

AMENDMENTS TO LB1001

Introduced by General Affairs.

1 1. Strike the original sections and insert the following new
2 sections:

3 **Section 1.** Section 2-1205, Revised Statutes Supplement, 2025, is
4 amended to read:

5 2-1205 (1) If the commission is satisfied that its rules and
6 regulations and all provisions of sections 2-1201 to 2-1218 have been and
7 will be complied with, it may issue a license to conduct a race or race
8 meeting for a period of not more than three years. The license shall set
9 forth the name of the licensee, the place where the races or race
10 meetings are to be held, and the time and number of days during which
11 racing may be conducted by such licensee. Any such license issued shall
12 not be transferable or assignable. The commission shall have the power to
13 revoke any license issued at any time for good cause upon reasonable
14 notice and hearing. No license shall be granted to any corporation or
15 association except upon the express condition that it shall not, by any
16 lease, contract, understanding, or arrangement of whatever kind or
17 nature, grant, assign, or turn over to any person, corporation, or
18 association the operation or management of any racing or race meeting
19 licensed under such sections or of the parimutuel system of wagering
20 described in section 2-1207 or in any manner permit any person,
21 corporation, or association other than the licensee to have any share,
22 percentage, or proportion of the money received for admissions to the
23 racing or race meeting or from the operation of the parimutuel system;
24 and any violation of such conditions shall authorize and require the
25 commission immediately to revoke such license. No licensee shall be
26 considered in violation of this section with respect to an agreement with
27 an authorized gaming operator regarding employees and the acceptance of

1 any parimutuel wager or sports wager pursuant to section 9-1110.

2 (2)(a) Any racetrack for which a licensee is issued a license to
3 conduct a race or race meeting under sections 2-1201 to 2-1218 which is
4 in existence and operational as of April 20, 2022, shall:

5 (i) Hold a minimum of five live racing meet days and fifty live
6 horseraces annually beginning January 1, 2026, through December 31, 2030;
7 and

8 (ii) Beginning January 1, 2031, hold a minimum of fifteen live
9 racing meet days and one hundred twenty live horseraces annually.

10 (b) Any racetrack for which a licensee is issued a license to
11 conduct a race or race meeting under sections 2-1201 to 2-1218 which is
12 not in existence and operational until after April 20, 2022, shall:

13 (i) Hold a minimum of one live racing meet day annually for the
14 first three years of operation;

15 (ii) Hold a minimum of five live racing meet days and fifty live
16 horseraces annually for the fourth year of operation through the seventh
17 year of operation; and

18 (iii) Beginning with the eighth year of operation, hold a minimum of
19 fifteen live racing meet days and one hundred twenty live horseraces
20 annually.

21 (c) A racetrack that fails to meet the minimum requirements under
22 this subsection is subject to discipline by the commission, including
23 revocation of the license issued under sections 2-1201 to 2-1218.

24 (3) Any holder of a racetrack enclosure license pursuant to section
25 2-1210 that is licensed to conduct a race or race meeting under this
26 section may petition the commission to waive or modify the requirements
27 of subsection (2) of this section. If the commission determines that such
28 racetrack was unable to conduct the required number of days of live
29 racing due to (a) natural event factors beyond its control, including,
30 but not limited to, acts of God, fire, earthquake, tornado, or other
31 weather events, or (b) racetrack conditions or other conditions making it

1 unsuitable for running horseraces, the commission may waive or modify the
2 requirements of subsection (2) of this section. The petition shall
3 contain the reasons and justification for such waiver or modification and
4 be submitted in writing to the executive director of the commission. A
5 petition submitted more than seven days prior to the next scheduled
6 meeting of the commission shall be taken up at such meeting. A petition
7 submitted less than seven days prior to the next scheduled meeting of the
8 commission shall not be required to be taken up at such meeting but shall
9 be taken up at a following meeting.

10 (4) ~~(3)~~ A racetrack for which a licensee is issued a license to
11 conduct a race or race meeting under sections 2-1201 to 2-1218 in
12 existence on November 1, 2020, which is located in the counties of Adams,
13 Dakota, Douglas, Hall, Lancaster, and Platte, may move such racetrack
14 location to another county in Nebraska that does not have a racetrack one
15 time only, subject to approval by the commission as provided in
16 subdivision (27) of section 9-1106, subsequent to the initial issuance of
17 the market analysis and socioeconomic-impact studies conducted pursuant
18 to section 9-1106.

19 **Sec. 2.** Section 2-1207, Revised Statutes Cumulative Supplement,
20 2024, is amended to read:

21 2-1207 (1) Within the enclosure of any racetrack where a race or
22 race meeting licensed and conducted under sections 2-1201 to 2-1218 is
23 held or at a racetrack licensed to simulcast races or conduct interstate
24 simulcasting, the parimutuel method or system of wagering on the results
25 of the respective races may be used and conducted by the licensee. Under
26 such system, the licensee may receive wagers of money from any person
27 present at such race or racetrack receiving the simulcast race or
28 conducting interstate simulcasting on any horse in a race selected by
29 such person to run first in such race, and the person so wagering shall
30 acquire an interest in the total money so wagered on all horses in such
31 race as first winners in proportion to the amount of money wagered by him

1 or her. Such licensee shall issue to each person so wagering a
2 certificate on which shall be shown the number of the race, the amount
3 wagered, and the number or name of the horse selected by such person as
4 first winner. As each race is run, at the option of the licensee, the
5 licensee may deduct from the total sum wagered on all horses as first
6 winners not less than fifteen percent or more than eighteen percent from
7 such total sum, plus the odd cents of the redistribution over the next
8 lower multiple of ten. At the option of the licensee, the licensee may
9 deduct up to and including twenty-five percent from the total sum wagered
10 by exotic wagers as defined in section 2-1208.03. The commission may
11 authorize other levels of deduction on wagers conducted by means of
12 interstate simulcasting. The licensee shall notify the commission in
13 writing of the percentages the licensee intends to deduct during the live
14 race meet conducted by the licensee and shall notify the commission at
15 least one week in advance of any changes to such percentages the licensee
16 intends to make. The licensee shall also deduct from the total sum
17 wagered by exotic wagers, if any, the tax plus the odd cents of the
18 redistribution over the next multiple of ten as provided in subsection
19 (1) of section 2-1208.04. The balance remaining on hand shall be paid out
20 to the holders of certificates on the winning horse in the proportion
21 that the amount wagered by each certificate holder bears to the total
22 amount wagered on all horses in such race to run first. The licensee may
23 likewise receive such wagers on horses selected to run second, third, or
24 both, or in such combinations as the commission may authorize, the
25 method, procedure, and authority and right of the licensee, as well as
26 the deduction allowed to the licensee, to be as specified with respect to
27 wagers upon horses selected to run first.

28 (2) At all race meets held pursuant to this section, the licensee
29 shall deduct from the total sum wagered one-third of the amount over
30 fifteen percent deducted pursuant to subsection (1) of this section on
31 wagers on horses selected to run first, second, or third and one percent

1 of all exotic wagers to be used to promote agriculture and horse breeding
2 in Nebraska and for the support and preservation of horseracing pursuant
3 to section 2-1207.01. Money deducted for such purposes shall be given by
4 the licensee of the track where the funds were generated to the official
5 registrar for each breed for distribution as designated in section
6 2-1207.01.

