealed to comply with federal law or regulatory requirements. ☐ No. ☐ Yes. Please complete the boxes below.

Applicable Federal Law or Regulation Citation:	
Indicate one (1):	<input type="checkbox"/> The proposed rules meet, but do not exceed, minimum federal requirements.  <input type="checkbox"/> The proposed rules exceed minimum federal requirements.
Any person wishing to object to the accuracy of any information provided by the Agency under this item should submit their objections prior to final adoption to:	<input type="checkbox"/> To the Agency at the physical and/or email address listed in Section 1 above.  <input type="checkbox"/> At the following URL: _____

#### **6. State Statutory Requirements**

a. Indicate one (1):

☐ The proposed rule change *MEETS* minimum substantive statutory requirements.

☐ The proposed rule change *EXCEEDS* minimum substantive statutory requirements. Please attach a statement explaining the reason that the rules exceed the requirements.

b. ☐ The Agency has completed a takings assessment as required by W.S. 9-5-304. A copy of the assessment used to evaluate the proposed rules may be obtained:

☐ By contacting the Agency at the physical and/or email address listed in Section 1 above.

☐ At the following URL: \_\_\_\_\_

## **7. Additional APA Provisions**

a. Complete all that apply in regards to uniform rules:

☐ These rules are not impacted by the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j).

☐ The following chapters do not differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j):

\_\_\_\_\_  
(Provide chapter numbers)

☐ These chapters differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j) (see Statement of Principal Reasons).

\_\_\_\_\_  
(Provide chapter numbers)

b. Checklist

☐ The Statement of Principal Reasons is attached to this Notice and, in compliance with *Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council*, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule.

☐ If applicable: In consultation with the Attorney General's Office, the Agency's Attorney General representative concurs that strike and underscore is not required as the proposed amendments are pervasive (Chapter 3, *Types of Rules Filings*, Section 1, Proposed Rules, of the Rules on Rules).

## **8. Authorization**

a. I certify that the foregoing information is correct.

*Printed Name of Authorized Individual*

*Title of Authorized Individual*

*Date of Authorization*



## Wyoming Gaming Commission

**Governor**  
Mark Gordon

Energy II Building, 951 Werner Court, Suite 335  
Casper, WY 82601  
Phone: 307.265.4015 Fax: 307.265.4279

**Executive Director**  
Charles E. Moore

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### Statement of Principal Reasons

The Gaming Commission proposes amending its rules to address industry concerns with athlete harassment. The amended language will provide a vehicle for the Commission to exclude individuals that harass athletes from placing online sports wagers. The authority to promulgate the amended rules is pursuant to Wyo. Stat. Ann. § 9-24-102(b). Pursuant to Wyo. Stat. Ann. § 16-3-103(a)(i)(J), a brief explanation of the substance, basis, and purpose of each amendment is as follows:

#### **Chapter 1 – General Provisions.**

##### **Section 1**

(c): creates a new definition, “Athlete” means any individual contestant in a Commission approved event.

(m): creates a new definition, “Harass” means to engage in conduct, including but not limited to verbal threats, written threats, electronic threats, lewd or obscene statements or images, vandalism or nonconsensual physical contact, directed at a person that the offending party knew or should have known would cause a reasonable person to suffer: substantial emotional distress; substantial fear for their safety or the safety of another person; or substantial fear for the destruction of their property.

Throughout the chapter, formatting changes are made.

#### **Chapter 8 - Responsible Gaming and Advertising.**

##### **Section 3**

(a): the amended language deletes “presence in a gaming facility” and in introduces new language “participants” that clarifies all of the sub paragraphs that follow.

(a)(i): adds language “any person who harasses any athlete,” to the list of unacceptable and detrimental practices.

(a)(v), (vii), and (viii): all clarifies language.

## Chapter 1 General Provisions

**Section 1. Definitions.** In applying the rules and all amendments, the following definitions, constructions, and interpretations shall apply, except where otherwise indicated in the rules:

(a) "Affiliate" means a person that, directly or indirectly, through one (1) or more intermediaries, controls or is controlled by a sports wagering operator.

(b) "Applicant" means a person that applies for a permit.

(c) "Athlete" means any individual contestant in a Commission approved event.

~~(c)~~(d) "Card" means the list of sporting events from which a patron can make selections for a given pool.

~~(d)~~(e) "Cash equivalent" has the meaning provided in W.S. § 9-24-101(a)(i).

~~(e)~~(f) "Critical component" has the meaning provided in W.S. § 9-24-101(a)(xvi)

~~(f)~~(g) "Director" has the meaning provided in W.S. § 9-24-101(a)(iii).

~~(g)~~(h) "Event category" means a specific type of athletic event or other event governed by a specific sports governing body or other oversight body (for example, professional basketball governed by the National Basketball Association).

