

SENATE BILL NO. 378

INTRODUCED BY S. FITZPATRICK, M. BLASDEL, J. ELLSWORTH, D. LOGE, J. PATELIS

A BILL FOR AN ACT ENTITLED: "AN ACT LEGALIZING MULTIPLE COMPETITOR SPORTS POOLS; INCLUDING "MULTIPLE COMPETITOR" IN THE DEFINITION OF SPORTS POOL; PROVIDING FOR A FEE; PROVIDING A DEFINITION; AMENDING SECTIONS 23-5-501 AND 23-5-512, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 23-5-501, MCA, is amended to read:

"23-5-501. Definitions. As used in this part, unless the context clearly requires otherwise, the following definitions apply:

(1) (A) "MULTIPLE COMPETITOR SPORTS POOL" MEANS A SPORTS POOL IN WHICH THREE OR MORE COMPETITORS SIMULTANEOUSLY COMPETE IN A COLLEGE OR PROFESSIONAL SPORTS EVENT OR SERIES OF SPORTS EVENTS. THE TERM INCLUDES BUT IS NOT LIMITED TO A SPORTS EVENT IN WHICH COMPETITORS ARE PLACED INTO A BRACKET.

(B) THE TERM DOES NOT INCLUDE MULTIPLE COMPETITOR SPORTS POOLS UTILIZING ANY FORM OF INTERNET GAMBLING AS DEFINED IN 23-5-112.

~~(1)(a)(2)~~ "Sports pool" means a gambling activity, other than an activity governed under chapter 4 or chapter 5, part 2, of this title, in which a person wagers money for each chance to win money or other items of value based on the outcome of a sports event or series of sports events wherein the competitors in the sports event or series of sports events are natural persons or animals.

~~(b) Unless the context requires otherwise, the term includes a "multiple competitor sports pool" in which three or more competitors simultaneously compete in a sports event or series of sports. The term includes but is not limited to a car race or races, golf or basketball tournaments, or a sports event where competitors are placed into a bracket.~~

~~(2)(3)~~ "Sports tab" means a folded or banded ticket with a face covered to conceal a combination of

1 two numbers, with each number ranging from zero through nine.

2 ~~(3)~~(4) "Sports tab game" means a gambling enterprise conducted on a card to which 100 sports tabs
3 are attached that have 100 different combinations for which consideration in money is paid by the person
4 purchasing each tab. A person may purchase a sports tab from the card for the chance to win money or other
5 items of value on a sports event or series of sports events as provided in 23-5-503."

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7 **Section 2.** Section 23-5-512, MCA, is amended to read:

8 **"23-5-512. Sports pool design -- multiple competitor sports pool -- department rules.** (1) (a) A
9 Except as provided in subsection (2), a sports pool must be designed to ensure that:

10 ~~(a)~~(i) there is at least one winner from among the participants in the pool; and

11 ~~(b)~~(ii) each participant has an equal chance to win the pool.

12 ~~(2)~~(b) Competitors in a sports event or series of sports events must be randomly assigned to each
13 participant in the sports pool.

14 (2) (a) A multiple competitor sports pool must be designed to ensure that:

15 (i) there is at least one winner, but there may be categories of winners among the participants in the
16 pool; and

17 (ii) a participant's chance to win the pool may be based on the participant's relative skill in selecting
18 competitors in a sports event or series of sports events.

19 (b) Nothing in subsection (2)(a)(ii) requires competitors in a multiple competitor sports pool to be
20 randomly assigned to a participant in a sports pool.

21 (3) The department shall by rule describe the types of sports pools authorized by this part. Variations
22 in the authorized sports pools must be submitted to the department for review and approval before they are
23 made available for public play. The department may charge a nominal fee to review variations in the authorized
24 sports pools."

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26 NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval.

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