7 (3) No person under twenty-one years of age shall be permitted to
8 make any parimutuel wager, and there shall be no wagering on horseracing
9 except under the parimutuel method outlined in this section. Any person,
10 association, or corporation who knowingly aids or abets a person under
11 twenty-one years of age in making a parimutuel wager shall be guilty of a
12 Class I misdemeanor.

13 (4) Beginning on the implementation date designated by the Tax
14 Commissioner pursuant to subsection (1) of section 9-1312, prior to the
15 winnings payment of any parimutuel winnings as defined in section 9-1303,
16 an authorized gaming operator or licensee licensed to conduct parimutuel
17 wagering shall check the collection system to determine if the winner has
18 a debt or an outstanding state tax liability as required by the Gambling
19 Winnings Setoff for Outstanding Debt Act. If such authorized gaming
20 operator or licensee determines that the winner is subject to the
21 collection system, the operator shall deduct the amount of debt and
22 outstanding state tax liability identified in the collection system from
23 the winnings payment and shall remit the net winnings payment of
24 parimutuel winnings, if any, to the winner and the amount deducted to the
25 Department of Revenue to be credited against such debt or outstanding
26 state tax liability as provided in section 9-1306.

27 **Sec. 3.** Section 2-1207.01, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 2-1207.01 (1) The amount deducted from wagers pursuant to subsection
30 (2) of section 2-1207 may be used to promote agriculture and
31 horsebreeding in Nebraska and shall be distributed as described in this

1 section as purse supplements and breeder and stallion awards for
2 Nebraska-bred horses, as defined and registered pursuant to section
3 2-1213, at the racetrack where the funds were generated. The official
4 registrar for each breed, as established in section 2-1213, shall
5 distribute purse supplements and breeder and stallion awards and shall
6 annually spend a minimum of eighty percent of all amounts deducted
7 pursuant to subsection (2) of section 2-1207 on such purse supplements
8 and breeder and stallion awards. ,—except that

9 (2)(a) If if a racetrack does not continue to conduct live race
10 meets, amounts deducted may be distributed as purse supplements and
11 breeder and stallion awards at racetracks that conduct live race meets of
12 the same breed of horse that has primarily run in live race meets at such
13 track.

14 (b) Amounts and—amounts deducted pursuant to a contract with the
15 organization representing the majority of the licensed owners and
16 trainers at the racetrack's most recent live thoroughbred race meet shall
17 be used by that organization to promote live thoroughbred horseracing in
18 the state or as purse supplements at racetracks that conduct live
19 thoroughbred race meets in the state.

20 (c) Amounts deducted pursuant to a contract between the organization
21 representing the majority of licensed owners and trainers at the
22 racetrack's most recent live quarterhorse race meet shall be used by such
23 organization to promote live quarterhorse race meets in the state.

24 (3) Any costs incurred by the commission pursuant to this section
25 and subsection (2) of section 2-1207 shall be separately accounted for
26 and be deducted from such funds.

27 **Sec. 4.** Section 2-1210, Revised Statutes Supplement, 2025, is
28 amended to read:

29 2-1210 (1) For purposes of sections 2-1201 to 2-1218, licensed
30 racetrack enclosure means all real property licensed and utilized for the
31 conduct of a race meeting, including the racetrack and any grandstand,

1 concession stand, office, barn, barn area, employee housing facility,
2 parking lot, and additional area designated by the commission in
3 accordance with the Constitution of Nebraska and applicable Nebraska law.

4 (2) The Nebraska State Fair Board, a county fair board, a county
5 agricultural society for the improvement of agriculture organized under
6 the County Agricultural Society Act, or a corporation or association of
7 persons organized and carried on for civic purposes or which conducts a
8 livestock exposition for the promotion of the livestock or horse-breeding
9 industries of the state and which does not permit its members to derive
10 personal profit from its activities by way of dividends or otherwise may
11 apply in a manner prescribed by the commission for a racetrack enclosure
12 license to operate a licensed racetrack enclosure along with an
13 application fee of ten thousand dollars. A racetrack enclosure license
14 shall be valid for a period of up to three years. Such license may be
15 renewed in a manner prescribed by the commission, and such application
16 for renewal shall be accompanied by a fee of ten thousand dollars.

17 (3) A racetrack enclosure license issued pursuant to this section
18 for purposes of operating a licensed racetrack enclosure is separate and
19 distinct from the license required to conduct horseracing meets issued
20 pursuant to section 2-1204.

21 (4) A licensee holding a license to conduct horseracing meets at a
22 designated place within the state pursuant to section 2-1204 prior to
23 September 3, 2025, shall be deemed to hold a racetrack enclosure license
24 for such designated place within the state for purposes of this section
25 and the Nebraska Racetrack Gaming Act until the commission acts upon the
26 licensee's application for a racetrack enclosure license under this
27 section.

28 **Sec. 5.** Section 2-1213, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 2-1213 (1)(a) No license shall be granted for racing on more than
31 one racetrack in any one county, except that the commission may, in its

1 discretion, grant a license to any county agricultural society to conduct
2 racing during its county fair notwithstanding a license may have been
3 issued for racing on another track in such county.

4 (b) Since the purpose of sections 2-1201 to 2-1218 is to encourage
5 agriculture and horse breeding in Nebraska, every licensee shall hold at
6 least one race on each racing day limited to Nebraska-bred horses,
7 including thoroughbreds or quarterhorses. Three percent of the first
8 money of every purse won by a Nebraska-bred horse shall be paid to the
9 breeder of such horse.

10 (2) For purposes of this section, Nebraska-bred horse shall mean a
11 horse registered with the Nebraska Thoroughbred or Quarter Horse Registry
12 and meeting the following requirements: (a) It shall have been foaled in
13 Nebraska; (b) its dam shall have been registered, prior to foaling, with
14 the Nebraska Thoroughbred or Quarter Horse Registry; and (c) its dam
15 shall have been continuously in Nebraska for ninety days immediately
16 prior to foaling, except that such ninety-day period may be waived
17 ~~reduced to thirty days~~ in the case of a mare in foal which is purchased
18 at a nationally recognized thoroughbred or quarterhorse blood stock sale,
19 the name and pedigree of the mare being listed in the sale catalog, and
20 which is brought into this state and remains in this state ~~for thirty~~
21 ~~days~~ immediately prior to foaling.

22 (3) The requirement that a dam shall be continuously in Nebraska for
23 ~~either~~ ninety days unless waived ~~or thirty days~~, as specified in
24 subdivision (2)(c) of this section, shall not apply to a dam which is
25 taken outside of Nebraska to be placed for sale at a nationally
26 recognized thoroughbred or quarterhorse blood stock sale, the name and
27 pedigree of the mare being listed in the sale catalog, or for the
28 treatment of an extreme sickness or injury, if written notice of such
29 proposed sale or treatment is provided to the secretary of the commission
30 within three days of the date such horse is taken out of the state.

