

1 SENATE BILL NO. 133
2 INTRODUCED BY T. MCGILLVRAY
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO FANTASY SPORTS
5 LEAGUES AND GAMBLING CONDUCTED BY THE BOARD OF HORSERACING; REMOVING THE BOARD
6 OF HORSERACING'S AUTHORITY OVER PARIMUTUEL FANTASY SPORTS GAMBLING; REVISING
7 DEFINITIONS; AND AMENDING SECTIONS 23-4-101, 23-4-104, 23-4-105, 23-4-201, 23-4-202, 23-4-301, 23-
8 4-302, 23-4-304, 23-5-801, 23-5-802, AND 23-5-805, MCA."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11
12 **Section 1.** Section 23-4-101, MCA, is amended to read:

13 **"23-4-101. Definitions.** Unless the context requires otherwise, in this chapter the following definitions
14 apply:

15 (1) "Advance deposit wagering" means a form of parimutuel wagering in which a person deposits
16 money in an account with an advance deposit wagering hub operator licensed by the board to conduct advance
17 deposit wagering. The money is used to pay for parimutuel wagers made in person, by telephone, or through a
18 communication by other electronic means on horse or greyhound races held in or outside this state.

19 (2) "Advance deposit wagering hub operator" means a simulcast and interactive wagering hub
20 business licensed by the board that, through a subscriber-based service located in this or another state,
21 conducts parimutuel wagering on the races that it simulcasts and on other races that it carries in its wagering
22 menu and that uses a computer that registers bets and divides the total amount bet among those who won.

23 (3) "Board" means the board of horseracing provided for in 2-15-1809.

24 (4) "Board of stewards" means a board composed of three stewards who supervise race meets.

25 (5) "Department" means the department of commerce provided for in Title 2, chapter 15, part 18.

26 ~~(6) "Fantasy sports league" has the meaning provided in 23-5- 801.~~

27 ~~(7)~~(6) "Immediate family" means the spouse, parents, children, grandchildren, brothers, or sisters of
28 an official or licensee regulated by this chapter who have a permanent or continuous residence in the

- 1 parimutuel betting on simulcast races ~~and fantasy sports leagues~~;
- 2 (13) licensing, approval, and regulation of simulcast facilities; and
- 3 (14) licensing, approval, and regulation of match bronc rides and wild horse rides."

4

5 **Section 3.** Section 23-4-105, MCA, is amended to read:

6 **"23-4-105. Authority of board.** (1) The board shall license and regulate racing, match bronc rides,
7 and wild horse rides and review race meets held in this state under this chapter. All percentages withheld from
8 amounts wagered, amounts set aside pursuant to 23-4-202(4)(d), percentages collected pursuant to 23-4-
9 204(3), percentages collected pursuant to 23-4-302(3) ~~and (5)(b)~~, money collected pursuant to 23-4-304(1)(a)
10 and (1)(b), and money received from the state lottery and sports wagering commission pursuant to 23-7-314
11 must be deposited in a state special revenue account and are statutorily appropriated to the board as provided
12 in 17-7-502. The board shall then distribute all funds collected under 23-4-202(4)(d), 23-4-204(3), 23-4-302(3)
13 ~~and (5)(b)~~, and 23-4-304(1)(a) and (1)(b) to live race purses or for other purposes for the good of the existing
14 horseracing industry. If the board decides to authorize new forms of racing, including new forms of simulcast
15 racing, not currently authorized in Montana, the board shall do so after holding public hearings to determine the
16 effects of these forms of racing on the existing saddle racing program in Montana. The board shall consider
17 both the economic and safety impacts on the existing racing and breeding industry. The board is not authorized
18 to allow players to place bets on replays of past horse races.

19 (2) Funds retained by the board in a state special revenue fund pursuant to 23-4-302(1) and (4)
20 are statutorily appropriated to the board as provided in 17-7-502 for the operation of a simulcast parimutuel
21 network and for other purposes that the board considers appropriate for the good of the existing horseracing
22 industry."

23

24 **Section 4.** Section 23-4-201, MCA, is amended to read:

25 **"23-4-201. Licenses -- contracts.** (1) (a) A person may not hold a race meet ~~or conduct fantasy~~
26 ~~sports league wagering through a parimutuel facility, parimutuel network, or a simulcast parimutuel network~~
27 ~~conducting a fantasy sports league~~ in this state without a valid license issued by the department under this
28 chapter. A person applying for a license to hold a race meet under this chapter shall file with the department an