~~(h)~~(i) "Event integrity monitoring" means the monitoring of sports wagering to identify unusual or suspicious wagering activities from a match-fixing and sporting corruption standpoint to then report such activities to required parties.

~~(i)~~(j) "Exchange wagering" means a form of wagering in which two (2) or more persons place identically opposing wagers in a given market, allowing patrons to wager on both winning and non-winning outcomes in the same event.

~~(j)~~(k) "Fantasy sports contest" has the meaning provided in W.S. § 9-24-101(a)(iv).

~~(k)~~(l) "Geolocation system" means a process to reasonably detect the geolocation of a patron when said patron is attempting to access the system and place a wager.

(m) "Harass" means to engage in conduct, including but not limited to verbal threats, written threats, electronic threats, lewd or obscene statements or images, vandalism or nonconsensual physical contact, directed at a person that the offending party knew or should have known would cause a reasonable person to suffer: substantial emotional distress; substantial fear for their safety or the safety of another person; or substantial fear for the destruction of their property.

~~(l)~~(n) "Indian lands" has the meaning provided in the Indian Gaming Regulatory Act of 1988, 25 USC § 2703(4).

~~(m)~~(o) "In-game wagering" means placing an online sports wager after an athletic event has started.

~~(n)~~(p) "Independent integrity monitoring provider" means an independent person who is registered with the Commission and who receives reports of unusual wagering activity from the Commission, a sports wagering operator, or a sports wagering vendor for the purpose of assisting in identifying suspicious wagering activity.

~~(o)~~(q) "Institutional investor" means a person that is any of the following:

(i) A retirement fund administered by a public agency for the exclusive benefit of federal, state, or local public employees;

(ii) An employee benefit plan or pension fund that is subject to the Employee Retirement Income Security Act of 1974, Public Law 93-406;

(iii) An investment company registered under the Investment Company Act of 1940, 15 USC 80a-1 to 80a-64;

(iv) A collective investment trust organized by a bank under 12 CFR part 9;

(v) A closed-end investment trust;

(vi) A chartered or licensed life insurance company or property and casualty insurance company;

(vii) A chartered or licensed financial institution; or

(viii) An investment advisor registered under the Investment Adviser's Act of 1940, 15 USC §§ 80b-1 to 80b-21.

~~(p)~~(r) "Internet" means the international computer network of interoperable packet-switched data networks, inclusive of additional technological platforms, such as mobile, satellite, and other electronic distribution channels.

~~(q)~~(s) "Involuntarily-excluded person" means any individual who has been involuntarily excluded by the director and who is prohibited from establishing a sports wagering account or participating in gambling, gaming or wagering activities under the jurisdiction of the Commission.

~~(r)~~(t) "Key personnel" has the meaning provided in W.S. § 9-24-101(a)(xvii).

~~(s)~~(u) "Layoff wager" means a wager placed by a sports wagering operator or sports



wagering vendor with another sports wagering operator or sports wagering vendor for the purpose of offsetting patron online sports wagers.

~~(t)~~(v) "Mobile application" means an application on a mobile phone or other device through which an individual is able to place an online sports wager.

~~(u)~~(w) "Occupational permit" means a permit issued by the Commission to a person to perform an occupation that directly affects the integrity of online sports wagering and that the Commission has identified as requiring a permit to perform the occupation.

~~(v)~~(x) "Online sports wager" means the cash, or cash equivalent, including free wagers and bonus or promotional play risked by a patron on sports wagering through the internet.

~~(w)~~(y) "Online sports wagering" has the meaning provided in W.S. § 9-24-101(a)(vi).

~~(x)~~(z) "Online sports wagering revenue" has the meaning provided in W.S. § 9-24-101(a)(vii).

~~(y)~~(aa) "Patron" has the meaning provided in W.S. § 9-24-101(a)(viii).

~~(z)~~(bb) "Person" means an individual, partnership, corporation, association, limited liability company, or other legal entity.

~~(aa)~~(cc) "Personal identifying information (PII)" means any sensitive information that could potentially be used to identify a particular patron. Examples include a legal name, date of birth, place of birth, social security number (or equivalent government identification number), driver's license number, passport number, residential address, phone number, email address, debit instrument number, credit card number, bank account number, or other personal information as defined by the Commission.

~~(bb)~~(dd) "Pool" means an offering where patrons may make selections of outcomes on a set number of sporting events on a card in order to enter for a chance to win all or a portion of the prize pool.

~~(cc)~~(ee) "Prize pool" means the prizing available for an individual tournament, contest, or pool.