31 (4) The commission shall ~~may~~ designate official registrars for the

1 purpose of registration and to certify the eligibility of Nebraska-bred
2 horses. An official registrar shall perform such duties in accordance
3 with policies and procedures adopted and promulgated by the commission in
4 the current rules and regulations of the commission. The commission may
5 authorize the official registrar to collect specific fees as would
6 reasonably compensate the registrar for expenses incurred in connection
7 with registration of Nebraska-bred horses. The amount of such fee or fees
8 shall be established by the commission and shall not be changed without
9 commission approval. Fees shall not exceed two ~~one~~ hundred dollars per
10 horse.

11 (5) A horse of any breed that meets the requirements of subsection
12 (2) of this section to be eligible for registration with the Nebraska
13 Thoroughbred or Quarter Horse Registry shall be registered with the
14 appropriate official registrar designated by the commission within ninety
15 days after being born. An owner or breeder that fails to register a horse
16 that meets the requirements of subsection (2) of this section to qualify
17 as a Nebraska-bred horse within such timeframe shall be subject to an
18 administrative fee of up to one thousand dollars payable to the official
19 registrar for the applicable breed. Any such fee shall be used to cover
20 the costs of administering the official registrar's statutory duties.

21 (6) Any decision or action taken by the official registrar shall be
22 subject to review by the commission or may be taken up by the commission
23 on its own initiative.

24 **Sec. 6.** Section 2-1216, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 2-1216 The parimutuel system of wagering on the results of
27 horseraces, when conducted pursuant to section 2-1207 ~~within the~~
28 ~~racetrack enclosure at licensed horserace meetings,~~ shall not under any
29 circumstances be held or construed to be unlawful, any other statutes of
30 the State of Nebraska to the contrary notwithstanding. The money inuring
31 to the commission under sections 2-1201 to 2-1218 relating to horseracing

1 from permit fees or from other sources shall never be considered as
2 license money. It is the intention of the Legislature that the funds
3 arising under such sections be construed as general revenue to be
4 appropriated and allocated exclusively for the specific purposes set
5 forth in such sections.

6 **Sec. 7.** Section 2-1226, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 2-1226 Any racetrack issued a license under sections 2-1201 to
9 2-1223 which operates at least one live race meet during each calendar
10 year ~~except as provided in section 2-1228~~ may apply to the commission for
11 a simulcast facility license. An application for such license shall be in
12 such form as may be prescribed by the commission and shall contain such
13 information, material, or evidence as the commission may require. Any
14 racetrack issued a simulcast facility license may display the simulcast
15 of a horserace on which parimutuel wagering shall be allowed.

16 **Sec. 8.** Section 2-1228, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 2-1228 Any racetrack issued a license under sections 2-1201 to
19 2-1223 (1) conducting primarily quarterhorse races in the year
20 immediately preceding the year for which application is made, ~~regardless~~
21 ~~of the total number of days of live racing conducted in such year,~~ or (2)
22 conducting primarily thoroughbred horseraces in the year immediately
23 preceding the year for which application is made ~~which conducted live~~
24 ~~racing on at least seventy percent of the days for which it was~~
25 ~~authorized to conduct live racing in 1988 unless the commission~~
26 ~~determines that such racetrack was unable to conduct live racing on the~~
27 ~~required number of days due to factors beyond its control, including, but~~
28 ~~not limited to, fire, earthquake, tornado, or other natural disaster,~~ may
29 apply to the commission for an interstate simulcast facility license. An
30 application for such license shall be in a form prescribed by the
31 commission and shall contain such information, material, or evidence as

1 the commission may require. Any racetrack issued an interstate simulcast
2 facility license may conduct the interstate simulcast of any horserace
3 permitted under its license, and parimutuel wagering shall be allowed on
4 such horserace. ~~The commission shall not authorize interstate~~
5 ~~simulcasting for any racetrack pursuant to sections 2-1201 to 2-1223~~
6 ~~unless all of the thoroughbred racetracks together applied for and~~
7 ~~received authority to conduct at least one hundred eighty live racing~~
8 ~~days in the calendar year in which the application is made. If any~~
9 ~~racetrack conducts live racing for less than seventy percent of the days~~
10 ~~assigned such racetrack in 1988, (a) such racetrack shall be precluded~~
11 ~~from conducting interstate simulcasts and (b) the number of live racing~~
12 ~~days conducted by such racetrack shall be subtracted from an amount equal~~
13 ~~to seventy percent of all the days assigned such racetrack in 1988 and~~
14 ~~the amount remaining shall be deducted from the one hundred eighty-day~~
15 ~~total required by this section. If any racetrack ceases to conduct live~~
16 ~~racing, seventy percent of the days assigned such racetrack in 1988 shall~~
17 ~~be deducted from the one hundred eighty-day total required by this~~
18 ~~section.~~

19 **Sec. 9.** Section 2-1229, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 2-1229 (1) The commission may authorize and approve an application
22 for an interstate simulcast facility license by any a receiving track
23 within the state to receive the interstate simulcast of horseraces for
24 parimutuel wagering purposes from any track located outside of the state.
25 In determining whether such application should be approved, the
26 commission shall consider whether such interstate simulcast would have a
27 significant effect upon either live racing or the simulcasting of live
28 racing of the same type and at the same time conducted in this state and
29 whether it would expand the access to or availability of simulcasting to
30 areas of the state or markets which are not at the time of the
31 application fully served.

1 (2)(a) Prior to approving any such application from a track running
2 primarily thoroughbred horseraces, the commission shall confer with and
3 receive any recommendations of the organization which represents the
4 majority of the thoroughbred breeders in Nebraska as to what effect an
5 interstate simulcast would have upon thoroughbred horse breeding and
6 horseracing in this state. Prior to approving any such application from a
7 track running primarily quarterhorse horseraces, the commission shall
8 confer with and receive recommendation of the organization which
9 represents the majority of quarterhorse breeders in Nebraska as to what
10 effect an interstate simulcast would have upon quarterhorse breeding and
11 horseracing in this state.

12 (b) No application submitted under section 2-1228 shall be approved
13 by the commission without:

14 (i) (a) The prior written approval of any other racetrack issued a
15 license under sections 2-1201 to 2-1223 and conducting live racing of the
16 same type on the same day at the same time as the proposed interstate
17 simulcast race or races and of the organization which represented a
18 majority of the licensed owners and trainers at the racetrack's
19 immediately preceding live thoroughbred or quarterhorse race meeting;

20 (ii) (b) The prior written approval of any other racetrack issued a
21 license under sections 2-1224 to 2-1227 which is simulcasting the racing
22 program of any licensee conducting live racing in this state of the same
23 type on the same day at the same time as the proposed interstate
24 simulcast race or races ~~and of the organization which represented a~~
25 ~~majority of the licensed owners and trainers at the racetrack's~~
26 ~~immediately preceding live thoroughbred race meeting; and~~

27 (iii) (c) A written agreement between the receiving track and the
28 sending track located outside of the state in any other state, territory,
29 or possession of the United States, the District of Columbia, or the
30 Commonwealth of Puerto Rico setting forth the division of all proceeds
31 between the sending and receiving tracks and all other conditions under

1 which such interstate simulcast will be conducted. Such written agreement
2 shall have the consent of the group representing the majority of
3 horsepersons racing at the sending track and of the organization which
4 represented a majority of the licensed owners and trainers at the
5 receiving track's immediately preceding live ~~thoroughbred~~ race meeting.

