

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SPECIAL SESSION

LEGISLATIVE BILL 32

Introduced by Brandt, 32.

Read first time July 26, 2024

Committee: General Affairs

- 1 A BILL FOR AN ACT relating to the Nebraska Racetrack Gaming Act; to amend
- 2 section 9-1103, Revised Statutes Supplement, 2023; to redefine terms
- 3 relating to sports wagering under the Nebraska Racetrack Gaming Act;
- 4 and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 9-1103, Revised Statutes Supplement, 2023, is
2 amended to read:

3 9-1103 For purposes of the Nebraska Racetrack Gaming Act:

4 (1) Authorized gaming operator means a person or entity licensed
5 pursuant to the act to operate games of chance within a licensed
6 racetrack enclosure;

7 (2) Authorized gaming operator license means a license to operate
8 games of chance as an authorized gaming operator at a licensed racetrack
9 enclosure;

10 (3)(a) Except as otherwise provided in subdivision (b) of this
11 subdivision, authorized sporting event means a professional sporting
12 event, a collegiate sporting event, an international sporting event, a
13 professional motor race event, a professional sports draft, an individual
14 sports award, an electronic sport, or a simulated game; and

15 (b) Authorized sporting event does not include ~~an in-state collegiate~~
16 ~~sporting event in which an in-state collegiate or university team is a~~
17 ~~participant~~, a parimutuel wager, a fantasy sports contest, a minor league
18 sporting event, a sporting event at the high school level or below
19 regardless of the age of any individual participant, or any sporting
20 event excluded by the commission;

21 (4) Collegiate sporting event means an athletic event or competition
22 of an intercollegiate sport played at the collegiate level for which
23 eligibility requirements for participation by a student athlete are
24 established by a national association for the promotion or regulation of
25 collegiate athletics;

26 (5) Commission means the State Racing and Gaming Commission;

27 (6) Designated sports wagering area means an area, as approved by
28 the commission, in which sports wagering is conducted;

29 (7) Game of chance means any game which has the elements of chance,
30 prize, and consideration, including any wager on a slot machine, table
31 game, counter game, or card game, a keno lottery conducted in accordance

1 with the Nebraska County and City Lottery Act, or sports wagering. Game
2 of chance does not include any game the operation of which is prohibited
3 at a casino by federal law;

4 (8) Gaming device means an electronic, mechanical, or other device
5 which plays a game of chance when activated by a player using currency, a
6 token, or other item of value;

7 (9) International sporting event means an international team or
8 individual sporting event governed by an international sports federation
9 or sports governing body, including sporting events governed by the
10 International Olympic Committee and the International Federation of
11 Association Football;

12 (10) Licensed racetrack enclosure means all real property licensed
13 and utilized for the conduct of a race meeting, including the racetrack
14 and any grandstand, concession stand, office, barn, barn area, employee
15 housing facility, parking lot, and additional area designated by the
16 commission in accordance with the Constitution of Nebraska and applicable
17 Nebraska law;

18 (11) Limited gaming device means an electronic gaming device which
19 (a) offers games of chance, (b) does not dispense currency, tokens, or
20 other items of value, and (c) does not have a cash winnings hopper,
21 mechanical or simulated spinning reel, or side handle;

22 (12) Prohibited participant means any individual whose participation
23 may undermine the integrity of the wagering or the sporting event or any
24 person who is prohibited from sports wagering for other good cause shown
25 as determined by the commission, including, but not limited to: (a) Any
26 individual placing a wager as an agent or proxy; (b) any person who is an
27 athlete, a coach, a referee, or a player in any sporting event overseen
28 by the sports governing body of such person based on publicly available
29 information; (c) a person who holds a paid position of authority or
30 influence sufficient to exert influence over the participants in a
31 sporting event, including, but not limited to, any coach, manager,

1 handler, or athletic trainer, or a person with access to certain types of
2 exclusive information, on any sporting event overseen by the sports
3 governing body of such person based on publicly available information; or
4 (d) a person identified as prohibited from sports wagering by any list
5 provided by a sports governing body to the commission;

6 (13) Racing license means a license issued for a licensed racetrack
7 enclosure by the commission; and

8 (14) Sports wagering means the acceptance of wagers on an authorized
9 sporting event by any system of wagering as authorized by the commission.
10 Sports wagering does not include (a) ~~placing a wager on the performance~~
11 ~~or nonperformance of any individual athlete participating in a single~~
12 ~~game or match of a collegiate sporting event in which a collegiate team~~
13 ~~from this state is participating,~~ (b) ~~placing an in-game wager on any~~
14 ~~game or match of a collegiate sporting event in which a collegiate team~~
15 ~~from this state is participating,~~ (c) placing a wager on the performance
16 or nonperformance of any individual athlete under eighteen years of age
17 participating in a professional or international sporting event, or (b)
18 (d) placing a wager on the performance of athletes in an individual
19 sporting event excluded by the commission.

20 Sec. 2. Original section 9-1103, Revised Statutes Supplement, 2023,
21 is repealed.