

KANSAS RACING AND GAMING COMMISSION

MINUTES – MARCH 14, 2025

CALL TO ORDER

(A.)

Chairman David Moses called the March 14, 2025, meeting to order at 10:00 a.m. The meeting was held at the Eisenhower State Office Building in Topeka, Kansas. Notice of this meeting was given to the public via the KRGC and Public Square websites and the agency's social media pages. Commissioners Brandon Jones and Larry Turnquist were also present. Others present included Executive Director Don Brownlee, General Counsel Judith Taylor, Director of IT&C-s Dennis Bachman, Director of Security, Licensing, and Backgrounds Roger Bailey, Director of Gambling DJ Lopez, Director of Casino Operations Rick Wilson, Government Relations Manager Randy Evans, and other staff.

Chairman Moses noted for the record that Commissioner Fleming was in the building and would be joining the meeting later due to a business-related matter.

MOTION, APPROVE

AGENDA

(B.)

Executive Director Brownlee announced that there was an amendment to the agenda. Item G.1 was moved to the consent agenda; the respondent for the case waived their right to a hearing.

Commissioner Jones (Turnquist) moved to approve the agenda as amended. Motion carried 3-0.

MOTION, APPROVE

FEBRUARY 14, 2025

MEETING MINUTES

(C.)

Commissioner Turnquist (Jones) moved to approve the minutes of the February 14, 2025, meeting. Motion carried 3-0.

MOTION, APPROVE

CONSENT AGENDA

(D.)

Commissioner Turnquist (Jones) moved to approve the consent agenda (eight items). Motion carried 3-0.

LOTTERY GAMING FACILITY REPORTS/ITEMS; BOOT HILL CASINO & RESORT (E.1.a.)

Ryan Deutsch, General Manager, reported:

- February 2025 revenue numbers compared to February 2024:
 - Total gaming revenue increased 5.89%
 - Total slot revenue was down 7.91%
 - Table games revenue was up 14.39%
 - General Manager Deutsch noted that 2024 was a leap-year, and so, last year had an additional day of revenue.
- February 2025 Sports Wagering revenue numbers
 - Retail Sportsbook Revenue \$15,008.00
 - Up 131.14% from February 2024.
 - Handle was down 95%
 - Hold was up 162%
 - Digital Sportsbook Revenue: \$10,743,011.00
 - Up 485.60% from February 2024

- Handle was up 1.4%
- Hold was up 151%
- General Manager Deutsch noted that these figures were related to the outcome of the Super Bowl.
- March Madness
 - Most Bet Team to Win the National Championship
 1. Kanas University
 2. Duke University
 3. Auburn University
 4. University of Florida
 5. University of Houston
- Upcoming Events and Promotions:
 - Weekly Food and Beverage Specials
 - Toss to Win Hot Seats
 - Marolyn Monroe Purse Set
 - Grand Canyon Betting Set
 - \$10,000 Table Games Hot Seats on Sundays
 - \$100,000 Big Draw
 - Wild Wins Free Play Bonus
 - Hosted Player Offers
 - VIP Promotions
 - Sportsbook Promotions
- Upcoming Entertainment & Events
 - Treaty Oak Revival – March 1
 - Harlem Globetrotters – March 4
 - SW Storm Arena Football – March – June
 - KSHSAA State Basketball – March 12-15
 - Blippi – April 5
 - Three Dog Night – April 12
 - Los Tigres del Norte – May 11
 - Larry the Cable Guy – June 28
 - Los Tucanes de Tijuana – June 29
 - Rick Springfield – July 25th
 - Dustin Lynch – July 26th

LOTTERY GAMING
FACILITY
REPORTS/ITEMS;
KANSAS STAR
(E.4.a.)

Alli Kuplen, General Manager, reported:

- February 2025 revenue numbers compared to February 2024:
 - Total gross gaming revenue was down 1.1%
 - Total slot revenue down 0.4%
 - Table games revenue down 22.4%
- February 2025 Sports Wagering revenue
 - Retail Sportsbook Revenue \$258,000.00.
 - Up compared to February 2024's loss of \$87,000.00.
 - Digital Sportsbook Revenue: \$8,300,000.00
 - Up from February 2024's revenue of \$1,300,000.00.
- February 2025 Sports Wagering
 - \$64 million was wagered on FanDuel online.
 - The total handle in retail was \$906,000 for February.
 - The majority of our overall handle in retail was wagered on the Super Bowl. The Super Bowl accounted for 83% of our overall handle in

February. That was followed by College Basketball at 11%, NBA at 3% MMA at 2% and NHL at 1%.

