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H.70

Introduced by Representatives Hubert of Milton, Batchelor of Derby, Brennan
of Colchester, Burditt of West Rutland, Canfield of Fair Haven,
Condon of Colchester, Cupoli of Rutland City, Devereux of
Mount Holly, Fagan of Rutland City, Graham of Williamstown,
Hebert of Vernon, Juskiewicz of Cambridge, Morrissey of
Bennington, Myers of Essex, Quimby of Concord, Savage of
Swanton, Terenzini of Rutland Town, and Wright of Burlington

Referred to Committee on

Date:

Subject: Recreation and sports; State lottery; casino gaming

Statement of purpose of bill as introduced: This bill proposes to require the
Vermont Lottery Commission to issue a license for the operation of one casino
in Vermont.

15 An act relating to casino gaming

16 It is hereby enacted by the General Assembly of the State of Vermont:

1 Sec. 1. 31 V.S.A. chapter 14, subchapter 3 is added to read:

2 Subchapter 3. Casino Gaming

3 § 681. CASINO GAMING AUTHORIZED

4 (a) Casino gaming is authorized to the extent that it is conducted in
5 accordance with this subchapter.

6 (b) The Vermont Lottery Commission shall issue one casino gaming
7 license to a qualified applicant. The term of the license shall be for six years
8 from the date of issue and subject to renewal. The license fee shall be
9 \$6,000,000.00, which shall be paid either in full upon issuance of the license or
10 in six annual installments of \$1,000,000.00.

11 (c) The Vermont Lottery Commission shall have the authority to make
12 rules to implement this subchapter.

13 § 682. DEFINITIONS

14 As used in this subchapter:

15 (1) “Adjusted gross receipts” means the gross receipts less winnings
16 paid to wagerers.

17 (2) “Applicant” means any person who applies for a license under
18 this subchapter.

19 (3) “Casino” means a building in which gaming is conducted.

20 (4) “Casino enterprise” means the buildings, facilities, or rooms
21 functionally or physically connected to a casino, including any bar, restaurant,

1 hotel, cocktail lounge, retail establishment, or any other facility under the
2 control of a licensee.

3 (5) “Commission” means the Vermont Lottery Commission.

4 (6) “Gambling game” means any game played with cards, dice,
5 equipment, or a machine, including any mechanical, electromechanical, or
6 electronic device, which shall include computers and cashless wagering
7 systems, for money, credit, or any representation of value, including faro,
8 monte, roulette, keno, bingo, fan tan, twenty-one, blackjack, seven and a half,
9 Klondike, craps, poker, chuck a luck, Chinese chuck a luck (dai shu), wheel of
10 fortune, chemin de fer, baccarat, pai gow, beat the banker, panguingui, slot
11 machine, any banking or percentage game, or any other game or device
12 approved by the Commission. The term “gambling game” does not include
13 games played with cards in private homes or residences in which no person
14 makes money for operating the game except as a player.

15 (7) “Gambling operation” means the conduct of authorized gambling
16 games in a casino.

17 (8) “Gaming” means to deal, operate, carry on, conduct, maintain, or
18 expose or offer for play any gambling game or gambling operation.

19 (9) “Gross receipts” means the total of all sums, including valid or
20 invalid checks, currency, tokens, coupons, vouchers, or instruments of
21 monetary value, whether collected or due, received by a casino licensee from

1 gaming, including all entry fees assessed for tournaments or other contests, less
2 a deduction for uncollectable gaming receivables not to exceed the
3 uncollectable amounts owed as a result of wagers placed at or through a
4 gambling game or four percent of the total gross receipts, whichever is less.

5 The licensee shall not receive the deduction unless the licensee provides
6 written proof to the State Treasurer of the uncollected gaming receivables and
7 has complied with all the rules adopted by the Commission regarding the
8 issuance of credit and the collection of amounts due under a credit extension.

9 (10) "Wagerer" means a person who plays a gambling game authorized
10 under this subchapter.

11 (11) "Winnings" means the total cash value of all property or sums,
12 including currency, tokens, or instruments of monetary value paid to wagerers
13 as a direct result of wagers placed at or through a gambling game.

14 § 683. VERMONT LOTTERY COMMISSION; JURISDICTION; POWERS

15 The Commission shall have jurisdiction over and shall supervise all
16 gambling operations governed by this subchapter. The Commission shall have
17 all powers necessary and proper to execute this act, including the power to:

18 (1) investigate applicants and determine the eligibility of applicants for
19 licenses;

20 (2) supervise casino gambling operations and all persons in casinos or
21 casino enterprises where gambling operations are conducted;

1 (3) inspect and examine all premises where casino gaming occurs;

2 (4) inspect, examine, audit, impound, seize, or assume physical control
3 of all books, ledgers, documents, writings, photocopies, videotapes, or other
4 records related to casino gambling operations and gaming;

5 (5) investigate and deter violations of this act or rules adopted by the
6 Commission; and

7 (6) suspend, revoke, or restrict licenses for violations of this subchapter
8 or rules adopted by the Commission.

9 § 684. APPLICATION FOR LICENSE

10 (a) A person may apply to the Commission for a casino license to conduct a
11 casino gambling operation as provided in this subchapter. The application
12 shall be made on oath on forms provided by the Commission and shall contain
13 information as prescribed by the Commission.

14 (b) A nonrefundable application fee of \$100,000.00 shall be paid at the
15 time of filing.

16 § 685. WAGERING TAX

17 (a) A wagering tax is imposed on the adjusted gross receipts received
18 annually by the licensee from gaming authorized under this subchapter at the
19 rate of 10 percent to be paid into the General Fund. The Commissioner of
20 Taxes is authorized to collect and administer the wagering tax under 32 V.S.A.
21 chapter 103, and the tax shall be paid and collected in the same manner as an

1 income tax under 32 V.S.A. chapter 151. Any licensee liable for the tax
2 imposed by this section shall remit to the Commissioner of Taxes a return and
3 any other information required by the Commissioner, along with the tax due on
4 or before January 15 of each year.

5 (b) On or before June 15 of each year, the Department of Taxes shall
6 calculate the amount of tax collected under this section in the previous year,
7 and divide that amount by the number of claimants of a homestead property tax
8 income sensitivity adjustment under 32 V.S.A. chapter 154 who are 65 years of
9 age or older in the current year. The Department of Taxes shall pay to any
10 claimant of a homestead property tax income sensitivity adjustment under
11 32 V.S.A. chapter 154 who is 65 years of age or older the amount calculated in
12 this subsection on or before July 1 of each year.

13 Sec. 2. EFFECTIVE DATE

14 This act shall take effect on July 1, 2015.