

Kansas legalizes sports betting, then gets sued by casino

Written by Administrator
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TOPEKA, Kan. (AP) — Kansas legalized sports betting Thursday, only to be sued almost immediately by the operator of a state-owned casino that could offer the new wagering over an unrelated part of the law designed to revive a long-closed greyhound track in its area.

Democratic Gov. Laura Kelly signed [a bill](#) that the Republican-controlled Legislature passed with bipartisan support. State officials and others weren't sure ahead of her action when sports fans actually would be able to start making their wagers.

The new law will allow people in the state to use cellphone or computer apps to bet on sporting events and to place bets at each of four state-owned casinos or up to 50 other locations chosen by each casino. Betting in fantasy sports leagues already was legal.

The lawsuit was filed by the Kansas Star Casino in Shawnee County District Court in the state capital of Topeka. The casino is about 15 miles (24 kilometers) south of Wichita and operated by Las Vegas-based Boyd Gaming under a contract with the Kansas Lottery that runs until December 2026.

The casino argues that the state is breaching its contract, which says the lottery will not permit competition from similar facilities in the Wichita area. The dispute is over a provision allowing new gambling devices at Wichita Greyhound Park. The dog park first opened in 1989 — more than two decades before the casino — but had a financially troubled history and closed in 2007. The casino opened in 2011.

The devices in dispute are known as historic horse racing machines, and the new law allows 1,000 of them at the dog park. The devices replay snippets of past horse races, with results determining what a bettor wins, and the new law calls them machines for betting on races, not slots. But they look like slot machines, and Boyd argues that the two types of devices are “indistinguishable,” so that the state isn't allowed to let the dog park have them.

“Boyd has lived up to its obligations, successfully operated the Kansas Star and invested hundreds of millions of dollars in Kansas Star based on the State's contractual promise,” the company said in a statement.

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Boyd said it supports legalized sports betting in Kansas. The company is seeking to force the state to pay a \$25 million penalty specified by the contract, plus interest, though the law says the dog park will reimburse Kansas if it gets its new gambling devices.

The lawsuit's defendants are the state, the lottery and the Kansas Racing and Gaming Commission, which regulates the state casinos.

Lottery Executive Director Stephen Durrell said he wasn't aware of the lawsuit and couldn't respond. The racing commission, the governor's office and the company that owns Wichita Greyhound Park did not immediately return telephone or email messages seeking comment.

But state Rep. John Barker, an Abilene Republican who helped draft the final version of the law, said there's a difference of opinion over whether the historic horse racing machines are slots and, "I guess we will not know for sure" until the Kansas Supreme Court rules.

"It's a separate part of that bill, so I would think maybe the sports betting could go forward," he said.

Then, Barker noted that Boyd's contract expires near the end of 2026, and, "They've got a few things to lose, too."

Kelly signing of the sports betting legislation came four years after the U.S. Supreme Court in 2018 [struck down a federal ban](#) on sports betting in most states.

The new law dedicates most of the the state's share of revenues from the new gambling — perhaps \$5 million a year — to efforts to [lure the Kansas City Chiefs](#) from Missouri to Kansas.

Penn National Gaming plans to launch mobile sports betting and to have a retail sportsbook at the Hollywood Casino, which it operates for the lottery at Kansas Speedway in Kansas City, Kansas. Spokesman Jeff Morris said that he hopes people in Kansas would be able to begin

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legally betting by the National Football League season.

“Our intention will be to launch the first day we are able to do so in the state,” Morris said.

Twenty-nine have authorized commercial sports betting, while another six allow Native American tribes to provide it, according to [the National Conference of State Legislatures](#).

Joseph Bryden, a 25-year-old University of Kansas law student, said he listens to an out-of-state podcast with hosts who often discuss sports betting.

“It’s my money. If I want to be able to bet on the (Dallas) Cowboys, I feel like I should be able to,” Bryden said.

Andy Tsubasa Field is a corps member for the Associated Press/Report for America Statehouse News Initiative. [Report for America](#) is a nonprofit national service program that places journalists in local newsrooms to report on undercovered issues.

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