~~(dd)~~(ff) "Prohibited person" means any involuntarily-excluded person, any voluntarily-excluded person, and all of the following:

- (i) Any individual who is under the age of eighteen (18);
- (ii) Any individual wagering while not in the authorized geographic boundaries within the State of Wyoming;
- (iii) Any individual wagering on behalf of another;

- (iv) Any restricted patron wagering in violation of their restrictions;
- (v) Any individual wagering in violation of state, local, or federal law; or
- (vi) Other prohibited persons as determined by the Commission.

~~(ee)~~(gg) "Prohibited sports wager" has the meaning provided in W.S. § 9-24-101(a)(ix).

~~(ff)~~(hh) "Qualified gaming entity" has the meaning provided in W.S. § 9-24-101(a)(x).

~~(gg)~~(ii) "Restricted patron" means any patron with the following restrictions in place:

(i) Employees of a sports wagering operator or sports wagering vendor, as well as those within the same household, may not wager with the sports wagering operator or sports wagering vendor for which he or she is employed unless using a test account under these rules;

(ii) Occupational permittees and applicants may not wager with the sports wagering operator or sports wagering vendor for which they are employed or for which they had to qualify;

(iii) Professional or collegiate athletes, team employees and owners, coaches, managers, handlers, athletic trainers, league officials and employees, referees, umpires, sports agents, and employees of an athletic or referee union, and anyone with access to non-public/exclusive information or sufficient authority to influence the outcome of an event, as well as those within the same household, may not wager on events in the sport in which they participate, or in which the athlete they represent participates; or

(iv) At the Commission's discretion, individuals on a list provided by a team or sports governing body may not wager on any event overseen by the relevant sports governing body.

~~(hh)~~(jj) "Rake" means the fee that is deducted by a sports wagering operator or sports wagering vendor from a wager made for exchange wagering, or entry fees paid by patrons who participate in a tournament, contest, or pool.

~~(ii)~~(kk) "Rake adjustment" means an adjustment made by a sports wagering operator or sports wagering vendor to account for any shortfall in connection with a tournament, contest, or pool.

~~(jj)~~(ll) "Self-exclusion list" means a list of individuals who voluntarily excluded themselves from establishing or maintaining a sports wagering account with a sports wagering operator or sports wagering vendor.

~~(kk)~~(mm) "Sensitive information" means information such as PII, transactional wagering data, authentication credentials (including PINs and passwords), secure seeds and keys used in encryption, and other data that shall be handled in a secure manner.

~~(ll)~~(nn) "Shared liquidity pool" means a tournament, contest, or pool conducted in Wyoming and at least one other jurisdiction.

~~(mm)~~(oo) "Sporting event" has the meaning provided W.S. § 9-24-101(a)(xi).

~~(nn)~~(pp) "Sports governing body" means an organization that prescribes final rules and enforces codes of conduct for an athletic event and the participants in the athletic event.

~~(oo)~~(qq) "Sports wagering" has the meaning provided W.S. § 9-24-101(a)(xii).

~~(pp)~~(rr) "Sports wagering account" has the meaning provided W.S. § 9-24-101(a)(xiii).

~~(qq)~~(ss) "Sports wagering operator" has the meaning provided W.S. § 9-24-101(a)(xiv).

~~(rr)~~(tt) "Sports wagering operator permit" means a permit issued by the Commission to a person to operate, conduct, or offer online sports wagering.

~~(ss)~~(uu) "Sports wagering system" means the hardware, software, firmware, communications technology, other equipment, as well as operator procedures implemented in order to allow patron participation in online sports wagering, and, if supported, the corresponding equipment related to the display of the wager outcomes, and other similar information necessary to facilitate patron participation. The system provides the patron with the means to place and manage online sports wagers. The system provides the sports wagering operator with the means to review sports wagering accounts, suspend events, generate various wagering/financial transaction and account reports, input outcomes for events, and set any configurable parameters.

~~(tt)~~(vv) "Sports wagering vendor" has the meaning provided W.S. § 9-24-101(a)(xv).

~~(uu)~~(ww) "Sports wagering vendor permit" means a permit issued by the Commission to a sports wagering vendor.

~~(vv)~~(xx) "Statutes" means the online sports wagering statutes, W.S. §§ 9-24-101 through -106.

~~(ww)~~(yy) "Suspended account" means a sports wagering account that has been temporarily disabled from engaging in wagering activity.

~~(xx)~~(zz) "Suspicious wagering activity" means unusual wagering activity that

cannot be explained and is indicative of any of the following:

- (i) Match-fixing;
- (ii) The manipulation of an event;
- (iii) Misuse of inside information;
- (iv) A potential breach of a sports governing body's internal rules or code of conduct pertaining to sports wagering;
- (v) Any other conduct that corrupts the outcome of an event; or
- (vi) Any other prohibited activity.

