

SB 83-FN - VERSION ADOPTED BY BOTH BODIES

03/13/2025 0773s
03/27/2025 1102s
7Jan2026... 3010h

2025 SESSION

25-0994
02/08

SENATE BILL

83-FN

AN ACT relative to licenses for primary and secondary game operators.

SPONSORS: Sen. Lang, Dist 2; Sen. Avard, Dist 12; Sen. Gannon, Dist 23; Sen. Pearl, Dist 17;
Rep. Moffett, Merr. 4

COMMITTEE: Commerce

AMENDED ANALYSIS

This bill:

I. Removes the maximum amount of free play that may be deduced from gross video lottery revenue.

II. Directs certain funds to the governor's commission on addiction, treatment, and prevention.

III. Clarifies the definitions of primary and secondary game operators.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to licenses for primary and secondary game operators.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Gross Video Lottery Revenue; Definition. Amend RSA 287-J:1, III to read as follows:

2 III. "Gross video lottery revenue" means the total of all sums actually received by a VLT
3 licensee from operation of video lottery terminals, minus the total of all sums actually paid out as
4 winnings to patrons, less any free play paid to patrons. [~~The maximum amount of free play that any~~
5 ~~one licensee can deduct from gross video lottery revenue shall be 12.5 percent in any calendar year.~~]

6 2 Pari-Mutuel Pools on Historic Horse Races. Amend RSA 287:22-b, V to read as follows:

7 V. The licensee commission on all historic horse race pari-mutuel pools shall be at a rate of
8 not greater than 12 percent. In addition to the above commission, 100 percent of the odd cents of all
9 redistribution based on each dollar wagered exceeding a sum equal to the next lowest multiple of 10,
10 known as breakage, shall be paid to [~~the lottery commission and used as payment for problem~~
11 ~~gaming services~~] ***the governor's commission on addiction, treatment, and prevention. Any***
12 ***funds accrued by the lottery commission under this section as payment for problem gaming***
13 ***services shall also be directed to the governor's commission on addiction, treatment, and***
14 ***prevention.***

15 3 Game Operator Employer; Definition. Amend RSA 287-D:1, VIII - XI to read as follows:

16 VIII. "Game operator employer" means [~~a business entity or individual who employs,~~
17 ~~supervises, and controls game operators and who is hired by a charitable organization to operate~~
18 ~~games of chance on its behalf. The owner of 10 percent or more of the entity, partner, managing~~
19 ~~member, or chief executive of a business entity who serves as a game operator employer must be~~
20 ~~listed as a part of the game operator license application]~~ ***a person or business entity holding a***
21 ***license to operate games of chance activities and, if eligible, may obtain a license to also***
22 ***offer video lottery terminals pursuant to RSA 287-J and historic horse racing pursuant to***
23 ***RSA 284:22.***

24 IX. "Gaming equipment" means a collective reference to table game devices and their
25 associated equipment.

26 X. "Primary game operator" means [~~any person other than a bona fide member of the~~
27 ~~charitable organization, involved in conducting, managing, supervising, directing, or running games~~
28 ~~of chance; including, but not limited to, gambling operation managers and assistant managers,~~
29 ~~managers and supervisors of security employees, pit bosses, shift bosses, credit executive, and~~

1 cashier operations supervisors] ***an individual licensed by the commission and eligible for***
2 ***employment by a game operator employer to act in a supervisory capacity, access restricted***
3 ***areas, or make discretionary decisions relative to the operation of games of chance, video***
4 ***lotter terminals or historic horse racing devices.***

5 XI. "Secondary game operator" means [~~any person other than a bona fide member of the~~
6 ~~charitable organization, involved in dealing, running a roulette wheel, handling chips, or providing~~
7 ~~accounting services or security functions; including any person with job functions or responsibilities~~
8 ~~that require the person to watch over, protect, handle, use, maintain, or otherwise hold~~
9 ~~responsibility over gaming cash, revenue, supplies or devices. This includes individuals in the back~~
10 ~~office and anyone that has access to gaming systems, chips, tokens, or playing cards, or who has the~~
11 ~~ability to access or make changes to the gaming operations accounting system, player tracking~~
12 ~~system, gaming system records, or cash and accounting records]~~ ***an individual licensed by the***
13 ***commission and eligible for employment by a game operator to participate in the***
14 ***operations of game of chance, video lottery terminals or historic racing devices in a non-***
15 ***supervisory capacity.***

16 4 Primary Game Operator License Applications. Amend the introductory paragraph of RSA
17 287-D:9, I to read as follows:

18 I. Other than members of a charitable organization, any person ***who will act in a***
19 ***supervisory capacity and be empowered by a game operator employer to make***
20 ***discretionary decisions on gambling operation*** [~~who is involved in conducting, managing,~~
21 ~~supervising, directing, or running games of chance]~~ shall be licensed under this section[~~including~~
22 ~~but not limited to gambling operation managers and assistant managers, managers or supervisors of~~
23 ~~security employees, pit bosses, shift bosses, credit executives, and cashier operations supervisors].
24 In addition to the general requirements under RSA 287-D:5, a primary game operator license
25 application shall include, at a minimum, the following information provided that the lottery
26 commission may, by rule, establish additional items to be submitted on the application form or
27 attached to it:~~

28 5 Secondary Game Operator License Applications. Amend RSA 287-D:10, I to read as follows:

29 I. Other than members of a charitable organization, any person who is employed by a game
30 operator employer ***to operate games in a non-supervisory capacity*** shall be licensed under this
31 section.

32 6 Effective Date. This act shall take effect 60 days after its passage.

LBA
25-0994
1/14/26

**SB 83-FN- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENT #2025-3010h)**

AN ACT relative to licenses for primary and secondary game operators.

FISCAL IMPACT:

This bill, which the Lottery Commission states this bill will have no impact on state revenue or expenditures, does the following:

- Revises RSA 287-J:1 to remove language regarding free-play, which is inconsistent with similar language in RSA 287-D:2.
- Directs historical horse racing breakage amounts to the Governor’s Commission on Addiction, Treatment, and Prevention, thus making it consistent with video lottery terminal revenue shares, and eliminating the reference to a non-existent service.
- Revises the statutory definition of “primary game operator” and “secondary game operator” in RSA 287-D, to resolve concerns from the FBI that the definitions are too broad.

AGENCIES CONTACTED:

Lottery Commission