

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 766**

Introduced by Holdcroft, 36.

Read first time January 07, 2026

Committee: General Affairs

1 A BILL FOR AN ACT relating to racing and gaming; to amend sections  
2 2-1207.01, 2-1213, 2-1216, 2-1226, 2-1228, 2-1229, 9-831, 9-1001,  
3 9-1002, 9-1003, 9-1004, 9-1006, and 9-1115, Reissue Revised Statutes  
4 of Nebraska, section 2-1207, Revised Statutes Cumulative Supplement,  
5 2024, and sections 2-1205, 2-1210, 9-1,101, and 9-1104, Revised  
6 Statutes Supplement, 2025; to change provisions relating to licensed  
7 racetrack enclosure terms and conditions, parimutuel wagering, the  
8 distribution of amounts deducted from wagers on horseracing,  
9 registration of Nebraska-bred horses, simulcast facilities licenses,  
10 and assistance to problem gamblers; to provide for administrative  
11 fees; to change provisions relating to the Nebraska Commission on  
12 Problem Gambling and place such commission for administrative  
13 purposes within the State Racing and Gaming Commission; to change  
14 and eliminate provisions relating to the Compulsive Gamblers  
15 Assistance Fund; to change provisions relating to the Charitable  
16 Gaming Division of the Department of Revenue; to provide an  
17 exception to the required age for individuals to play keno at a  
18 licensed racetrack enclosure; to harmonize provisions; to repeal the  
19 original sections; and to outright repeal section 9-1007, Reissue  
20 Revised Statutes of Nebraska.  
21 Be it enacted by the people of the State of Nebraska,

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

3           2-1205 (1) If the commission is satisfied that its rules and  
4 regulations and all provisions of sections 2-1201 to 2-1218 have been and  
5 will be complied with, it may issue a license to conduct a race or race  
6 meeting for a period of not more than three years. The license shall set  
7 forth the name of the licensee, the place where the races or race  
8 meetings are to be held, and the time and number of days during which  
9 racing may be conducted by such licensee. Any such license issued shall  
10 not be transferable or assignable. The commission shall have the power to  
11 revoke any license issued at any time for good cause upon reasonable  
12 notice and hearing. No license shall be granted to any corporation or  
13 association except upon the express condition that it shall not, by any  
14 lease, contract, understanding, or arrangement of whatever kind or  
15 nature, grant, assign, or turn over to any person, corporation, or  
16 association the operation or management of any racing or race meeting  
17 licensed under such sections or of the parimutuel system of wagering  
18 described in section 2-1207 or in any manner permit any person,  
19 corporation, or association other than the licensee to have any share,  
20 percentage, or proportion of the money received for admissions to the  
21 racing or race meeting or from the operation of the parimutuel system;  
22 and any violation of such conditions shall authorize and require the  
23 commission immediately to revoke such license. No licensee shall be  
24 considered in violation of this section with respect to an agreement with  
25 an authorized gaming operator regarding employees and the acceptance of  
26 any parimutuel wager or sports wager pursuant to section 9-1110.

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

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

1 and

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

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

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

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

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

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

18 (3) Any holder of a racetrack enclosure license pursuant to section  
19 2-1210 that is licensed to conduct a race or race meeting under this  
20 section may petition the commission to waive or modify the requirements  
21 of subsection (2) of this section. The petition shall contain the reasons  
22 and justification for such waiver or modification and be submitted in  
23 writing to the executive director of the commission. A petition submitted  
24 more than seven days prior to the next scheduled meeting of the  
25 commission shall be taken up at such meeting. A petition submitted less  
26 than seven days prior to the next scheduled meeting of the commission  
27 shall not be required to be taken up at such meeting but shall be taken  
28 up at a following meeting. The commission may waive or modify the  
29 requirements of subsection (2) of this section for any reason, including,  
30 but not limited to, fire, earthquake, tornado, other natural disaster, or  
31 other conditions making it unsuitable for running horseraces.