~~(yy)~~(aaa) "Targeted mailing" means an advertisement or promotional offer from a sports wagering operator or a sports wagering vendor directed to an individual on the basis of specific criteria, such as being a member or former member of a rewards club or a participant in social games. "Targeted mailing" does not include mass communication, including mailings or e-mailings, made to an entire area or zip code or targeted list, nor does it include an advertisement that arrives in a packet of five (5) or more non-gaming advertisements if the packet of advertisements is addressed to "resident," "occupant," or some similar wording and not to a specific individual. "Targeted mailing" further does not include any "pop-up" advertisement that appears on an individual's computer or mobile device on the basis of his or her IP Address.

~~(zz)~~(bbb) "Unusual wagering activity" means abnormal wagering activity exhibited by one (1) or more patrons and considered by a sports wagering operator or sports wagering vendor as a potential indicator of suspicious wagering activity. Unusual wagering activity may include the size of a patron's online sports wager or increased wagering volume on a particular event or wager type.

~~(aaa)~~(ccc) "Voluntarily-excluded person" means any individual whose name is included, at his or her own request, in the responsible gaming database or on a self-exclusion list or both.

~~(bbb)~~(ddd) "Winnings" means the total cash value of all property or sums, including currency or instruments of monetary value paid to a patron by a sports wagering operator as a direct result of a winning sports wager.

## **Chapter 1**

### **General Provisions**

**Section 1. Definitions.** In applying the rules and all amendments, the following definitions, constructions, and interpretations shall apply, except where otherwise indicated in the rules:

- (a) "Affiliate" means a person that, directly or indirectly, through one (1) or more intermediaries, controls or is controlled by a sports wagering operator.
- (b) "Applicant" means a person that applies for a permit.
- (c) "Athlete" means any individual contestant in a Commission approved event.
- (d) "Card" means the list of sporting events from which a patron can make selections for a given pool.
- (e) "Cash equivalent" has the meaning provided in W.S. § 9-24-101(a)(i).
- (f) "Critical component" has the meaning provided in W.S. § 9-24-101(a)(xvi)
- (g) "Director" has the meaning provided in W.S. § 9-24-101(a)(iii).
- (h) "Event category" means a specific type of athletic event or other event governed by a specific sports governing body or other oversight body (for example, professional basketball governed by the National Basketball Association).
- (i) "Event integrity monitoring" means the monitoring of sports wagering to identify unusual or suspicious wagering activities from a match-fixing and sporting corruption standpoint to then report such activities to required parties.
- (j) "Exchange wagering" means a form of wagering in which two (2) or more persons place identically opposing wagers in a given market, allowing patrons to wager on both winning and non-winning outcomes in the same event.
- (k) "Fantasy sports contest" has the meaning provided in W.S. § 9-24-101(a)(iv).
- (l) "Geolocation system" means a process to reasonably detect the geolocation of a patron when said patron is attempting to access the system and place a wager.
- (m) "Harass" means to engage in conduct, including but not limited to verbal threats, written threats, electronic threats, lewd or obscene statements or images, vandalism or nonconsensual physical contact, directed at a person that the offending party knew or should have known would cause a reasonable person to suffer: substantial emotional distress; substantial fear for their safety or the safety of another person; or substantial fear for the destruction of their property.

(n) "Indian lands" has the meaning provided in the Indian Gaming Regulatory Act of 1988, 25 USC § 2703(4).

(o) "In-game wagering" means placing an online sports wager after an athletic event has started.

(p) "Independent integrity monitoring provider" means an independent person who is registered with the Commission and who receives reports of unusual wagering activity from the Commission, a sports wagering operator, or a sports wagering vendor for the purpose of assisting in identifying suspicious wagering activity.

(q) "Institutional investor" means a person that is any of the following:

(i) A retirement fund administered by a public agency for the exclusive benefit of federal, state, or local public employees;

(ii) An employee benefit plan or pension fund that is subject to the Employee Retirement Income Security Act of 1974, Public Law 93-406;

(iii) An investment company registered under the Investment Company Act of 1940, 15 USC 80a-1 to 80a-64;

(iv) A collective investment trust organized by a bank under 12 CFR part 9;

(v) A closed-end investment trust;

(vi) A chartered or licensed life insurance company or property and casualty insurance company;

(vii) A chartered or licensed financial institution; or

(viii) An investment advisor registered under the Investment Adviser's Act of 1940, 15 USC §§ 80b-1 to 80b-21.

(r) "Internet" means the international computer network of interoperable packet-switched data networks, inclusive of additional technological platforms, such as mobile, satellite, and other electronic distribution channels.

(s) "Involuntarily-excluded person" means any individual who has been involuntarily excluded by the director and who is prohibited from establishing a sports wagering account or participating in gambling, gaming or wagering activities under the jurisdiction of the Commission.

