

2018 -- S 2045

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LC003938
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- TWIN RIVER AND THE
TIVERTON GAMING FACILITY

Introduced By: Senators Ruggerio, Goodwin, McCaffrey, Algieri, and Ciccone

Date Introduced: January 18, 2018

Referred To: Senate Special Legislation and Veterans Affairs

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 42-61.2 of the General Laws entitled "Video-Lottery Terminal" is
2 hereby amended by adding thereto the following section:

3 **42-61.2-2.4. State to conduct sports wagering hosted by Twin River and the Tiverton**
4 **gaming facility.**

5 (a) Article VI, Section 22 of the Rhode Island Constitution provides that "[n]o act
6 expanding the types or locations of gambling permitted within the state or within any city or town
7 . . . shall take effect until it has been approved by the majority of those electors voting in a
8 statewide referendum and by the majority of those electors voting in said referendum in the
9 municipality in which the proposed gambling would be allowed . . ."

10 (b) In the 2012 general election, a majority of Rhode Island voters statewide and in the
11 Town of Lincoln approved the following referendum question (among others):

12 "Shall an act be approved which would authorize the facility known as "Twin River" in
13 the town of Lincoln to add state-operated casino gaming, such as table games, to the types of
14 gambling it offers?"

15 (c) Similarly, in the 2016 general election, a majority of Rhode Island voters statewide
16 and in the Town of Tiverton approved the following referendum question (among others):

17 "Shall an act be approved which would authorize a facility owned by Twin River-
18 Tiverton, LLC, located in the Town of Tiverton at the intersection of William S. Canning

1 Boulevard and Stafford Road, to be licensed as a pari-mutuel facility and offer state-operated
2 video-lottery games and state-operated casino gaming, such as table games?"

3 (d) In the voter information handbooks setting forth and explaining the question in each
4 instance, "casino gaming" was defined to include games "within the definition of Class III
5 gaming as that term is defined in section 2703(8) of Title 25 of the United States Code and which
6 is approved by the State of Rhode Island through the Lottery Division." "Casino gaming" is also
7 defined to include games within the definition of class III gaming in section 42-61.2-1 of the
8 general laws.

9 (e) Section 2703(8) of Title 25 US Code (part of the Indian Gaming Regulatory Act, or
10 "IGRA") provides that the term "class III gaming" means "all forms of gaming that are not class I
11 gaming or class II gaming." The regulations promulgated under IGRA (25 CFR 502.4) expressly
12 state that Class III gaming includes sports wagering.

13 (f) Thus, voters state-wide and locally approved state-operated sports wagering to be
14 offered by the Twin River and Tiverton gaming facilities. Voter approval of sports wagering shall
15 be implemented by providing an infrastructure for state-operated sports wagering offered by the
16 Twin River gaming facilities in Lincoln and Tiverton, by authorizing necessary amendments to
17 certain contracts and by authorizing the division of lotteries to promulgate regulations to direct
18 and control state-operated sports wagering, such infrastructure and authorizations to become
19 effective when federal law is enacted or repealed or the United States Supreme Court affirms the
20 authority of states to regulate sports wagering within their respective borders.

21 (g) State operated sports wagering shall be operated by the state through the division of
22 lotteries. Sports wagering may be conducted at:

23 (1) The Twin River Gaming Facility, located in Lincoln at 100 Twin River Road and
24 owned by UTGR, Inc., a licensed video lottery and table game retailer; and

25 (2) The Tiverton Gaming Facility, located in Tiverton at the intersection of William S.
26 Canning Boulevard and Stafford Road, and owned by Twin River-Tiverton, once Twin River-
27 Tiverton is licensed as a video lottery and table game retailer, provided that a federal law has
28 been enacted or repealed or a United States Supreme Court decision affirms the authority of states
29 to regulate sports wagering within their respective borders.

30 (h) Subject to the change in federal law referenced in subsection (a) of this section, the
31 state through the division of lotteries shall exercise its existing authority to implement, operate,
32 conduct and control sports wagering at the Twin River gaming facility and the Twin River-
33 Tiverton gaming facility in accordance with the provisions of this chapter and the rules and
34 regulations of the division of lotteries.

1 (i) Notwithstanding the provisions of this section, sports wagering shall be prohibited in
2 connection with any collegiate sports or athletic event that takes place in Rhode Island or a sports
3 contest or athletic event in which any Rhode Island college team participates, regardless of where
4 the event takes place.

5 (j) No other law providing any penalty or disability for conducting, hosting, maintaining,
6 supporting or participating in sports wagering, or any acts done in connection with sports
7 wagering, shall apply to the conduct, hosting, maintenance, support or participation in sports
8 wagering pursuant to this chapter.

9 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- TWIN RIVER AND THE
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1 This act would authorize state-operated sports wagering to be offered by the Twin River
2 and Tiverton gaming facilities based upon passage of statewide referenda approving casino
3 gaming at Twin River in 2012 and Tiverton in 2016 to become effective when federal law is
4 enacted, repealed or the U.S. Supreme Court affirms state authority to regulate sports wagering.

5 This act would provide that sports wagering shall be operated through the division of
6 lotteries in the Twin River and Tiverton gaming facilities and would prohibit sports wagering on
7 any collegiate sports/athletic event within the state or any such sports/athletic event outside the
8 state involving any state college team.

9 This act would take effect upon passage.

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