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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 2509

03/08/2016 Authored by Barrett

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform

1.1 A bill for an act  
1.2 relating to gambling; providing for fantasy or simulation sports games; amending  
1.3 Minnesota Statutes 2014, section 609.75, subdivision 3, by adding a subdivision.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2014, section 609.75, subdivision 3, is amended to read:

1.6 Subd. 3. **What are not bets.** The following are not bets:

1.7 (1) a contract to insure, indemnify, guarantee or otherwise compensate another for a  
1.8 harm or loss sustained, even though the loss depends upon chance;

1.9 (2) a contract for the purchase or sale at a future date of securities or other  
1.10 commodities;

1.11 (3) offers of purses, prizes or premiums to the actual contestants in any bona fide  
1.12 contest for the determination of skill, speed, strength, endurance, or quality or to the bona  
1.13 fide owners of animals or other property entered in such a contest;

1.14 (4) the game of bingo when conducted in compliance with sections 349.11 to 349.23;

1.15 (5) a private social bet not part of or incidental to organized, commercialized, or  
1.16 systematic gambling;

1.17 (6) the operation of equipment or the conduct of a raffle under sections 349.11 to  
1.18 349.22, by an organization licensed by the Gambling Control Board or an organization  
1.19 exempt from licensing under section 349.166;

1.20 (7) pari-mutuel betting on horse racing when the betting is conducted under chapter  
1.21 240; ~~and~~

1.22 (8) the purchase and sale of state lottery tickets under chapter 349A-; and

1.23 (9) participation in any fantasy or simulation sports game.

2.1 Sec. 2. Minnesota Statutes 2014, section 609.75, is amended by adding a subdivision  
2.2 to read:

2.3 Subd. 8a. **Fantasy or simulation sports game.** A fantasy or simulation sports game  
2.4 is a game or contest, offered through a Web site or by any other means, in which:

2.5 (1) all prizes and awards offered to winning participants are established and made  
2.6 known to the participants in advance of the game or contest and their value is not determined  
2.7 by the number of participants or the amount of any fees paid by those participants;

2.8 (2) all winning outcomes reflect the relative knowledge and skill of the participants  
2.9 and are determined predominately by accumulated statistical results of the performance of  
2.10 athletes in multiple real-world sporting events;

2.11 (3) no fantasy or simulation sports team is based on the current membership of an  
2.12 actual team that is a member of an amateur or professional sports organization; and

2.13 (4) no winning outcome is based on the score, point spread, or performance of any  
2.14 single real-world team or any combination of such teams, or on the single performance of  
2.15 an individual athlete in any single real-world sporting event.