(t) "Key personnel" has the meaning provided in W.S. § 9-24-101(a)(xvii).

(u) "Layoff wager" means a wager placed by a sports wagering operator or sports



wagering vendor with another sports wagering operator or sports wagering vendor for the purpose of offsetting patron online sports wagers.

(v) "Mobile application" means an application on a mobile phone or other device through which an individual is able to place an online sports wager.

(w) "Occupational permit" means a permit issued by the Commission to a person to perform an occupation that directly affects the integrity of online sports wagering and that the Commission has identified as requiring a permit to perform the occupation.

(x) "Online sports wager" means the cash, or cash equivalent, including free wagers and bonus or promotional play risked by a patron on sports wagering through the internet.

(y) "Online sports wagering" has the meaning provided in W.S. § 9-24-101(a)(vi).

(z) "Online sports wagering revenue" has the meaning provided in W.S. § 9-24-101(a)(vii).

(aa) "Patron" has the meaning provided in W.S. § 9-24-101(a)(viii).

(bb) "Person" means an individual, partnership, corporation, association, limited liability company, or other legal entity.

(cc) "Personal identifying information (PII)" means any sensitive information that could potentially be used to identify a particular patron. Examples include a legal name, date of birth, place of birth, social security number (or equivalent government identification number), driver's license number, passport number, residential address, phone number, email address, debit instrument number, credit card number, bank account number, or other personal information as defined by the Commission.

(dd) "Pool" means an offering where patrons may make selections of outcomes on a set number of sporting events on a card in order to enter for a chance to win all or a portion of the prize pool.

(ee) "Prize pool" means the prize available for an individual tournament, contest, or pool.

(ff) "Prohibited person" means any involuntarily-excluded person, any voluntarily-excluded person, and all of the following:

(i) Any individual who is under the age of eighteen (18);

(ii) Any individual wagering while not in the authorized geographic boundaries within the State of Wyoming;

(iii) Any individual wagering on behalf of another;

- (iv) Any restricted patron wagering in violation of their restrictions;
  - (v) Any individual wagering in violation of state, local, or federal law; or
  - (vi) Other prohibited persons as determined by the Commission.
- (gg) "Prohibited sports wager" has the meaning provided in W.S. § 9-24-101(a)(ix).
- (hh) "Qualified gaming entity" has the meaning provided in W.S. § 9-24-101(a)(x).
- (ii) "Restricted patron" means any patron with the following restrictions in place:
- (i) Employees of a sports wagering operator or sports wagering vendor, as well as those within the same household, may not wager with the sports wagering operator or sports wagering vendor for which he or she is employed unless using a test account under these rules;
  - (ii) Occupational permittees and applicants may not wager with the sports wagering operator or sports wagering vendor for which they are employed or for which they had to qualify;
  - (iii) Professional or collegiate athletes, team employees and owners, coaches, managers, handlers, athletic trainers, league officials and employees, referees, umpires, sports agents, and employees of an athletic or referee union, and anyone with access to non-public/exclusive information or sufficient authority to influence the outcome of an event, as well as those within the same household, may not wager on events in the sport in which they participate, or in which the athlete they represent participates; or
  - (iv) At the Commission's discretion, individuals on a list provided by a team or sports governing body may not wager on any event overseen by the relevant sports governing body.
- (jj) "Rake" means the fee that is deducted by a sports wagering operator or sports wagering vendor from a wager made for exchange wagering, or entry fees paid by patrons who participate in a tournament, contest, or pool.
- (kk) "Rake adjustment" means an adjustment made by a sports wagering operator or sports wagering vendor to account for any shortfall in connection with a tournament, contest, or pool.
- (ll) "Self-exclusion list" means a list of individuals who voluntarily excluded themselves from establishing or maintaining a sports wagering account with a sports wagering operator or sports wagering vendor.
- (mm) "Sensitive information" means information such as PII, transactional wagering data, authentication credentials (including PINs and passwords), secure seeds and keys used in



encryption, and other data that shall be handled in a secure manner.

(nn) "Shared liquidity pool" means a tournament, contest, or pool conducted in Wyoming and at least one other jurisdiction.

(oo) "Sporting event" has the meaning provided W.S. § 9-24-101(a)(xi).

(pp) "Sports governing body" means an organization that prescribes final rules and enforces codes of conduct for an athletic event and the participants in the athletic event.

(qq) "Sports wagering" has the meaning provided W.S. § 9-24-101(a)(xii).

(rr) "Sports wagering account" has the meaning provided W.S. § 9-24-101(a)(xiii).

(ss) "Sports wagering operator" has the meaning provided W.S. § 9-24-101(a)(xiv).