6 ~~(2)~~ (3) Every licensee authorized to accept wagers on interstate
7 simulcast events pursuant to this section shall be deemed to be
8 conducting a licensed horserace meeting and shall also be subject to all
9 appropriate provisions of sections 2-1201 to 2-1223 relating to the
10 conduct of horserace meetings.

11 **Sec. 10.** Section 9-1,101, Revised Statutes Supplement, 2025, is
12 amended to read:

13 9-1,101 (1) The Nebraska Bingo Act, the Nebraska County and City
14 Lottery Act, the Nebraska Lottery and Raffle Act, the Nebraska Pickle
15 Card Lottery Act, the Nebraska Small Lottery and Raffle Act, and section
16 9-701 shall be administered and enforced by the Charitable Gaming
17 Division of the Department of Revenue, which division is hereby created.
18 The Department of Revenue shall make annual reports to the Governor,
19 Legislature, Auditor of Public Accounts, and Attorney General on all tax
20 revenue received, expenses incurred, and other activities relating to the
21 administration and enforcement of such acts. The report submitted to the
22 Legislature shall be submitted electronically.

23 (2) The Charitable Gaming Operations Fund is hereby created. Any
24 money in the fund available for investment shall be invested by the state
25 investment officer pursuant to the Nebraska Capital Expansion Act and the
26 Nebraska State Funds Investment Act.

27 (3)(a) Forty percent of the taxes collected pursuant to sections
28 9-239, 9-344, 9-429, and 9-648 shall be available to the Charitable
29 Gaming Division for administering and enforcing the acts listed in
30 subsection (1) of this section and to the State Racing and Gaming
31 Commission for providing administrative support for the Nebraska

1 Commission on Problem Gambling. The remaining sixty percent shall be
2 transferred to the General Fund. Any portion of the forty percent not
3 used by the division in the administration and enforcement of such acts
4 and section or the State Racing and Gaming Commission shall be
5 distributed as provided in this subsection.

6 (b) Beginning July 1, 2019, through June 30, 2026, on or before the
7 last day of the last month of each calendar quarter, the State Treasurer
8 shall transfer one hundred thousand dollars from the Charitable Gaming
9 Operations Fund to the Compulsive Gamblers Assistance Fund.

10 (c) Any money remaining in the Charitable Gaming Operations Fund
11 after the transfer pursuant to subdivision (b) of this subsection not
12 used by the Charitable Gaming Division in its administration and
13 enforcement duties pursuant to this section may be transferred to the
14 General Fund and the Compulsive Gamblers Assistance Fund at the direction
15 of the Legislature.

16 (4) The Tax Commissioner shall employ investigators who shall be
17 vested with the authority and power of a law enforcement officer to carry
18 out the laws of this state administered by the Tax Commissioner or the
19 Department of Revenue and to enforce sections 28-1101 to 28-1117 relating
20 to possession of a gambling device. For purposes of enforcing sections
21 28-1101 to 28-1117, the authority of the investigators shall be limited
22 to investigating possession of a gambling device, notifying local law
23 enforcement authorities, and reporting suspected violations to the county
24 attorney for prosecution.

25 (5) The Charitable Gaming Division may charge a fee for publications
26 and listings it produces. The fee shall not exceed the cost of
27 publication and distribution of such items. The division may also charge
28 a fee for making a copy of any record in its possession equal to the
29 actual cost per page. The division shall remit the fees to the State
30 Treasurer for credit to the Charitable Gaming Operations Fund.

31 (6) The taxes collected and available to the Charitable Gaming

1 Division pursuant to section 77-3012 shall be used by the division for
2 enforcement of the Mechanical Amusement Device Tax Act and maintenance of
3 the central server established pursuant to section 77-3013.

4 ~~(7) For administrative purposes only, the Nebraska Commission on~~
5 ~~Problem Gambling shall be located within the Charitable Gaming Division.~~
6 ~~The division shall provide office space, furniture, equipment, and~~
7 ~~stationery and other necessary supplies for the commission. Commission~~
8 ~~staff shall be appointed, supervised, and terminated by the director of~~
9 ~~the Gamblers Assistance Program pursuant to section 9-1004.~~

10 **Sec. 11.** Section 9-204, Revised Statutes Cumulative Supplement,
11 2024, is amended to read:

12 9-204 (1) Bingo means ~~shall mean~~ that form of gambling in which:

13 (a) The winning numbers or song titles, musical artists, or music
14 genres are determined by random selection from a pool of seventy-five or
15 ninety numbered designators or song titles, musical artists, or music
16 genres; and

17 (b) A player marks by physically daubing or covering or,
18 automatically or manually with the aid of a bingo card monitoring device,
19 enters or otherwise conceals those randomly selected numbers or song
20 titles, musical artists, or music genres which match on a bingo card that
21 the player has purchased or leased only at the time and place of the
22 bingo occasion.

23 (2) Bingo does not ~~shall not mean or~~ include:

24 (a) Any scheme which uses any mechanical gaming device, computer
25 gaming device, electronic gaming device, or video gaming device which has
26 the capability of awarding something of value, free games redeemable for
27 something of value, or tickets or stubs redeemable for something of
28 value;

29 (b) Any activity which is authorized or regulated under the Nebraska
30 County and City Lottery Act, the Nebraska Lottery and Raffle Act, the
31 Nebraska Pickle Card Lottery Act, the Nebraska Small Lottery and Raffle

1 Act, the State Lottery Act, section 9-701, or Chapter 2, article 12; or
2 (c) Any activity which is prohibited under Chapter 28, article 11.

3 **Sec. 12.** Section 9-204.01, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 9-204.01 Bingo card means ~~shall mean~~:

6 (1) In the case of seventy-five-number bingo, a disposable paper
7 bingo card, a facsimile of a bingo card electronically displayed on a
8 bingo card monitoring device, or a reusable hard bingo card or shutter
9 card, which has letters and numbers preprinted or predetermined by a
10 manufacturer and which:

11 (a) Contains five columns with five squares in each column;

12 (b) Identifies the five columns from left to right by the letters B-
13 I-N-G-O; and

14 (c) Contains in each square, except for the center square identified
15 as "free", one number from a pool of seventy-five numbers; ~~or~~

16 (2) In the case of ninety-number bingo, a disposable paper bingo
17 card or facsimile of a bingo card electronically displayed on a bingo
18 card monitoring device which has numbers preprinted or predetermined by a
19 manufacturer and which:

20 (a) Contains six faces with each face containing twenty-seven
21 squares arranged in nine columns of three squares each; and

22 (b) Contains in fifteen squares of each face a number from one to
23 ninety which is not repeated on the same card; or -

24 (3) In the case of bingo conducted utilizing song titles, musical
25 artists, or music genres, a disposable paper bingo card, a facsimile of a
26 bingo card electronically displayed on a bingo card monitoring device, or
27 a reusable hard bingo card or shutter card, which has song titles,
28 musical artists, or music genres preprinted or predetermined and which:

29 (a) Contains five columns with five squares in each column; and

30 (b) Contains in each square, except for the center square identified
31 as "free", one song title, musical artist, or music genre from a pool of

1 seventy-five song titles, musical artists, or music genres.

2 The department may approve variations to the card formats described
3 in subdivisions (1), ~~and (2), and (3)~~ of this section if such variations
4 result in a bingo game which is conducted in a manner that is consistent
5 with section 9-204.

