

PROPOSED
SENATE AMENDMENTS TO S.B. 1689
(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 5-1301, Arizona Revised Statutes, is amended to
3 read:

4 5-1301. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Adjusted gross event wagering receipts" means an event wagering
7 operator's gross wagering receipts, excluding voided bets, minus winnings
8 paid to authorized participants and any federal excise tax. A deduction
9 from adjusted gross event wagering receipts equal to the value of free bets
10 or promotional credits redeemed by authorized participants may be taken as
11 provided in this paragraph. The deduction under this paragraph for free
12 bets or promotional credits is limited to the first five years following
13 ~~the effective date of this section~~ APRIL 15, 2021 as follows:

14 (a) For years one and two, a deduction not to exceed twenty percent
15 of an event wagering operator's gross wagering receipts.

16 (b) For year three, a deduction not to exceed fifteen percent of an
17 event wagering operator's gross wagering receipts.

18 (c) For years four and five, a deduction not to exceed ten percent
19 of an event wagering operator's gross wagering receipts.

20 (d) For year six and each year thereafter, a deduction of free bets
21 is not allowed. January 1 following the year in which the event wagering
22 operator begins event wagering operations is considered the first year of
23 event wagering for the purposes of this paragraph. An event wagering

1 operator may deduct up to twenty percent of an event wagering operator's
2 gross wagering receipts during any period that the operator conducts event
3 wagering before January 1 of the first year of event wagering operations.

4 2. "Department" means the department of gaming.

5 3. "E-sport **EVENT**" means an organized, multiplayer video game
6 competition, particularly between professional players, individually or as
7 teams.

8 4. "Event wagering":

9 (a) Means accepting wagers on sports events or other events,
10 portions of sports events or other events, the individual performance
11 statistics of athletes in a sports event or combination of sports events or
12 the individual performance of individuals in other events or a combination
13 of other events by any system or method of wagering, including in person or
14 over the Internet through websites and on mobile devices.

15 (b) Does not include a fantasy sports contest as defined in section
16 5-1201.

17 5. "Event wagering employee" means an employee of an event wagering
18 operator, sports facility, management services provider or limited event
19 wagering operator who is directly involved in the management or control of
20 the conduct of event wagering under this chapter in this state.

21 6. "Event wagering facility" means a facility at which event
22 wagering is conducted under this chapter.

23 7. "Event wagering operator" means either:

24 (a) An owner or operator of an Arizona professional sports team or
25 franchise, an operator of a sports facility in this state that hosts an
26 annual tournament on the PGA tour or a promoter of a national association
27 for stock car auto racing national touring race in this state, or the
28 designee of such an owner, operator or promoter, who is licensed to offer
29 event wagering under this chapter. If an owner, operator or promoter that
30 qualified for an event wagering operator license appoints a designee, the
31 designee will be considered the event wagering operator and the licensee
32 with respect to the applicable license for the purposes of this chapter.

1 (b) An Arizona Indian tribe or an entity fully owned by an Arizona
2 Indian tribe, or its designee, licensed to operate only mobile event
3 wagering outside the boundaries of its Indian lands and throughout this
4 state if it has signed the most recent tribal-state gaming compact and any
5 applicable appendices or amendments. If an Indian tribe that qualified for
6 an event wagering operator license appoints a designee, the designee will
7 be considered the event wagering operator and the licensee with respect to
8 the applicable license for the purposes of this chapter.

9 ~~10.~~ 8. "Licensee" means a person that holds an event wagering
10 operator license, limited event wagering license, supplier license or
11 management services provider license.

12 ~~8.~~ 9. "Limited event wagering operator" means a racetrack enclosure
13 or additional wagering facility that holds a permit issued by the division
14 of racing to offer wagers on horseracing and that is licensed under this
15 chapter.

16 ~~11.~~ 10. "Management services provider" means a person that
17 operates, manages or controls event wagering authorized by this chapter on
18 behalf of an event wagering operator or limited event wagering operator,
19 including developing or operating event wagering platforms and providing
20 odds, lines and global risk management, and may provide services to more
21 than one licensed event wagering operator or licensed limited event
22 wagering operator.

23 ~~9.~~ 11. "Official league data" means statistics, results, outcomes
24 and other data related to a sports event or other event obtained pursuant
25 to an agreement with the relevant sports governing body or an entity
26 expressly authorized by the sports governing body to provide such
27 information to licensees that authorizes the use of such data for
28 determining the outcome of sports wagers on sports events or other events.