(tt) "Sports wagering operator permit" means a permit issued by the Commission to a person to operate, conduct, or offer online sports wagering.

(uu) "Sports wagering system" means the hardware, software, firmware, communications technology, other equipment, as well as operator procedures implemented in order to allow patron participation in online sports wagering, and, if supported, the corresponding equipment related to the display of the wager outcomes, and other similar information necessary to facilitate patron participation. The system provides the patron with the means to place and manage online sports wagers. The system provides the sports wagering operator with the means to review sports wagering accounts, suspend events, generate various wagering/financial transaction and account reports, input outcomes for events, and set any configurable parameters.

(vv) "Sports wagering vendor" has the meaning provided W.S. § 9-24-101(a)(xv).

(ww) "Sports wagering vendor permit" means a permit issued by the Commission to a sports wagering vendor.

(xx) "Statutes" means the online sports wagering statutes, W.S. §§ 9-24-101 through -106.

(yy) "Suspended account" means a sports wagering account that has been temporarily disabled from engaging in wagering activity.

(zz) "Suspicious wagering activity" means unusual wagering activity that cannot be explained and is indicative of any of the following:

- (i) Match-fixing;
- (ii) The manipulation of an event;

- (iii) Misuse of inside information;
- (iv) A potential breach of a sports governing body's internal rules or code of conduct pertaining to sports wagering;
- (v) Any other conduct that corrupts the outcome of an event; or
- (vi) Any other prohibited activity.

(aaa) "Targeted mailing" means an advertisement or promotional offer from a sports wagering operator or a sports wagering vendor directed to an individual on the basis of specific criteria, such as being a member or former member of a rewards club or a participant in social games. "Targeted mailing" does not include mass communication, including mailings or e-mailings, made to an entire area or zip code or targeted list, nor does it include an advertisement that arrives in a packet of five (5) or more non-gaming advertisements if the packet of advertisements is addressed to "resident," "occupant," or some similar wording and not to a specific individual. "Targeted mailing" further does not include any "pop-up" advertisement that appears on an individual's computer or mobile device on the basis of his or her IP Address.

(bbb) "Unusual wagering activity" means abnormal wagering activity exhibited by one (1) or more patrons and considered by a sports wagering operator or sports wagering vendor as a potential indicator of suspicious wagering activity. Unusual wagering activity may include the size of a patron's online sports wager or increased wagering volume on a particular event or wager type.

(ccc) "Voluntarily-excluded person" means any individual whose name is included, at his or her own request, in the responsible gaming database or on a self-exclusion list or both.

(ddd) "Winnings" means the total cash value of all property or sums, including currency or instruments of monetary value paid to a patron by a sports wagering operator as a direct result of a winning sports wager.

## **Chapter 8**

### **Responsible Gaming and Advertising**

**Section 1. Responsible Gaming Plan.** Applicants for a sports wagering operator permit shall submit a Responsible Gaming Plan to the Commission at the time of first application, within ten (10) business days of any changes to the plan, and at permit renewal. The plan must be approved by the Commission prior to commencing operations in Wyoming. The plan shall include, at a minimum, the following:

- (a) The goals of the plan, procedures and deadlines for implementation of the plan;
- (b) The identification of the individual(s) who will be responsible for the implementation and maintenance of the plan;
- (c) The applicant's plan for creating and disseminating promotional material to educate patrons about compulsive and problem gambling and to inform them about treatment services available to compulsive and problem gamblers and their families. The applicant shall provide examples of the materials to be used as part of its plan and a description of how the material will be disseminated;
- (d) Details of the applicant's plan for responsible gaming training for its employees;
- (e) The duties and responsibilities of the key employees and gaming employees designated to implement or participate in the plan;
- (f) Procedures to prevent underage gambling; and
- (g) Other policies and procedures as determined by the Commission to prevent problem gambling and encourage responsible gambling.

#### **Section 2. Self-Exclusion Program.**

- (a) The Self-Exclusion Program is established for the purpose of allowing persons who wish to refrain from sports wagering and other types of gambling offered by the Commission, to notify the Commission that they will accept responsibility for refraining from engaging in sports wagering and other gambling activities offered by the Commission and its Permittees. Each person seeking placement in the Self-Exclusion Program acknowledges that it is his or her responsibility to refrain from engaging in sports wagering and other gambling activities under the jurisdiction of the Commission.
- (b) An individual may request to have their name placed on the Self-Exclusion List by completing the application.
- (c) Upon the filing of an application for placement in the Self-Exclusion Program, the Commission may file a Notice of Placement in the Self-Exclusion Program and such application

and notice may be disclosed to sports wagering permittees and their agents and employees, as approved by the Commission.