- The largest wager placed at retail were 2 separate \$10,000 wagers. One of these was a straight wager on the KC Chiefs ML to win the Super Bowl. The other was a straight wager on Patrick Mahomes to win the Super Bowl MVP. They were both losers.
- Upcoming Events and Promotions:
 - Double Down | Friday and Saturdays in March | 10am - 11:59pm
 - Golden Anniversary Hot Seats | Thursdays in March | 6pm - 9pm
 - Storage Organizer Gift Giveaway | Friday, March 7 | 4pm - 9pm
 - Sharper Image Spin Mop Gift Giveaway | Friday, March 14 | 4pm - 9pm
 - 7-Tier Shoe Rack Gift Giveaway | Friday, March 21 | 4pm - 9pm
 - Spin Brush Cleaning Tool Gift Giveaway | Friday, March 28 | 4pm - 9pm
 - VIP 50th Anniversary Jacket Giveaway | Saturday, March 8 | 7pm - 9pm
 - VIP Golden Anniversary Progressive | Saturday, March 15 & 22 | 5pm - 10pm
 - Cruise with the GM | Saturday, March 15 - 23
 - VIP Shoe La La | Saturday, March 29 | Host Event | 4pm - 7pm
 - Receive a commemorative 50th Anniversary Pilsner glass in Tin Lizard | Thursday, March 27
- Upcoming Entertainment & Events:
 - USA Wrestling | Arena | March 8
 - Top Dance | Arena | March 27 - 30
 - Fortune Feimster "*Takin Care of Biscuit*" Tour | Arena | June 8
 - 98 Degrees | Arena | October 18
- Chairman Moses asked if the facility is affected when Wichita hosts a NCAA tournament. General Manager Kuplen explained that there is an increase in mobile sports wagers, but the facility is too far from the arena to be affected significantly.

LOTTERY GAMING
FACILITY
REPORTS/ITEMS;
HOLLYWOOD CASINO
AT KANSAS
SPEEDWAY
(E.2.a.)

Lydia Garvey, General Manager, reported:

- February 2025 admissions were down 4.3% compared to February 2024
- February 2025 revenue numbers compared to February 2024:
 - Total gross gaming revenue decreased 1.4%
 - Slot revenue increased 1.3%
 - Table games revenue decreased 20.6%
- February 2025 Sports Wagering revenue numbers
 - Retail Sportsbook Taxable Revenue: \$2,101,588.00
 - \$1.8 million of the revenue was from to the Super Bowl.
 - Up 234% from February 2024's loss of \$1,570,000.00.
 - Hold was 49.6%.
 - The Super Bowl was 53% of total handle with a 73.49% hold. NCAA Basketball was 23% of handle, and NBA was 13% of handle.
 - Digital Sportsbook Taxable Revenue: \$1,102,582.00
 - Up 387% from February 2024's loss of \$384,000.00.
 - Hold was 17.3%

- The Super Bowl 17.2 %, NCAA Basketball was 38% of handle, NBA was 20.8% of handle.
- Recent/Upcoming Events and Promotions:
 - March 1 - \$30K Lucky Clover Progressive Board
 - March 7 – Leprechaun’s Loot
 - March 13 – PENN Millionaire VIP
 - March 19 – March Madness
 - April 4 – Power Punch Board Payout
 - April 5 - \$20,000 Lucky Bunny Board
 - April 12 – VIP Gift Giveaway
- Commissioner Turnquist commented that he saw it advertised that a Buc-ees would be opening near the facility. General Manager Garvey confirmed that was true and shared that they are scheduled to break ground in May, it will be about a fifteen-to-eighteen-month build, and that they expect four million visitors annually.
- Commissioner Turnquist asked if there was an update regarding the facility’s hotel. General Manager Garvey said that they have entered into an operating agreement and are now in the due diligence period, adding that there will be more to share in about sixty days.
 - Chairman Moses asked if a flag has been selected for the hotel. General Manager Garvey explained that is what is currently being worked.
- Chairman Moses asked if the facility is affected when a NCAA tournament is hosted nearby. General Manager Garvey explained that their case is similar to Kansas Star; the facility is too far from the arena to be affected significantly.

