

1 TO THE HONORABLE SENATE:

2 The Committee on Finance to which was referred Senate Bill No. 136
3 entitled “An act relating to miscellaneous consumer protection provisions”
4 respectfully reports that it has considered the same and recommends that the
5 bill be amended as follows:

6 First: In Sec. 3, 9 V.S.A. chapter 116, in § 4185, by adding two
7 subdivisions to be (6) and (7) to read:

8 (6) “Net fantasy sports contest revenues” means the amount equal to the
9 total of all entry fees that a fantasy sports operator collects from all fantasy
10 sports players, less the total of all sums paid out as winnings to all fantasy
11 sports players, multiplied by the location percentage for Vermont.

12 (7) “Location percentage” mean the percentage, rounded to the nearest
13 tenth of a percent, of the total of all entry fees collected from fantasy sports
14 players located in Vermont, divided by the total entry fees collected from all
15 fantasy sports players in fantasy sports contests.

16 Second: In Sec. 3, 9 V.S.A. chapter 116, by striking out sections
17 4188–4190 in their entirety and inserting in lieu thereof new sections
18 4188–4190 to read:

19 § 4188. EXEMPTION

20 The provisions of 13 V.S.A. chapter 51, relating to gambling and lotteries,
21 shall not apply to a fantasy sports contest.

1 The terms used in this chapter shall have the same mean as the terms
2 defined in 9 V.S.A. chapter 116.

3 § 9002. TAX IMPOSED

4 A fantasy sports operator shall annually pay 11 percent of its annual net
5 fantasy sports contest revenue to the Department of Taxes for deposit in the
6 General Fund. The tax shall be on annual net fantasy sports contest revenue
7 for each calendar year. To the extent it does not conflict with the terms of this
8 chapter, the tax imposed by this section shall be implemented under the
9 administrative and appeal provisions related to Vermont’s personal income tax
10 under chapter 151 of this title.

11 § 9003. RETURNS

12 Any person liable for the tax imposed by this chapter shall, on or before the
13 15th day of March, return to the Commissioner under oath of a person with
14 legal authority to bind the fantasy sports operator a statement containing its
15 name and place of business, its net fantasy sports contest revenues for the
16 preceding year, and any other information required by the Commissioner,
17 along with the tax due for the prior calendar year.

18 § 9004. PENALTIES

19 Any person subject to the provisions of this chapter who fails to pay the tax
20 imposed by this chapter by the date that payment is due or fails to submit a

1 return as required by this chapter is subject to the provisions of section 3202 of
2 this title.

3 Fourth: By striking out Sec. 4 (effective date) in its entirety and its reader
4 assistance, and inserting in lieu thereof the following:

5 * * * Effective Date * * *

6 Sec. 4. EFFECTIVE DATES

7 This act shall take effect on July 1, 2017, except Sec. 3a, which shall take
8 effect on January 1, 2018 and apply to calendar year 2018 and after.

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15 (Committee vote: _____)

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Senator _____

FOR THE COMMITTEE