

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairperson Steve Brunk at 9:00 am on Wednesday, March 11, 2015, 346-S of the Capitol.

All members were present except:

Representative Marty Read – Excused

Representative James Todd – Excused

Committee staff present:

Natalie Nelson, Legislative Research Department

Joanna Wochner, Legislative Research Department

Stephen Bainum, Kansas Legislative Committee Assistant

Jason Long, Office of Revisor of Statutes

Conferees appearing before the Committee:

Representative Brett Hildabrand

Derick Hein, Fantasy Sports Trade Association

Jeremy Kudon, Fantasy Sports Trade Association

Others in attendance:

[See Attached List](#)

Hearing on: HB2371 — Exclusion of fantasy sports leagues from the crime of gambling.

There were no bill introductions. Chairman Brunk opened the hearing on **HB2371**. Jason Long, Revisor of Statutes gave a briefing on the changes in the bill. Mr. Long answered questions from the Committee.

Written testimony in support of **HB2371** was submitted by:

Representative Brett Hildabrand who presented two reasons for passing this bill. First, Laws should exist for good reason. If there is no intention of enforcing a law, one questions why it exists to begin with. Second, I want to ensure participants are safe from prosecution should the Commission , at some future date, decide to change their non-enforcement policy. ([Attachment 1](#)) Representative Hildabrand stood for questions from the Committee.

Jeremy Kudon said that fantasy sports are rapidly becoming our new national pastime. Nearly 40 million Americans participate in some form of fantasy sports. Fantasy sports are a form of entertainment that allows players to have a appreciation for the sport they love. This bill would confirm that fantasy sports contests that meet certain specified criteria are games of skill and legal under Kansas law. In 2006, Congress passed the Unlawful Internet Gambling Enforcement Act, which makes it illegal to gamble on the internet. That law expressly removes fantasy sports from the definition of internet gambling. Only those contests that are "games of skill" will be legal under Kansas law.

([Attachment 2](#))

Derek Hein said that this bill would prevent 500,000 Kansas residents from being put at risk of prosecution. The bill clarifies in state law that fantasy contests are a game of skill, just as they are in

CONTINUATION SHEET

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federal law. There were no questions from the Committee. ([Attachment 3](#))

Chairman Brunk closed the hearing on HB2371 and indicated that it would be worked later.

Possible action on bills previously heard

Chairman Brunk called upon the Committee to work **SB95**. Jason Long, Revisor of Statutes, gave a briefing on the bill. There were no questions.

Representative Joseph Scapa made a motion to pass **SB95** out favorably, seconded by Representative Dick Jones. Representative John Wilson offered an amendment to **SB95**, seconded by Representative Dick Jones. ([Attachment 4](#)) Discussion ensued amongst the Committee members.

After the discussion Representative Dick Jones withdrew his second on the amendment. Then Representative Annie Tietze seconded the motion on the amendment. Discussion continued with the Committee members. Chairman Brunk called for a vote on the motion to amend. The motion failed.

Chairman Brunk called the Committee's attention back to the base motion to pass the bill favorably and asked for the Committee's decision. The motion carried.

Representatives Becker, Bradford, Concannon, Couture-Lovelady, Estes, Ewy, Hemsley, Hildabrand, Hineman, Houser, Pauls, Scapa and Williams requested to be recorded as yes votes.

The meeting was adjourned at 10:10 am