LOTTERY GAMING
FACILITY
REPORTS/ITEMS;
KANSAS CROSSING
CASINO
(E.3.a.)

Jeff McKain, General Manager, reported:

- February 2025 admissions down 9.8% compared to February 2024
- February 2025 revenue numbers compared to February 2024:
 - Coin in was down 6.7%
 - Table game drop was down 26%
 - Net gaming revenue was up 4.3%
- February 2025 Sports Wagering revenue numbers
 - Retail Sportsbook Taxable Revenue: \$13,496.00
 - Up compared to February 2024’s loss of -\$27,154
 - Retail wagers were \$974,818 vs \$937,403 in 2024. An increase of 4%.
 - Top Sports by Handle
 1. NCAA Basketball
 2. NFL
 3. NBA
 - Top Sports by Revenue
 1. NFL
 2. ATP Tennis
 3. NCAA Basketball

- The largest Super Bowl wager was \$19,000 money line wager on the Chiefs.
- Digital Sportsbook Taxable Revenue: \$4,095,091.00.
 - Up compared to February 2024's loss of \$882,806.00
 - Digital wagers were up 36% coming in at \$45,603,207.00
- Events and Promotions:
 - February
 - Kiosk games on Mondays and Tuesdays.
 - **Camp 49** promotions every Wednesday.
 - **Sweethearts of Cash** promotion on Fridays.
 - Table Games **Money Vault and Safecracker** promotions on Saturdays
 - Casino gifts on Sundays.
 - March
 - Kiosk games on Tuesdays.
 - Camp 49 promotions every Wednesday.
 - Golden Ticket Treasure Hunt promotion every Friday.
 - Ford Bronco give-a-way promotion on Saturdays.
 - Casino gifts on Sundays.
 - Corral concerts include A Tribute to John Denver (8th) and 90's Fool House (29th).
- Chairman Moses asked if the facility is affected when a NCAA tournament is hosted nearby. General Manager McKain explained that Pittsburg State is hosting the Women's NCAA tournament and as a result the facility has the most popular hotel in town; all of this does have a little effect on the facility.
- Chairman Moses noted for the record that Commissioner Fleming was able to join the meeting at this point.

HISTORICAL HORSE
RACING FACILITY
LICENSEE
REPORTS/ITEMS;
GOLDEN CIRCLE
(E.5.a.)

Nathanial Blank with Watkins Public Strategies appeared on behalf of Scott Beeler, as the Golden Circle Representative.

Mr. Blank reported:

- That construction continues and is on schedule. The target opening date of December 15th with a grand opening plan on December 31st.
- The Food & Beverage Director has been hired.
- A memorandum of understanding is in process with the KRGC staff.
- Jason Watkins testified in support of SB260, a piece of legislation that would direct a portion of tax revenue from HHR machines to horse racing and horse breeding benefit.

COMMISSION ITEMS –
OLD BUSINESS (F.)

There was no old business.

COMMISSION ITEMS –
NEW BUSINESS;
KANSAS
ADMINISTRATIVE
REGULATIONS,
ECONOMIC IMPACT
STATEMENT FOR
SPORTS WAGERING
REGULATIONS
(G.)

Chairman Moses announced for any audience members who came in late and may intend to appear for KRGC Case 2024-2002 Occupational License Revocation that the item was moved to the consent agenda and was approved by the commission. If there are any questions, Garrett Rogers can assist you.

Staff Attorney James Bain presented the Kansas Administrative Regulations, Economic Impact Statement for sports wagering regulations.

Chairman Moses asked about the language in section three paragraph b, “the revenues to the sports wagering platforms and lottery gaming facilities after taxes were approximately \$90 million”, specifically if “after taxes” refers to after the State of Kansas collected \$9,978,763.00. Staff Attorney Bain responded that was correct.

Commissioner Jones (Fleming) moved that the commission finds that the costs of the proposed regulations have been accurately determined, and the proposed regulations are necessary for achieving the legislative intent of the enabling statute. Motion carried 4-0.