6 **Sec. 13.** Section 9-204.04, Revised Statutes Cumulative Supplement,
7 2024, is amended to read:

8 9-204.04 Bingo card monitoring device means ~~shall mean~~ a
9 technological aid which allows a bingo player to automatically or
10 manually enter bingo numbers or song titles, musical artists, or music
11 genres as they are announced at a bingo occasion and which enters or
12 otherwise conceals those numbers or song titles, musical artists, or
13 music genres on bingo cards which are electronically stored in and
14 displayed on the device. A bingo card monitoring device shall not mean or
15 include any device (1) into which currency, coins, or tokens may be
16 inserted or from which currency, coins, tokens, or any receipt for
17 monetary value can be dispensed or (2) which, once provided to a bingo
18 player, is capable of communicating with any other bingo card monitoring
19 device or any other form of electronic device or computer, except that
20 such device may communicate with its host system.

21 **Sec. 14.** Section 9-230, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 9-230 No person, except a licensed organization or qualifying
24 nonprofit organization operating pursuant to the Nebraska Bingo Act,
25 shall conduct any game of bingo for which a charge is made, and no person
26 except a licensed organization shall award any prize with a value in
27 excess of fifty ~~twenty-five~~ dollars for any bingo game. Any such game
28 conducted in violation of this section is hereby declared to be a public
29 nuisance. Any person violating the provisions of this section shall be
30 guilty of a Class III misdemeanor for the first offense and a Class I
31 misdemeanor for the second or subsequent offense.

1 **Sec. 15.** Section 9-230.01, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 9-230.01 (1) A qualifying nonprofit organization may apply to the
4 department for a permit to conduct a special event bingo in conjunction
5 with a special event at which bingo is not the primary function. Such
6 special event bingo shall be exempt from (a) the licensing requirements
7 found in the Nebraska Bingo Act for Class I and Class II licenses, (b)
8 the record-keeping and reporting requirements found in the act for
9 licensed organizations, and (c) any tax on the gross receipts derived
10 from the conduct of bingo as provided in the act for licensed
11 organizations.

12 (2) A qualifying nonprofit organization may apply for and obtain
13 four ~~two~~ special event bingo permits per calendar year, not to exceed a
14 total of fourteen days in duration. An application for a permit shall be
15 made, on a form prescribed by the department, at least ten days prior to
16 the desired starting date of the special event bingo. The form shall be
17 accompanied by a permit fee of fifteen dollars and shall contain:

18 (a) The name and address of the nonprofit organization applying for
19 the permit;

20 (b) Sufficient facts relating to the nature of the organization to
21 enable the department to determine if the organization is eligible for
22 the permit;

23 (c) The date, time, place, duration, and nature of the special event
24 at which the special event bingo will be conducted;

25 (d) The name, address, and telephone number of the individual who
26 will be in charge of the special event bingo; and

27 (e) Any other information which the department deems necessary.

28 (3) An organization must have a permit issued by the department
29 before it can conduct a special event bingo. The permit shall be clearly
30 posted and visible to all participants at the special event bingo.

31 (4) Special event bingo shall be subject to the following:

1 (a) Special event bingo shall be conducted only within the county in
2 which the qualifying nonprofit organization has its principal office;

3 (b)(i) {b} Bingo equipment, other than disposable paper bingo cards,
4 necessary to conduct bingo may be obtained from any source. Except as
5 provided in subdivision (4)(b)(ii) of this section, disposable Disposable
6 paper bingo cards may be obtained only from (A) {i} a licensed
7 distributor or (B) {ii} a licensed organization as provided in
8 subdivision (4)(e) of section 9-241.05. ÷

9 (ii) Disposable paper bingo cards for bingo conducted utilizing song
10 titles, musical artists, or music genres may be obtained from any source;

11 (c) No bingo card used at a special event bingo shall be sold,
12 rented, or leased for more than one dollar ~~twenty-five cents~~ per card;

13 (d) No single prize shall be offered or awarded at a special event
14 bingo which exceeds fifty ~~twenty-five~~ dollars in value;

15 (e) A special event bingo shall be conducted by individuals who are
16 at least eighteen years of age. The qualifying nonprofit organization may
17 permit individuals under eighteen years of age to play special event
18 bingo when no alcoholic beverages are served, sold, or consumed in the
19 immediate vicinity of where the special event bingo is conducted;

20 (f) No wage, commission, or salary shall be paid to any person in
21 connection with the conduct of a special event bingo; and

22 (g) The gross receipts from the conduct of a special event bingo
23 shall be used solely for the awarding of prizes and reasonable and
24 necessary expenses associated with the conduct of the special event bingo
25 such as the permit fee and the purchase or rental of bingo cards or other
26 equipment needed to conduct bingo. The remaining receipts shall be used
27 solely for a lawful purpose.

28 (5) Bingo conducted utilizing song titles, musical artists, or music
29 genres shall only be conducted through the use of a special event bingo
30 permit as provided in this section.

31 **Sec. 16.** Section 9-233, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 9-233 (1) The department may issue an applicant organization one of
3 the following classes of bingo licenses:

4 (a) A Class I license which shall include organizations with gross
5 receipts from the conduct of bingo which are less than one hundred
6 thousand dollars per twelve-month period commencing October 1 of each
7 year or such other date as the department may prescribe by rule and
8 regulation; or

9 (b) A Class II license which shall include organizations with gross
10 receipts from the conduct of bingo equal to or greater than one hundred
11 thousand dollars per twelve-month period commencing October 1 of each
12 year or such other date as the department may prescribe by rule and
13 regulation.

14 (2) For purposes of this section, when bingo occasions are conducted
15 on a joint basis by two or more licensed organizations, the class of
16 license required shall be determined based upon the combined gross
17 receipts of all licensed organizations involved in the conduct of the
18 bingo occasion.

19 (3) A biennial fee of thirty dollars shall be charged for a Class I
20 license, and a biennial fee of one hundred dollars shall be charged for a
21 Class II license.

22 (4) The department shall adopt and promulgate rules and regulations
23 to establish reporting requirements for each class of license issued.

24 (5) Bingo conducted utilizing song titles, musical artists, or music
25 genres shall only be conducted through a special event bingo permit and
26 shall not be conducted by the holder of a Class I or Class II license
27 issued pursuant to this section.

28 **Sec. 17.** Section 9-241.03, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 9-241.03 (1) Irrespective of the number of organizations authorized
31 to hold bingo occasions within a premises:

1 (a) No more than two bingo occasions per calendar week shall be held
2 within a premises except as otherwise provided in subsection (3) of this
3 section; and

4 (b) No more than four limited period bingos with an aggregate of no
5 more than twelve days per twelve-month period commencing October 1 of
6 each year or such other date as the department may prescribe by rule and
7 regulation and no more than four ~~two~~ special event bingos with an
8 aggregate of no more than fourteen days per calendar year shall be held
9 within a premises.

10 (2) Bingo occasions held as part of a limited period bingo or
11 special event bingo, or a bingo occasion that was canceled due to an act
12 of God and rescheduled pursuant to section 9-241.02, shall not be counted
13 in determining whether the use of a premises is in compliance with
14 subdivision (1)(a) of this section.