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

10       **Sec. 2.** Section 2-1207, Revised Statutes Cumulative Supplement,  
11       2024, is amended to read:

12       2-1207 (1) Within the enclosure of any racetrack where a race or  
13       race meeting licensed and conducted under sections 2-1201 to 2-1218 is  
14       held or at a racetrack licensed to simulcast races or conduct interstate  
15       simulcasting, the parimutuel method or system of wagering on the results  
16       of the respective races may be used and conducted by the licensee. Under  
17       such system, the licensee may receive wagers of money from any person  
18       present at such race or racetrack receiving the simulcast race or  
19       conducting interstate simulcasting on any horse in a race selected by  
20       such person to run first in such race, and the person so wagering shall  
21       acquire an interest in the total money so wagered on all horses in such  
22       race as first winners in proportion to the amount of money wagered by him  
23       or her. Such licensee shall issue to each person so wagering a  
24       certificate on which shall be shown the number of the race, the amount  
25       wagered, and the number or name of the horse selected by such person as  
26       first winner. As each race is run, at the option of the licensee, the  
27       licensee may deduct from the total sum wagered on all horses as first  
28       winners not less than fifteen percent or more than eighteen percent from  
29       such total sum, plus the odd cents of the redistribution over the next  
30       lower multiple of ten. At the option of the licensee, the licensee may  
31       deduct up to and including twenty-five percent from the total sum wagered

1 by exotic wagers as defined in section 2-1208.03. The commission may  
2 authorize other levels of deduction on wagers conducted by means of  
3 interstate simulcasting. The licensee shall notify the commission in  
4 writing of the percentages the licensee intends to deduct during the live  
5 race meet conducted by the licensee and shall notify the commission at  
6 least one week in advance of any changes to such percentages the licensee  
7 intends to make. The licensee shall also deduct from the total sum  
8 wagered by exotic wagers, if any, the tax plus the odd cents of the  
9 redistribution over the next multiple of ten as provided in subsection  
10 (1) of section 2-1208.04. The balance remaining on hand shall be paid out  
11 to the holders of certificates on the winning horse in the proportion  
12 that the amount wagered by each certificate holder bears to the total  
13 amount wagered on all horses in such race to run first. The licensee may  
14 likewise receive such wagers on horses selected to run second, third, or  
15 both, or in such combinations as the commission may authorize, the  
16 method, procedure, and authority and right of the licensee, as well as  
17 the deduction allowed to the licensee, to be as specified with respect to  
18 wagers upon horses selected to run first.

19 (2) At all race meets held pursuant to this section, the licensee  
20 shall deduct from the total sum wagered one-third of the amount over  
21 fifteen percent deducted pursuant to subsection (1) of this section on  
22 wagers on horses selected to run first, second, or third and one percent  
23 of all exotic wagers to be used to promote agriculture and horse breeding  
24 in Nebraska and for the support and preservation of horseracing pursuant  
25 to section 2-1207.01. Money deducted for such purposes shall be given by  
26 the licensee of the track where the funds were generated to the official  
27 registrar for each breed for distribution as designated in section  
28 2-1207.01.

29 (3) No person under twenty-one years of age shall be permitted to  
30 make any parimutuel wager, and there shall be no wagering on horseracing  
31 except under the parimutuel method outlined in this section. Any person,

1 association, or corporation who knowingly aids or abets a person under  
2 twenty-one years of age in making a parimutuel wager shall be guilty of a  
3 Class I misdemeanor.

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

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

20 2-1207.01 (1) The amount deducted from wagers pursuant to subsection  
21 (2) of section 2-1207 may be used to promote agriculture and  
22 horsebreeding in Nebraska and shall be distributed as described in this  
23 section as purse supplements and breeder and stallion awards for  
24 Nebraska-bred horses, as defined and registered pursuant to section  
25 2-1213, at the racetrack where the funds were generated. The official  
26 registrar for each breed, as established in section 2-1213, shall  
27 distribute purse supplements and breeder and stallion awards and shall  
28 annually spend a minimum of eighty percent of all amounts deducted  
29 pursuant to subsection (2) of section 2-1207 on such purse supplements  
30 and breeder and stallion awards. , except that

31 (2)(a) If if a racetrack does not continue to conduct live race

1 meets, amounts deducted may be distributed as purse supplements and  
2 breeder and stallion awards at racetracks that conduct live race meets of  
3 the same breed of horse that has primarily run in live race meets at such  
4 track.

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

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

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

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

20 2-1210 (1) For purposes of sections 2-1201 to 2-1218, licensed  
21 racetrack enclosure means all real property licensed and utilized for the  
22 conduct of a race meeting, including the racetrack and any grandstand,  
23 concession stand, office, barn, barn area, employee housing facility,  
24 parking lot, and additional area designated by the commission in  
25 accordance with the Constitution of Nebraska and applicable Nebraska law.