PUBLIC COMMENTS
(H.)

There were no public comments.

STAFF REPORTS
(I.1. and I.2.)

Garrett Rogers, Paralegal, reported on both the Voluntary Exclusion Program and Sports Wagering Exclusion Program statistics for the months of February 2025, and the 2024 Annual Kansas Asset Seizure and Forfeiture Report.

Government Relations Manager Randy Evans reported:

- There has not been any new legislation introduced since the February commission meeting that would have a substantial impact the commission.
- The bill that allows off duty officers to carry in stadiums or events, has passed the House and is scheduled for a hearing on Monday the 17th in the Senate.
 - Chairman Moses asked if there was any opposition voiced. Mr. Evans said there was not.
- SB71, regarding increasing the penalty for sex trafficking from a misdemeanor to a felony, has passed the Senate and has had a hearing in the House. Another hearing is scheduled for next week. It is still in committee.
- The bill regarding the Lottery notifying the Department of Children and Families of any household that was won over \$3,000.00 per year has passed the Senate and has had a hearing in the House. It is still in committee.
- The bill regarding the Kansas Indoor Clean Air Act has not had a hearing.

- Commissioner Fleming asked when Mr. Evans expected the session to end. Mr. Evans said that he believed the legislature would adjourn in the second week of April.
- SB256 regards the Back to Work Act. It received a hearing on the 6th. There was only one proponent which was the AIM organization, who owns, at least in part, several hotels and restaurants in downtown Topeka. They were a proponent because there has been a lack of business with state employees being able to work remotely.
- SB260 regards amendments to the Kansas Parimutuel Racing Act. The legislation has passed the Senate and has had a hearing in the House. The bill remains in committee.
 - Chairman Moses asked if the legislation has had any changes, or if it mirrors the version that came out of chambers. Mr. Evans said that he believes it mirrored the version that came out of chambers. Chairman Moses asked for clarification whether it passed in the House or the Senate. Mr. Evans confirmed that the legislation had passed through the Senate and is currently in House committee.
 - Commissioner Turnquist noted that it was his understanding that during the hearing KRGC staff were present to answer questions. Mr. Evans confirmed that was accurate. Commissioner Turnquist asked what the committee asked questions about. Director of Gambling DJ Lopez responded saying that the committee asked if the commission had any opposition to certain language, and the commission did not.
 - Chairman Moses noted that he watched the hearing and that the focus was on what the costs were to the agency, and whether the marketing costs were included or not included in the agency costs.
- SB2084 regards Kansans being able to claim gambling losses as a write-off on their state income taxes. That had a hearing on February 6th. There has been no further action.
- Chairman Moses noted that he has seen that the penalty for offenders who must register on the Offender Registration List is being enhanced to a felony if they enter a public school. Chairman Moses asked if those on the Offender Registration List are precluded from entering a lottery gaming facility. General Counsel Judith Taylor answered saying that they are not at this time.

Executive Director Brownlee reported:

- Nebraska currently has sports wagering onsite only, they are trying to expand that to go mobile.
- Missouri passed sports wagering. Their Gaming Commission had hoped to have sports wagering up and operational at this point, but they have

been delayed. They were trying to get their regulations passed through the emergency process, but the Secretary of State of Missouri was not an emergency and denied them going through that process. It will probably sometime this Fall before it is up and going.