**Section 3. Involuntary Exclusion List.** The Commission shall maintain an Involuntary Exclusion List that consists of the names of people who the director determines meet anyone of the following criteria:

(a) Any person whose ~~presence in a gaming facility~~ participation would be inimical detrimental to sports wagering in the State of Wyoming, including the following:

(i) Any person who harasses any athlete;

~~(i)~~(ii) Any person who cheats;

~~(ii)~~(iii) Any person who poses a threat to the safety of the patrons or employees;

~~(iii)~~(iv) Persons who pose a threat to themselves;

~~(iv)~~(v) Persons with a documented history of conduct involving the disruption of a facility or website conducting sports wagering activities ~~under the jurisdiction of the Commission~~;

~~(v)~~(vi) Persons included on another jurisdiction's exclusion list;

~~(vi)~~(vii) Persons subject to a Court order excluding those persons from a facility or website conducting sports wagering activities ~~under the jurisdiction of the Commission~~;

~~(vii)~~(viii) Any felon or person who has been convicted of any crime ~~gambling or offense involving gambling and whose presence in a facility under the jurisdiction of the Commission or whose~~ participation in sports wagering activities under the jurisdiction of the Commission would be harmful to or negatively affect the reputation of the State of Wyoming; or

~~(viii)~~(ix) Any person who enhances a risk of unfair or illegal practices in the conduct of activities under the jurisdiction of the Commission.

(b) The director's determination of the basis for placing a person on the involuntary exclusion list may be based upon any of the following:

(i) The nature and notoriety of the person to be excluded from all wagering and gaming activities under the jurisdiction of the Commission;

(ii) The history and nature of the involvement of the person's wagering, gaming, or gambling activity in Wyoming or any other jurisdiction;

(iii) The nature and frequency of any contacts or associations of the person

with any permittee; or

(iv) Any other factor reasonably related to the maintenance of public confidence in the regulatory process or the integrity of sports wagering in the State of Wyoming.

(c) The Involuntary Exclusion List shall contain the following information, if known, for each excluded person:

- (i) The full name and all known aliases and the date of birth;
- (ii) A physical description or photograph, if available;
- (iii) The date the person's name was placed on the Involuntary Exclusion List;
- (iv) Social Security Number, if available;
- (v) The person's occupation and current home and business addresses; and
- (vi) Any other relevant information as deemed necessary by the Commission.

(d) The Commission shall distribute the Involuntary Exclusion List to permittees involved in the operation of wagering, gaming or gambling under the jurisdiction of the Commission.

(e) The Commission shall attempt to provide notice to any person who is placed on the Involuntary Exclusion List.

(f) Each excluded person who has been listed on the Involuntary Exclusion List and wishes to contest being placed on the Involuntary Exclusion List may request an administrative hearing.

#### **Section 4. Sports Wagering Operator or Sports Wagering Vendor Responsibilities.**

(a) The sports wagering operator or sports wagering vendor shall receive the Self-Exclusion List and Involuntary Exclusion List from the Commission.

(b) The Self-Exclusion List and Involuntary Exclusion List may only be accessed by individuals authorized in accordance with the internal controls.

(c) Except as authorized or required by these rules, the Self-Exclusion List and Involuntary Exclusion List shall be kept confidential and the sports wagering operator or sports wagering vendor shall not disclose the names included on these lists.

(d) The Self-Exclusion List and Involuntary Exclusion List shall not be publicly disclosed by the sports wagering operator, sports wagering vendor, employee, affiliate or other person authorized to access the lists. However, the sports wagering operator or sports

wagering vendor may share the lists with other designated permittees in the State of Wyoming or its affiliates in other jurisdictions for the purpose of assisting in the proper administration of responsible play programs.

(e) The sports wagering operator or sports wagering vendor shall establish procedures to add the names from the Self-Exclusion List and Involuntary Exclusion List into their internal list to exclude from sports wagering. If the sports wagering operator or sports wagering vendor utilizes an internal management system to track individuals on the Self-Exclusion List and Involuntary Exclusion List, they shall update that system at least every seventy-two (72) hours with names of individuals being added or removed from the Self-Exclusion List and Involuntary Exclusion List.

