

1 H.93

2 Introduced by Representatives Hubert of Milton, Burditt of West Rutland,
3 Condon of Colchester, Cupoli of Rutland City, Devereux of
4 Mount Holly, Dickinson of St. Albans Town, Evans of Essex,
5 Hebert of Vernon, Juskiewicz of Cambridge, Townsend of
6 Randolph, and Winters of Williamstown

7 Referred to Committee on

8 Date:

9 Subject: Recreation and sports; state lottery; casino gaming

10 Statement of purpose of bill as introduced: This bill proposes to require the
11 Vermont Lottery Commission to issue one casino gaming license.

12 An act relating to casino gaming

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

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

15 Subchapter 3. Casino Gaming

16 § 681. CASINO GAMING AUTHORIZED

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

19 (b) The Vermont Lottery Commission shall issue one casino gaming
20 license to a qualified applicant. The term of the license shall be for six years

1 from the date of issue and subject to renewal. The license fee shall be
2 \$5,000,000.00.

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

5 § 682. DEFINITIONS

6 As used in this subchapter:

7 (1) "Adjusted gross receipts" means the gross receipts less winnings
8 paid to wagerers.

9 (2) "Applicant" means any person who applies for a license under
10 this subchapter.

11 (3) "Casino" means a building in which gaming is conducted.

12 (4) "Casino enterprise" means the buildings, facilities, or rooms
13 functionally or physically connected to a casino, including any bar, restaurant,
14 hotel, cocktail lounge, retail establishment, or any other facility under the
15 control of a licensee.

16 (5) "Commission" means the Vermont Lottery Commission.

17 (6) "Gambling game" means any game played with cards, dice,
18 equipment, or a machine, including any mechanical, electromechanical, or
19 electronic device, which shall include computers and cashless wagering
20 systems, for money, credit, or any representation of value, including faro,
21 monte, roulette, keno, bingo, fan tan, twenty-one, blackjack, seven and a half,

1 Klondike, craps, poker, chuck a luck, Chinese chuck a luck (dai shu), wheel of
2 fortune, chemin de fer, baccarat, pai gow, beat the banker, panguingui, slot
3 machine, any banking or percentage game, or any other game or device
4 approved by the Commission, but does not include games played with cards in
5 private homes or residences in which no person makes money for operating the
6 game except as a player.

7 (7) "Gambling operation" means the conduct of authorized gambling
8 games in a casino.

9 (8) "Gaming" means to deal, operate, carry on, conduct, maintain, or
10 expose or offer for play any gambling game or gambling operation.

11 (9) "Gross receipts" means the total of all sums, including valid or
12 invalid checks, currency, tokens, coupons, vouchers, or instruments of
13 monetary value whether collected or due, received by a casino licensee from
14 gaming, including all entry fees assessed for tournaments or other contests, less
15 a deduction for uncollectable gaming receivables not to exceed the
16 uncollectable amounts owed as a result of wagers placed at or through a
17 gambling game or four percent of the total gross receipts, whichever is less.
18 The licensee shall not receive the deduction unless the licensee provides
19 written proof to the State Treasurer of the uncollected gaming receivables and
20 has complied with all the rules adopted by the Commission regarding the
21 issuance of credit and the collection of amounts due under a credit extension.

1 (10) “Wagerer” means a person who plays a gambling game authorized
2 under this subchapter.

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

6 § 683. VERMONT LOTTERY COMMISSION; JURISDICTION; POWERS

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

10 (1) investigate applicants and determine the eligibility of applicants for
11 licenses;

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

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

15 (4) inspect, examine, audit, impound, seize, or assume physical control
16 of all books, ledgers, documents, writings, photocopies, videotapes, or other
17 records related to casino gambling;

18 (5) investigate and deter violations of this act or rules promulgated by
19 the Commission; and

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

1 § 684. APPLICATION FOR LICENSE

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

6 (b) A nonrefundable application fee of \$50,000.00 shall be paid at the time
7 of filing.

8 § 685. WAGERING TAX

9 (a) A wagering tax is imposed on the adjusted gross receipts received
10 annually by the licensee from gaming authorized under this subchapter at the
11 rate of 10 percent to be paid into the general fund. The Commissioner of
12 Taxes is authorized to collect and administer the wagering tax under 32 V.S.A.
13 chapter 103, and the tax shall be paid and collected in the same manner as an
14 income tax under 32 V.S.A. chapter 151. Any licensee liable for the tax
15 imposed by this section shall remit to the Commissioner of Taxes a return and
16 any other information required by the Commissioner, along with the tax due on
17 or before January 15 of each year.

18 (b) On or before June 15 of each year, the Department of Taxes shall
19 calculate the amount of tax collected under this section in the previous year,
20 and divide that amount by the number of claimants of a homestead property tax
21 income sensitivity adjustment under 32 V.S.A. chapter 154 who are age 65 or

1 older in the current year. The Department of Taxes shall pay to any claimant
2 of a homestead property tax income sensitivity adjustment under 32 V.S.A.
3 chapter 154 who is age 65 or older the amount calculated in this subsection on
4 or before July 1 of each year.

5 Sec. 2. EFFECTIVE DATE

6 This act shall take effect on July 1, 2013.