15 (3) Notwithstanding the restriction contained in subdivision (1)(a)
16 of this section, the department may authorize more than two bingo
17 occasions per calendar week to be held within a premises if a licensed
18 organization or commercial lessor can demonstrate in writing to the
19 department that utilizing the premises for the conduct of bingo more than
20 two times per calendar week will result in a cost savings for each of the
21 licensed organizations who would be utilizing the premises. If the
22 department authorizes a premises to be used more than two times per
23 calendar week, the department shall not permit more than one bingo
24 occasion per calendar day to be held in a premises except when one of the
25 occasions is a limited period bingo or a special event bingo.

26 **Sec. 18.** Section 9-241.08, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 9-241.08 (1) No person under eighteen years of age shall play or
29 participate in any bingo game, except that any person may play bingo at a
30 limited period bingo or special event bingo if (a) no alcoholic beverages
31 are served and (b) no prize or prizes to be awarded exceed fifty ~~twenty-~~

1 ~~five~~ dollars in value per game.

2 (2) All persons involved in the conduct of bingo must be at least
3 eighteen years of age.

4 (3) No person who is conducting or assisting in the conduct of a
5 bingo occasion shall be permitted to participate as a player at that
6 bingo occasion.

7 (4) No licensed commercial lessor, distributor, or manufacturer,
8 person having a substantial interest in a licensed commercial lessor,
9 distributor, or manufacturer, or employee or agent of a licensed
10 commercial lessor, distributor, or manufacturer shall operate, manage,
11 conduct, advise, or assist in the operating, managing, conducting,
12 promoting, or administering of any bingo game or occasion. For purposes
13 of this subsection, the term assist shall include, but not be limited to,
14 the payment of any expense of a licensed organization, whether such
15 payment is by loan or otherwise.

16 (5) No person, licensee, or permittee or employee or agent thereof
17 shall knowingly permit an individual under eighteen years of age to play
18 or participate in any way in a bingo game conducted pursuant to the
19 Nebraska Bingo Act, excluding those individuals allowed by law to play at
20 a limited period bingo or special event bingo when (a) no alcoholic
21 beverages are served and (b) no prize or prizes that will be awarded
22 exceed fifty ~~twenty-five~~ dollars in value per game.

23 **Sec. 19.** Section 9-255, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 9-255 (1)(a) Only the following means of random selection of the
26 numbered designators shall be used in the conduct of any bingo game:

27 (i) ~~(1)~~ An electrically operated blower machine containing balls
28 which the operator may take from the air one at a time while the blower
29 is in operation, or which provides a trap or other mechanical means for
30 automatically catching not more than one ball at a time while the blower
31 is in operation; or

1 (ii) ~~(2)~~ A mechanically or manually operated cage which provides a
2 trap or other mechanical means for automatically catching not more than
3 one ball at a time while the cage is in operation.

4 (b) For any means of selection permitted by subdivisions (1)(a)(i)
5 and (ii) ~~(1) and (2)~~ of this section, the balls to be drawn shall be
6 essentially the same in size, shape, weight, balance, and all other
7 characteristics so that at all times during the conduct of bingo each
8 ball possesses the capacity for equal agitation with any other ball
9 within the receptacle. All balls within the total set shall be subject to
10 random selection at the beginning of each bingo game.

11 (2) For purposes of bingo utilizing song titles, musical artists, or
12 music genres, only a mechanical, manually operated, or electronic device
13 that ensures song titles, musical artists, or music genres are randomly
14 selected shall be used in the conduct of such a bingo game.

15 **Sec. 20.** Section 9-701, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 9-701 (1) For purposes of this section:

18 (a) Financial institution means a bank, savings bank, building and
19 loan association, ~~or~~ savings and loan association, or credit union,
20 whether chartered by the United States, the Department of Banking and
21 Finance, or a foreign state agency as defined in section 8-101.03; or any
22 other similar organization which is covered by federal deposit insurance;

23 (b) Gift enterprise means a contest, game of chance, savings
24 promotion raffle, or game promotion which is conducted within the state
25 or throughout the state and other states in connection with the sale of
26 consumer or trade products or services solely as business promotions and
27 in which the elements of chance and prize are present. Gift enterprise
28 does not include any scheme using the game of bingo or keno; any non-
29 telecommunication-related, player-activated electronic or
30 electromechanical facsimile of any game of chance; or any slot machine of
31 any kind. A gift enterprise shall not utilize pickle cards as defined in

1 section 9-315. Promotional game tickets may be utilized subject to the
2 following:

3 (i) The tickets utilized shall be manufactured or imprinted with the
4 name of the operator on each ticket;

5 (ii) The tickets utilized shall not be manufactured with a cost per
6 play printed on them; and

7 (iii) The tickets utilized shall not be substantially similar to any
8 type of pickle card approved by the Department of Revenue pursuant to
9 section 9-332.01;

10 (c) Operator means any person, firm, corporation, financial
11 institution, association, governmental entity, or agent or employee
12 thereof who promotes, operates, or conducts a gift enterprise ~~Operator~~
13 ~~does not include any nonprofit organization or any agent or employee~~
14 ~~thereof, except that operator includes any credit union chartered under~~
15 ~~state or federal law or any agent or employee thereof who promotes,~~
16 ~~operates, or conducts a gift enterprise; and~~

17 (d) Savings promotion raffle means a contest conducted by a
18 financial institution ~~or credit union chartered under state or federal~~
19 ~~law~~ or any agent or employee thereof in which a chance of winning a
20 designated prize is obtained by the deposit of a specified amount of
21 money in a savings account or other savings program if each entry has an
22 equal chance of winning.

23 (2) Any operator may conduct a gift enterprise within this state in
24 accordance with this section.

25 (3) An operator shall not:

26 (a) Design, engage in, promote, or conduct a gift enterprise in
27 connection with the promotion or sale of consumer products or services in
28 which the winner may be unfairly predetermined or the game may be
29 manipulated or rigged;

30 (b) Arbitrarily remove, disqualify, disallow, or reject any entry;

31 (c) Fail to award prizes offered;

1 (d) Print, publish, or circulate literature or advertising material
2 used in connection with such gift enterprise which is false, deceptive,
3 or misleading; or

4 (e) Require an entry fee, a payment or promise of payment of any
5 valuable consideration, or any other consideration as a condition of
6 entering a gift enterprise or winning a prize from the gift enterprise,
7 except that a contest, game of chance, or business promotion may require,
8 as a condition of participation, evidence of the purchase of a product or
9 service as long as the purchase price charged for such product or service
10 is not greater than it would have been without the contest, game of
11 chance, or business promotion. For purposes of this section,
12 consideration shall not include (i) filling out an entry blank, (ii)
13 entering by mail with the purchase of postage at a cost no greater than
14 the cost of postage for a first-class letter weighing one ounce or less,
15 (iii) entering by a telephone call to the operator of or for the gift
16 enterprise at a cost no greater than the cost of postage for a first-
17 class letter weighing one ounce or less. When the only method of entry is
18 by telephone, the cost to the entrant of the telephone call shall not
19 exceed the cost of postage for a first-class letter weighing one ounce or
20 less for any reason, including (A) whether any communication occurred
21 during the call which was not related to the gift enterprise or (B) the
22 fact that the cost of the call to the operator was greater than the cost
23 to the entrant allowed under this section, or (iv) the deposit of money
24 in a savings account or other savings program, regardless of the interest
25 rate earned by such account or program.