26 (2) The Nebraska State Fair Board, a county fair board, a county  
27 agricultural society for the improvement of agriculture organized under  
28 the County Agricultural Society Act, or a corporation or association of  
29 persons organized and carried on for civic purposes or which conducts a  
30 livestock exposition for the promotion of the livestock or horse-breeding  
31 industries of the state and which does not permit its members to derive

1 personal profit from its activities by way of dividends or otherwise may  
2 apply in a manner prescribed by the commission for a racetrack enclosure  
3 license to operate a licensed racetrack enclosure along with an  
4 application fee of ten thousand dollars. A racetrack enclosure license  
5 shall be valid for a period of up to three years. Such license may be  
6 renewed in a manner prescribed by the commission, and such application  
7 for renewal shall be accompanied by a fee of ten thousand dollars.

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

12 (4) A licensee holding a license to conduct horseracing meets at a  
13 designated place within the state pursuant to section 2-1204 prior to  
14 September 3, 2025, shall be deemed to hold a racetrack enclosure license  
15 for such designated place within the state for purposes of this section  
16 and the Nebraska Racetrack Gaming Act until the commission acts upon the  
17 licensee's application for a racetrack enclosure license under this  
18 section.

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

21 2-1213 (1)(a) No license shall be granted for racing on more than  
22 one racetrack in any one county, except that the commission may, in its  
23 discretion, grant a license to any county agricultural society to conduct  
24 racing during its county fair notwithstanding a license may have been  
25 issued for racing on another track in such county.

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



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

13           (3) The requirement that a dam shall be continuously in Nebraska for  
14 either ninety days or thirty days, as specified in subdivision (2)(c) of  
15 this section, shall not apply to a dam which is taken outside of Nebraska  
16 to be placed for sale at a nationally recognized thoroughbred or  
17 quarterhorse blood stock sale, the name and pedigree of the mare being  
18 listed in the sale catalog, or for the treatment of an extreme sickness  
19 or injury, if written notice of such proposed sale or treatment is  
20 provided to the secretary of the commission within three days of the date  
21 such horse is taken out of the state.

22           (4) The commission shall ~~may~~ designate official registrars for the  
23 purpose of registration and to certify the eligibility of Nebraska-bred  
24 horses. An official registrar shall perform such duties in accordance  
25 with policies and procedures adopted and promulgated by the commission in  
26 the current rules and regulations of the commission. The commission may  
27 authorize the official registrar to collect specific fees as would  
28 reasonably compensate the registrar for expenses incurred in connection  
29 with registration of Nebraska-bred horses. The amount of such fee or fees  
30 shall be established by the commission and shall not be changed without  
31 commission approval. Fees shall not exceed two ~~one~~ hundred dollars per

1 horse.

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

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

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

17       2-1216 The parimutuel system of wagering on the results of  
18 horseraces, when conducted pursuant to section 2-1207 ~~within the~~  
19 ~~racetrack enclosure at licensed horserace meetings,~~ shall not under any  
20 circumstances be held or construed to be unlawful, any other statutes of  
21 the State of Nebraska to the contrary notwithstanding. The money inuring  
22 to the commission under sections 2-1201 to 2-1218 relating to horseracing  
23 from permit fees or from other sources shall never be considered as  
24 license money. It is the intention of the Legislature that the funds  
25 arising under such sections be construed as general revenue to be  
26 appropriated and allocated exclusively for the specific purposes set  
27 forth in such sections.

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

30       2-1226 Any racetrack issued a license under sections 2-1201 to  
31 2-1223 which operates at least one live race meet during each calendar

1 ~~year except as provided in section 2-1228~~ may apply to the commission for  
2 a simulcast facility license. An application for such license shall be in  
3 such form as may be prescribed by the commission and shall contain such  
4 information, material, or evidence as the commission may require. Any  
5 racetrack issued a simulcast facility license may display the simulcast  
6 of a horserace on which parimutuel wagering shall be allowed.