(f) The sports wagering operator or sports wagering vendor shall establish procedures that are designed, to the greatest extent practicable, to:

(i) Prevent an individual on the Self-Exclusion List or Involuntary Exclusion List from opening a new sports wagering account;

(ii) Identify and suspend any sports wagering accounts of an individual on the Self-Exclusion List or Involuntary Exclusion List;

(iii) Promptly notify the Commission, or its designee, if an individual on the Self-Exclusion List or Involuntary Exclusion List attempts to place or is discovered to have placed or attempted to place a wager;

(iv) In cooperation with the Commission, and where reasonably possible, determine the amount wagered and lost by an individual identified to be on the Self-Exclusion List or Involuntary Exclusion List. The monetary value of the losses shall be paid to the Commission within forty-five (45) days;

(v) Deny an individual identified to be on the Self-Exclusion List or Involuntary Exclusion List from any winnings derived from wagering while on the Self-Exclusion List or Involuntary Exclusion List. The monetary value of the withheld winnings shall be paid to the Commission within forty-five (45) days;

(vi) Refund any remaining balance to an individual on the Self-Exclusion List or Involuntary Exclusion List provided that the sports wagering operator or sports wagering vendor acknowledges that the funds have cleared; and

(vii) Ensure that individuals on the Self-Exclusion List or Involuntary Exclusion List do not receive, either from the sports wagering operator, sports wagering vendor or any agent thereof, targeted mailings, telemarketing promotions, player club materials, or other targeted promotional materials relating to sports wagering.

**Section 5. Advertising.** The Commission shall prohibit sports wagering advertising



that it determines to be deceptive to the public. The Commission shall also require that every form of advertising contain a statement that minors are not allowed to open or have access to sports wagering accounts as well as information about available programs to prevent, treat, or monitor compulsive or problem gambling, and procedures for self-exclusion.

## **Chapter 8**

### **Responsible Gaming and Advertising**

**Section 1. Responsible Gaming Plan.** Applicants for a sports wagering operator permit shall submit a Responsible Gaming Plan to the Commission at the time of first application, within ten (10) business days of any changes to the plan, and at permit renewal. The plan must be approved by the Commission prior to commencing operations in Wyoming. The plan shall include, at a minimum, the following:

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- (c) The applicant's plan for creating and disseminating promotional material to educate patrons about compulsive and problem gambling and to inform them about treatment services available to compulsive and problem gamblers and their families. The applicant shall provide examples of the materials to be used as part of its plan and a description of how the material will be disseminated;
- (d) Details of the applicant's plan for responsible gaming training for its employees;
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- (f) Procedures to prevent underage gambling; and
- (g) Other policies and procedures as determined by the Commission to prevent problem gambling and encourage responsible gambling.

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- (b) An individual may request to have their name placed on the Self-Exclusion List by completing the application.
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- (ii) Any person who cheats;
- (iii) Any person who poses a threat to the safety of the patrons or employees;
- (iv) Persons who pose a threat to themselves;
- (v) Persons with a documented history of conduct involving the disruption of a facility or website conducting sports wagering activities;
- (vi) Persons included on another jurisdiction's exclusion list;
- (vii) Persons subject to a Court order excluding those persons from a facility or website conducting sports wagering activities;
- (viii) Any felon or person who has been convicted of any crime or offense involving gambling and whose participation in sports wagering activities under the jurisdiction of the Commission would be harmful to or negatively affect the reputation of the State of Wyoming; or
- (ix) Any person who enhances a risk of unfair or illegal practices in the conduct of activities under the jurisdiction of the Commission.

(b) The director's determination of the basis for placing a person on the involuntary exclusion list may be based upon any of the following:

- (i) The nature and notoriety of the person to be excluded from all wagering and gaming activities under the jurisdiction of the Commission;
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wagering vendor may share the lists with other designated permittees in the State of Wyoming or its affiliates in other jurisdictions for the purpose of assisting in the proper administration of responsible play programs.

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(f) The sports wagering operator or sports wagering vendor shall establish procedures that are designed, to the greatest extent practicable, to:

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(ii) Identify and suspend any sports wagering accounts of an individual on the Self-Exclusion List or Involuntary Exclusion List;

(iii) Promptly notify the Commission, or its designee, if an individual on the Self-Exclusion List or Involuntary Exclusion List attempts to place or is discovered to have placed or attempted to place a wager;

(iv) In cooperation with the Commission, and where reasonably possible, determine the amount wagered and lost by an individual identified to be on the Self-Exclusion List or Involuntary Exclusion List. The monetary value of the losses shall be paid to the Commission within forty-five (45) days;

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(vi) Refund any remaining balance to an individual on the Self-Exclusion List or Involuntary Exclusion List provided that the sports wagering operator or sports wagering vendor acknowledges that the funds have cleared; and

(vii) Ensure that individuals on the Self-Exclusion List or Involuntary Exclusion List do not receive, either from the sports wagering operator, sports wagering vendor or any agent thereof, targeted mailings, telemarketing promotions, player club materials, or other targeted promotional materials relating to sports wagering.

**Section 5. Advertising.** The Commission shall prohibit sports wagering advertising that it determines to be deceptive to the public. The Commission shall also require that every form of advertising contain a statement that minors are not allowed to open or have access to sports wagering accounts as well as information about available programs to prevent, treat, or monitor compulsive or problem gambling, and procedures for self-exclusion.