26 (4) An operator shall disclose to participants all terms and
27 conditions of a gift enterprise.

28 (5)(a) The Department of Revenue may adopt and promulgate rules and
29 regulations necessary to carry out the operation of gift enterprises.

30 (b) Whenever the department has reason to believe that a gift
31 enterprise is being operated in violation of this section or the

1 department's rules and regulations, it may bring an action in the
2 district court of Lancaster County in the name of and on behalf of the
3 people of the State of Nebraska against the operator of the gift
4 enterprise to enjoin the continued operation of such gift enterprise
5 anywhere in the state.

6 (6)(a) Any person, firm, corporation, association, or agent or
7 employee thereof who engages in any unlawful acts or practices pursuant
8 to this section or violates any of the rules and regulations promulgated
9 pursuant to this section is guilty of a Class II misdemeanor.

10 (b) Any person, firm, corporation, association, or agent or employee
11 thereof who violates any provision of this section or any of the rules
12 and regulations promulgated pursuant to this section shall be liable to
13 pay a civil penalty of not more than one thousand dollars imposed by the
14 district court of Lancaster County for each such violation which shall be
15 remitted to the State Treasurer for distribution in accordance with
16 Article VII, section 5, of the Constitution of Nebraska. Each day of
17 continued violation shall constitute a separate offense or violation for
18 purposes of this section.

19 (7) A financial institution ~~or credit union~~ may limit the number of
20 chances that a participant in a savings promotion raffle may obtain for
21 making the required deposits but shall not limit the number of deposits.

22 (8) In all proceedings initiated in any court or otherwise under
23 this section, the Attorney General or appropriate county attorney shall
24 prosecute and defend all such proceedings.

25 (9) This section shall not apply to any activity authorized and
26 regulated under the Nebraska Bingo Act, the Nebraska County and City
27 Lottery Act, the Nebraska Lottery and Raffle Act, the Nebraska Pickle
28 Card Lottery Act, the Nebraska Small Lottery and Raffle Act, or the State
29 Lottery Act.

30 **Sec. 21.** Section 9-831, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 9-831 The division shall spend not less than five percent of the
2 advertising budget for the state lottery on problem gambling prevention,
3 education, and awareness messages. The division shall collaborate with
4 the Nebraska Commission on Problem Gambling to coordinate messages
5 developed under this section with the prevention, education, and
6 awareness messages in use by or developed in conjunction with the
7 Gamblers Assistance Program established pursuant to section 9-1005. For
8 purposes of this section, the advertising budget for the state lottery
9 includes amounts budgeted and spent for advertising, promotions,
10 incentives, public relations, marketing, or contracts for the purchase or
11 lease of goods or services that include advertising, promotions,
12 incentives, public relations, or marketing, but does not include in-kind
13 contributions by media outlets.

14 **Sec. 22.** Section 9-1001, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 9-1001 The Legislature finds that the main sources of funding for
17 assistance to problem gamblers are the Charitable Gaming Operations Fund
18 as provided in section 9-1,101, annual gaming tax proceeds as provided in
19 section 9-1204, and the State Lottery Operation Trust Fund as provided in
20 section 9-812. It is the intent of the Legislature that such funding be
21 used primarily for counseling and treatment services for problem gamblers
22 and their families who are residents of Nebraska.

23 **Sec. 23.** Section 9-1002, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 9-1002 For purposes of sections 9-1001 to 9-1006 ~~9-1007~~:

26 (1) Commission means the Nebraska Commission on Problem Gambling;

27 ~~(2) Division means the Charitable Gaming Division of the Department~~
28 ~~of Revenue;~~

29 (2) ~~(3)~~ Problem gambling means maladaptive gambling behavior that
30 disrupts personal, family, or vocational pursuits; and

31 (3) ~~(4)~~ Program means the Gamblers Assistance Program.

1 **Sec. 24.** Section 9-1003, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 9-1003 (1) The Nebraska Commission on Problem Gambling is created.
4 For administrative purposes only, the Nebraska Commission on Problem
5 Gambling commission shall be within the State Racing and Gaming
6 Commission division. The Nebraska Commission on Problem Gambling
7 commission shall have nine members appointed by the Governor as provided
8 in this section, subject to confirmation by a majority of the members of
9 the Legislature. The members of the Nebraska Commission on Problem
10 Gambling commission shall have no pecuniary interest, either directly or
11 indirectly, in a contract with the program providing services to problem
12 gamblers and shall not be employed by the Nebraska Commission on Problem
13 Gambling commission or the State Racing and Gaming Commission Department
14 of Revenue.

15 (2) By July 1, 2013, the Governor shall appoint members of the
16 Nebraska Commission on Problem Gambling commission as follows:

17 (a) One member with medical care or mental health expertise;
18 (b) One member with expertise in banking and finance;
19 (c) One member with legal expertise;
20 (d) One member with expertise in the field of education;
21 (e) Two members who are consumers of problem gambling services;
22 (f) One member with data analysis expertise; and
23 (g) Two members who are residents of the state and are
24 representative of the public at large.

25 (3) The terms of the members shall be for three years, except that
26 the Governor shall designate three of the initial appointees to serve
27 initial terms beginning on July 1, 2013, and ending on March 1, 2014,
28 three of the initial appointees to serve initial terms beginning on July
29 1, 2013, and ending on March 1, 2015, and three of the initial appointees
30 to serve initial terms beginning on July 1, 2013, and ending on March 1,
31 2016. The Governor shall appoint members to fill vacancies in the same

1 manner as the original appointments, and such appointees shall serve for
2 the remainder of the unexpired term.

3 (4) Beginning July 1, 2013, the commission shall adopt bylaws
4 governing its operation and the commission shall meet at least four times
5 each calendar year and may meet more often on the call of the
6 chairperson. Each member shall attend at least two meetings each calendar
7 year and shall be subject to removal for failure to attend at least two
8 meetings unless excused by a majority of the members of the commission.
9 Meetings of the commission are subject to the Open Meetings Act.

10 **Sec. 25.** Section 9-1004, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 9-1004 (1) The commission shall appoint one of its members as
13 chairperson and such other officers as it deems appropriate. Members
14 shall be reimbursed for expenses in carrying out their duties as members
15 of the commission as provided in sections 81-1174 to 81-1177.

16 (2) The commission shall develop guidelines and standards for the
17 operation of the program and shall direct the distribution and
18 disbursement of money in the Compulsive Gamblers Assistance Fund.

19 (3) The commission shall appoint a director of the program, provide
20 for office space and equipment, and support and facilitate the work of
21 the program. The director may hire, terminate, and supervise commission
22 and program staff, shall be responsible for the duties of the office and
23 the administration of the program, and shall electronically provide an
24 annual report to the General Affairs Committee of the Legislature which
25 includes issues and policy concerns that relate to problem gambling in
26 Nebraska. All documents, files, equipment, effects, and records belonging
27 to the State Committee on Problem Gambling on June 30, 2013, shall become
28 the property of the commission on July 1, 2013.