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

9 2-1228 Any racetrack issued a license under sections 2-1201 to  
10 2-1223 (1) conducting primarily quarterhorse races in the year  
11 immediately preceding the year for which application is made ~~, regardless~~  
12 ~~of the total number of days of live racing conducted in such year,~~ or (2)  
13 conducting primarily thoroughbred horseraces in the year immediately  
14 preceding the year for which application is made ~~which conducted live~~  
15 ~~racing on at least seventy percent of the days for which it was~~  
16 ~~authorized to conduct live racing in 1988 unless the commission~~  
17 ~~determines that such racetrack was unable to conduct live racing on the~~  
18 ~~required number of days due to factors beyond its control, including, but~~  
19 ~~not limited to, fire, earthquake, tornado, or other natural disaster,~~ may  
20 apply to the commission for an interstate simulcast facility license. An  
21 application for such license shall be in a form prescribed by the  
22 commission and shall contain such information, material, or evidence as  
23 the commission may require. Any racetrack issued an interstate simulcast  
24 facility license may conduct the interstate simulcast of any horserace  
25 permitted under its license, and parimutuel wagering shall be allowed on  
26 such horserace. ~~The commission shall not authorize interstate~~  
27 ~~simulcasting for any racetrack pursuant to sections 2-1201 to 2-1223~~  
28 ~~unless all of the thoroughbred racetracks together applied for and~~  
29 ~~received authority to conduct at least one hundred eighty live racing~~  
30 ~~days in the calendar year in which the application is made. If any~~  
31 ~~racetrack conducts live racing for less than seventy percent of the days~~

~~1 assigned such racetrack in 1988, (a) such racetrack shall be precluded  
2 from conducting interstate simulcasts and (b) the number of live racing  
3 days conducted by such racetrack shall be subtracted from an amount equal  
4 to seventy percent of all the days assigned such racetrack in 1988 and  
5 the amount remaining shall be deducted from the one hundred eighty day  
6 total required by this section. If any racetrack ceases to conduct live  
7 racing, seventy percent of the days assigned such racetrack in 1988 shall  
8 be deducted from the one hundred eighty day total required by this  
9 section.~~

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

12       2-1229 (1) The commission may authorize and approve an application  
13 for an interstate simulcast facility license by any a receiving track  
14 within the state to receive the interstate simulcast of horseraces for  
15 parimutuel wagering purposes from any track located outside of the state.  
16 In determining whether such application should be approved, the  
17 commission shall consider whether such interstate simulcast would have a  
18 significant effect upon either live racing or the simulcasting of live  
19 racing of the same type and at the same time conducted in this state and  
20 whether it would expand the access to or availability of simulcasting to  
21 areas of the state or markets which are not at the time of the  
22 application fully served.

23       (2)(a) Prior to approving any such application from a track running  
24 primarily thoroughbred horseraces, the commission shall confer with and  
25 receive any recommendations of the organization which represents the  
26 majority of the thoroughbred breeders in Nebraska as to what effect an  
27 interstate simulcast would have upon thoroughbred horse breeding and  
28 horseracing in this state. Prior to approving any such application from a  
29 track running primarily quarterhorse horseraces, the commission shall  
30 confer with and receive recommendation of the organization which  
31 represents the majority of quarterhorse breeders in Nebraska as to what

1 effect an interstate simulcast would have upon quarterhorse breeding and  
2 horseracing in this state.

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

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

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

18 (iii) ~~(c)~~ A written agreement between the receiving track and the  
19 sending track located outside of the state in any other state, territory,  
20 or possession of the United States, the District of Columbia, or the  
21 Commonwealth of Puerto Rico setting forth the division of all proceeds  
22 between the sending and receiving tracks and all other conditions under  
23 which such interstate simulcast will be conducted. Such written agreement  
24 shall have the consent of the group representing the majority of  
25 horsepersons racing at the sending track and of the organization which  
26 represented a majority of the licensed owners and trainers at the  
27 receiving track's immediately preceding live ~~thoroughbred~~ race meeting.

28 (3) ~~(2)~~ Every licensee authorized to accept wagers on interstate  
29 simulcast events pursuant to this section shall be deemed to be  
30 conducting a licensed horserace meeting and shall also be subject to all  
31 appropriate provisions of sections 2-1201 to 2-1223 relating to the

1 conduct of horserace meetings.

