

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

*As Engrossed: H3/14/17*

# A Bill

HOUSE BILL 2250

5 By: Representative Gazaway  
6

## For An Act To Be Entitled

8 AN ACT CONCERNING PAID FANTASY SPORTS GAMES; AND FOR  
9 OTHER PURPOSES.

### Subtitle

12 CONCERNING PAID FANTASY SPORTS GAMES.  
13  
14  
15

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
17

18 *SECTION 1. Arkansas Code § 19-6-201, concerning the enumeration of*  
19 *general revenues, is amended to add an additional subdivision to read as*  
20 *follows:*

21 *(73) Paid fantasy sports games tax, § 23-116-104.*  
22

23 *SECTION 2. Arkansas Code Title 23 is amended to add an additional*  
24 *chapter to read as follows:*

#### CHAPTER 116

#### PAID FANTASY SPORTS GAMES

#### Subchapter 1 – General Provisions

29  
30 *23-116-101. Legislative findings.*

31 *(a) The General Assembly finds that a paid fantasy sports game*  
32 *conducted in compliance with this chapter does not constitute gambling for*  
33 *any purpose.*

34 *(b) Paid fantasy sports games conducted in compliance with this*  
35 *chapter are exempt from § 5-66-101 et seq.*  
36



1 23-116-102. Definitions.

2 As used in this subchapter:

3 (1) "Game operator" means a person who:

4 (A) Is engaged in the business of professionally  
5 conducting paid fantasy sports games for cash prizes for members of the  
6 general public; and

7 (B) Requires cash or a cash equivalent as an entry fee to  
8 be paid by a member of the general public who participates in a paid fantasy  
9 sports game;

10 (2) "Game participant" means an individual who participates in a  
11 paid fantasy sports game offered by a game operator;

12 (3) "Gross paid fantasy sports game revenues" means the amount  
13 equal to the total of all entry fees that a game operator collects from all  
14 game participants, less the total of all sums paid out as prizes to all game  
15 participants, multiplied by the location percentage for this state;

16 (4) "Location percentage" means, for each paid fantasy sports  
17 game, the percentage rounded to the nearest tenth of a percent of the total  
18 of entry fees collected from game participants located in this state, divided  
19 by the total of entry fees collected from all game participants in paid  
20 fantasy sports games;

21 (5) "Paid fantasy sports game" means any fantasy or simulation  
22 sports game or contest that meets the following conditions:

23 (A) The values of all prizes and awards offered to winning  
24 game participants in public contests are established and made known to the  
25 game participants in advance of the game or contest;

26 (B) All winning outcomes reflect the relative knowledge  
27 and skill of the game participants and are determined predominantly by  
28 accumulated statistical results of the performance of individuals, including  
29 athletes in the case of sporting events;

30 (C) A winning outcome is not based on the score, point  
31 spread, or performance or performances of any single team or combination of  
32 teams or solely on any single performance of an individual athlete or player  
33 in any single event;

34 (D) The statistical results of the performance of  
35 individuals under subdivision (5)(B) of this section are not based on college  
36 or high school sports;