29 (4) The commission shall (a) provide for a process for the
30 evaluation and approval of provider applications and contracts for
31 treatment and other services funded from the Compulsive Gamblers

1 Assistance Fund and (b) develop standards and guidelines for training and
2 certification of problem gambling counselors.

3 (5) The commission shall provide for (a) the review and use of
4 evaluation data, (b) the use and expenditure of funds for education
5 regarding problem gambling and prevention of problem gambling, and (c)
6 the creation and implementation of outreach and educational programs
7 regarding problem gambling for Nebraska residents.

8 (6) The commission may adopt and promulgate rules and regulations
9 and engage in other activities it finds necessary to carry out its duties
10 under sections 9-1001 to 9-1006 ~~9-1007~~.

11 (7) The commission shall submit a report within sixty days after the
12 end of each fiscal year to the Governor and the Clerk of the Legislature
13 that provides details of the administration of the program and
14 distribution of funds from the Compulsive Gamblers Assistance Fund. The
15 report submitted to the Legislature shall be submitted electronically.

16 **Sec. 26.** Section 9-1006, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 9-1006 The Compulsive Gamblers Assistance Fund is created. The fund
19 shall include revenue transferred from the State Lottery Operation Trust
20 Fund under section 9-812 and the Charitable Gaming Operations Fund under
21 section 9-1,101 and any other revenue received by the ~~division or~~
22 commission for credit to the fund from any other public or private
23 source, including, but not limited to, distributions of annual gaming tax
24 proceeds as provided in section 9-1204, ~~appropriations,~~ grants,
25 donations, gifts, devises, bequests, fees, or reimbursements. The
26 commission shall administer the fund for the operation of the Gamblers
27 Assistance Program. The Director of Administrative Services shall draw
28 warrants upon the Compulsive Gamblers Assistance Fund upon the
29 presentation of proper vouchers by the commission. Money from the
30 Compulsive Gamblers Assistance Fund shall be used exclusively for the
31 purpose of providing assistance to agencies, groups, organizations, and

1 individuals that provide education, assistance, and counseling to
2 individuals and families experiencing difficulty as a result of problem
3 gambling, to promote the awareness of problem gamblers assistance
4 programs, and to pay the costs and expenses of the Gamblers Assistance
5 Program, including travel. Any money in the fund available for investment
6 shall be invested by the state investment officer pursuant to the
7 Nebraska Capital Expansion Act and the Nebraska State Funds Investment
8 Act.

9 **Sec. 27.** Section 9-1104, Revised Statutes Supplement, 2025, is
10 amended to read:

11 9-1104 (1) The operation of games of chance at a licensed racetrack
12 enclosure may be conducted by an authorized gaming operator who holds an
13 authorized gaming operator license.

14 (2) No more than one authorized gaming operator license shall be
15 granted for each licensed racetrack enclosure within the state. It shall
16 not be a requirement that the person or entity applying for or to be
17 granted such authorized gaming operator license hold a racing license or
18 be the same person or entity who operates the licensed racetrack
19 enclosure at which such authorized gaming operator license shall be
20 granted.

21 (3) Gaming devices, limited gaming devices, and all other games of
22 chance may be operated by authorized gaming operators at a licensed
23 racetrack enclosure.

24 (4)(a) Except as provided in subdivision (b) of this subsection, no
25 ~~(4)~~ ~~No~~ person younger than twenty-one years of age shall play or
26 participate in any way in any game of chance or use any gaming device or
27 limited gaming device at a licensed racetrack enclosure.

28 (b) A person nineteen years of age or older shall be allowed to play
29 or participate in a keno lottery conducted in accordance with the
30 Nebraska County and City Lottery Act at a licensed racetrack enclosure as
31 long as such keno lottery is played in an area separate from the casino

1 gaming floor where other games of chance are played.

2 (5)(a) Except as provided in subdivision (b) of this subsection, no
3 ~~(5)~~ No authorized gaming operator shall permit an individual younger than
4 twenty-one years of age to play or participate in any game of chance or
5 use any gaming device or limited gaming device conducted or operated
6 pursuant to the Nebraska Racetrack Gaming Act.

7 (b) An authorized gaming operator may permit a person nineteen years
8 of age or older to play or participate in a keno lottery conducted in
9 accordance with the Nebraska County and City Lottery Act at a licensed
10 racetrack enclosure as long as such keno lottery is played in an area
11 separate from the casino gaming floor where other games of chance are
12 played.

13 (6) Except as provided in any waiver or modification approved by the
14 commission pursuant to section 2-1205, if ~~If~~ the licensed racetrack
15 enclosure at which such authorized gaming operator conducts games of
16 chance does not hold the minimum number of live racing meets required
17 under section 2-1205, the authorized gaming operator shall be required to
18 cease operating games of chance at such licensed racetrack enclosure
19 until such time as the commission determines the deficiency has been
20 corrected.

21 (7) Beginning on the implementation date designated by the Tax
22 Commissioner pursuant to subsection (1) of section 9-1312, prior to the
23 winnings payment of any casino winnings as defined in section 9-1303, an
24 authorized gaming operator shall check the collection system to determine
25 if the winner has a debt or an outstanding state liability as required by
26 the Gambling Winnings Setoff for Outstanding Debt Act. If such authorized
27 gaming operator determines that the winner is subject to the collection
28 system, the operator shall deduct the amount of debt and outstanding
29 state liability identified in the collection system from the winnings
30 payment and shall remit the net winnings payment of casino winnings, if
31 any, to the winner and the amount deducted to the Department of Revenue

1 to be credited against such debt or outstanding state liability as
2 provided in section 9-1306.

3 **Sec. 28.** Section 9-1115, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 9-1115 (1) A person who knowingly permits an individual whom the
6 person knows is younger than twenty-one years of age to participate in a
7 game of chance is guilty of a Class I misdemeanor.

8 (2) A person who participates in a game of chance when such person
9 is younger than twenty-one years of age at the time of participation is
10 guilty of a Class I misdemeanor.

11 (3) This section does not apply (a) to a person who permits an
12 individual who is nineteen years of age or older to participate in a keno
13 lottery conducted in accordance with the Nebraska County and City Lottery
14 Act at a licensed racetrack enclosure as long as such keno lottery is
15 played in an area separate from the casino gaming floor where other games
16 of chance are played or (b) to a person nineteen years of age or older
17 who participates in a keno lottery conducted in accordance with the
18 Nebraska County and City Lottery Act at a licensed racetrack enclosure as
19 long as such keno lottery is played in an area separate from the casino
20 gaming floor where other games of chance are played.

21 **Sec. 29.** Original sections 2-1207.01, 2-1213, 2-1216, 2-1226,
22 2-1228, 2-1229, 9-204.01, 9-230, 9-230.01, 9-233, 9-241.03, 9-241.08,
23 9-255, 9-701, 9-831, 9-1001, 9-1002, 9-1003, 9-1004, 9-1006, and 9-1115,
24 Reissue Revised Statutes of Nebraska, sections 2-1207, 9-204, and
25 9-204.04, Revised Statutes Cumulative Supplement, 2024, and sections
26 2-1205, 2-1210, 9-1,101, and 9-1104, Revised Statutes Supplement, 2025,
27 are repealed.

28 **Sec. 30.** The following section is outright repealed: Section
29 9-1007, Revised Statutes Supplement, 2025.