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

4       9-1,101 (1) The Nebraska Bingo Act, the Nebraska County and City  
5 Lottery Act, the Nebraska Lottery and Raffle Act, the Nebraska Pickle  
6 Card Lottery Act, the Nebraska Small Lottery and Raffle Act, and section  
7 9-701 shall be administered and enforced by the Charitable Gaming  
8 Division of the Department of Revenue, which division is hereby created.  
9 The Department of Revenue shall make annual reports to the Governor,  
10 Legislature, Auditor of Public Accounts, and Attorney General on all tax  
11 revenue received, expenses incurred, and other activities relating to the  
12 administration and enforcement of such acts. The report submitted to the  
13 Legislature shall be submitted electronically.

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

18       (3)(a) Forty percent of the taxes collected pursuant to sections  
19 9-239, 9-344, 9-429, and 9-648 shall be available to the Charitable  
20 Gaming Division for administering and enforcing the acts listed in  
21 subsection (1) of this section and to the State Racing and Gaming  
22 Commission for providing administrative support for the Nebraska  
23 Commission on Problem Gambling. The remaining sixty percent shall be  
24 transferred to the General Fund. Any portion of the forty percent not  
25 used by the division in the administration and enforcement of such acts  
26 and section shall be distributed as provided in this subsection.

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

31       (c) Any money remaining in the Charitable Gaming Operations Fund

1 after the transfer pursuant to subdivision (b) of this subsection not  
2 used by the Charitable Gaming Division in its administration and  
3 enforcement duties pursuant to this section may be transferred to the  
4 General Fund and the Compulsive Gamblers Assistance Fund at the direction  
5 of the Legislature.

6 (4) The Tax Commissioner shall employ investigators who shall be  
7 vested with the authority and power of a law enforcement officer to carry  
8 out the laws of this state administered by the Tax Commissioner or the  
9 Department of Revenue and to enforce sections 28-1101 to 28-1117 relating  
10 to possession of a gambling device. For purposes of enforcing sections  
11 28-1101 to 28-1117, the authority of the investigators shall be limited  
12 to investigating possession of a gambling device, notifying local law  
13 enforcement authorities, and reporting suspected violations to the county  
14 attorney for prosecution.

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

21 (6) The taxes collected and available to the Charitable Gaming  
22 Division pursuant to section 77-3012 shall be used by the division for  
23 enforcement of the Mechanical Amusement Device Tax Act and maintenance of  
24 the central server established pursuant to section 77-3013.

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

31 **Sec. 11.** Section 9-831, Reissue Revised Statutes of Nebraska, is

1 amended to read:

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

15 **Sec. 12.** Section 9-1001, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

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

24 **Sec. 13.** Section 9-1002, Reissue Revised Statutes of Nebraska, is  
25 amended to read:

26 9-1002 For purposes of sections 9-1001 to 9-1006 ~~9-1007~~:

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

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

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



1        ~~(3) (4)~~ Program means the Gamblers Assistance Program.

2        **Sec. 14.** Section 9-1003, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4        9-1003 (1) The Nebraska Commission on Problem Gambling is created.  
5 For administrative purposes only, the Nebraska Commission on Problem  
6 Gambling ~~commission~~ shall be within the State Racing and Gaming  
7 Commission ~~division~~. The commission shall have nine members appointed by  
8 the Governor as provided in this section, subject to confirmation by a  
9 majority of the members of the Legislature. The members of the Nebraska  
10 Commission on Problem Gambling ~~commission~~ shall have no pecuniary  
11 interest, either directly or indirectly, in a contract with the program  
12 providing services to problem gamblers and shall not be employed by the  
13 commission or the State Racing and Gaming Commission ~~Department of~~  
14 ~~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. 15.** 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. 16.** 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. 17.** 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. 18.** 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 to (a) 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) a person nineteen years of age or older who  
17 participates in a keno lottery conducted in accordance with the Nebraska  
18 County and City Lottery Act at a licensed racetrack enclosure as long as  
19 such keno lottery is played in an area separate from the casino gaming  
20 floor where other games of chance are played.

21 **Sec. 19.** Original sections 2-1207.01, 2-1213, 2-1216, 2-1226,  
22 2-1228, 2-1229, 9-831, 9-1001, 9-1002, 9-1003, 9-1004, 9-1006, and  
23 9-1115, Reissue Revised Statutes of Nebraska, section 2-1207, Revised  
24 Statutes Cumulative Supplement, 2024, and sections 2-1205, 2-1210,  
25 9-1,101, and 9-1104, Revised Statutes Supplement, 2025, are repealed.

26 **Sec. 20.** The following section is outright repealed: Section  
27 9-1107, Revised Statutes Supplement, 2025.