1 12. "Other event" means a competition of relative skill or an event
2 authorized by the department under this chapter.

3 13. "Person" means an individual, partnership, committee,
4 association, corporation, ~~OR~~ OR Indian tribe or an entity fully owned by an
5 Indian tribe, or any other organization or group of persons.

6 14. "Professional sport" means a sport conducted at the highest
7 level league or organizational play for its respective sport and includes
8 baseball, basketball, football, golf, hockey, soccer and motorsports.

9 15. "Prohibited conduct" includes any statement, action or other
10 communication intended to unlawfully influence, manipulate or control a
11 betting outcome of a sports event or other event OR of any individual
12 occurrence or performance in a sports event or other event in exchange for
13 financial gain or to avoid financial or physical harm.

14 16. "Prohibited participant" means:

15 (a) Any individual whose participation may undermine the integrity
16 of the wagering, the sports event or the other event.

17 (b) Any individual who is prohibited from placing a wager as an
18 agent, proxy or because of self-exclusion.

19 (c) Any individual who is an athlete, coach, referee, player,
20 trainer or personnel of a sports organization in any sports event or other
21 event overseen by that individual's sports organization who, based on
22 information that is not publicly available, has the ability to determine or
23 to unlawfully influence the outcome of a wager.

24 (d) An individual who holds a position of authority or influence
25 sufficient to exert influence over the participants in a sporting contest,
26 including coaches, managers, handlers and athletic trainers, such that
27 their actions can affect the outcome of a wager.

28 (e) An individual with access to exclusive information on any sports
29 event or other event overseen by that individual's sports governing body
30 that is not publicly available information or any individual identified by
31 any lists provided by the sports governing body to the department.

1 17. "Sports event" means a professional sport or athletic event, a
2 collegiate sport or athletic event, a motor race event, an e-sport event or
3 an olympic event.

4 18. "Sports facility" means a facility that is owned by a
5 commercial, state or local government or quasi-governmental entity that
6 hosts professional sports events and that **MEETS ANY OF THE FOLLOWING:**

7 (a) **IS LOCATED IN A COUNTY WITH A POPULATION OF FOUR MILLION PERSONS**
8 **OR MORE AND** holds a seating capacity of more than ten thousand persons at
9 its primary facility. ~~;~~

10 (b) **IS LOCATED IN A COUNTY WITH A POPULATION OF LESS THAN FOUR**
11 **MILLION PERSONS AND HOLDS A SEATING CAPACITY OF TEN THOUSAND PERSONS AT ITS**
12 **PRIMARY FACILITY IN BOTH THE PLAYING AREA AND THE AREA CONTIGUOUS TO THE**
13 **PLAYING AREA AS LONG AS THE BUILDING WHERE THE TEAM PLAYS HAS THE REQUISITE**
14 **CAPACITY TO MARKET, SELL AND MAKE AVAILABLE FOR USE TEN THOUSAND SEATS.**

15 (c) **IS** one location in this state that hosts an annual golf
16 tournament on the PGA tour. ~~and~~

17 (d) **IS** one location that holds an outdoor motorsports facility that
18 hosts a national association for stock car auto racing national touring
19 race.

20 19. "Sports governing body" means an organization headquartered in
21 the United States that prescribes final rules and enforces codes of conduct
22 with respect to a sports event and participants in a sports event.

23 ~~22.~~ 20. "Supplier" means a person that manufactures, distributes or
24 supplies event wagering equipment or software, including event wagering
25 systems.

26 ~~20.~~ 21. "Tier one sports wager" means a sports wager that is
27 determined solely by the final score or final outcome of the sports event
28 and that is placed before the sports event has begun.

29 ~~21.~~ 22. "Tier two sports wager" means a sports wager that is not a
30 tier one sports wager.

31 23. "Wager":

1 (a) Means a sum of money or thing of value risked on an uncertain
2 occurrence.

3 (b) Includes tier one and tier two sports wagers, single-game bets,
4 teaser bets, parlays, over-under bets, moneyline bets, pools, exchange
5 wagering, in-game wagering, in-play bets, proposition bets, straight bets
6 and other wagers approved by the department."

7 Amend title to conform

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