- Some legislators in Arkansas are trying to get online gaming approved. Basically, an online casino that offers table games and slot machines online. There are currently only seven jurisdictions that offer online gambling. Besides Arkansas, there are three other states that are looking at passing online gambling this year.
- In Guymon, Oklahoma the Golden Messa Casino, probably the closest competition for Boot Hill Casino, anticipates finishing their expansion this summer. The expansion will include another 400 slot machines, a 100-room hotel, and a RV park.
- There have been two state office building under construction. The one at 12th and Topeka Boulevard is complete now and is the new home to the Kansas Department of Health and Environment. The old Docking Building at 10th and Topeka was taken down to ground level and three stories are being built back up. They anticipate that by the end of the summer the construction will be complete. The intent is to move the Secretary of State, Department of Commerce, Office of Personnel Services, and the Division of Budget into that building. They will also have a few conference rooms available for any state agency to reserve and use.
 - Chairman Moses asked if there is any update regarding the KBI moving locations. Executive Director Brownlee responded saying that they are not moving into either building, but there has been discussion about KBI moving. Executive Director Brownlee was unsure to where the KBI will be moving. Executive Director Brownlee noted that a lot of the agencies moving into the new Docking Building are coming out of the Curtis State Office Building so there is conversation that the Highway Patrol Headquarters may move over to the Curtis State Office Building. Chairman Moses followed up asking if the Attorney General will expand their office to the space vacated by the Secretary of State. Executive Director Brownlee confirmed that the Attorney General's Office will have the whole building.
- Director of Gambling DJ Lopez has been working with the Golden Circle group to start establishing meetings on a regular basis with their staff. Operational items are getting developed and are approaching the operational dates, Golden Circle and KRGC staff will discuss the issues getting worked out between them.
- Last month the “road-trip” commission meeting was discussed, a suggestion of June was thrown out. At this point, the target is Dodge

City since the commission has not been to that facility for the longest period. The commissioners agreed to meeting at Boot Hill Casino for the June 13th meeting.

- Commissioner Turnquist recalled that there was mention that new security badges would be needed to enter the building and asked if there was an update on that. Executive Director Brownlee confirmed that the project was moving forward, but that it will likely take most of this calendar year to get all of the downtown agencies transferred over into the new security documents. They have not yet given a date. Director of Administration, Audit, and Finance noted that there is a Security Liaison meeting for state agencies in the capitol complex in April, so more information will likely come from that meeting.
- The next commission meeting is scheduled for April 18th in Topeka.

MOTION, EXECUTIVE
SESSION;
CONFIDENTIAL
BACKGROUND
REPORTS
(J.1.)

Commissioner Jones (Fleming) moved that the Commission go into executive session for the purpose of reviewing confidential background reports presented today by the commission's security division. In addition to the commissioners, the confidential background reports portion included the executive director, general counsel, and director of security, licensing, and backgrounds. The total time for the executive session was anticipated to be five (5) minutes until 10:55 a.m. No action is to be taken in executive session, and the subjects discussed are to be limited as previously described. A full record of this motion is to be maintained as part of the permanent record of the Kansas Racing and Gaming Commission. At the conclusion of the executive session, the meeting is to be continued in open session. The motion carried 4-0, and the meeting was adjourned to executive session at 10:50 a.m.

RECONVENE
(J.2.)

The commission meeting returned to open session at 10:55 a.m. with Chairman Moses, Commissioner Jones, Commissioner Turnquist, and Commissioner Fleming present.

MOTION, EXECUTIVE
SESSION; ATTORNEY-
CLIENT PRIVILEGE
(K.1)

Commissioner Fleming (Turnquist) moved that the Commission go into executive session for the purpose of consulting with the agency's attorney on attorney-client privileged communications. In addition to the commissioners, the attorney-client privileged communications will include the executive director, general counsel, and staff attorney James Bain as needed. After discussion, the total time for the executive session was anticipated to be forty-five (45) minutes until 11:41 a.m. No action is to be taken in executive session, and the subjects discussed are to be limited as previously described. A full record of this motion is to be maintained as part of the permanent record of the Kansas Racing and Gaming Commission. At the conclusion of the executive session, the meeting is to be continued in open session. The motion carried 4-0, and the meeting was adjourned to executive session at 10:56 a.m.

RECONVENE
(K.2.)

The commission meeting returned to open session at 11:44 a.m. with Chairman Moses, Commissioner Jones, Commissioner Turnquist, and Commissioner Fleming present.

Chairman Moses noted for the record that the executive session ended at 11:41a.m. but a procedural matter delayed returning open session.

MOTIONS ON LICENSE
APPLICATIONS
(L.)

Commissioner Turnquist (Jones) moved to *approve the 209 license applications* from the March 14, 2025, list of background reports referred to the commission for action. The motion carried 4-0.

OTHER BUSINESS
(M.)

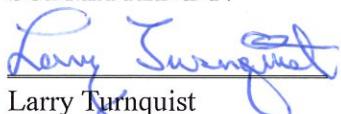
There were no other items for discussion or motion.

ADJOURNMENT
(N.)

Chairman Moses stated that the April 18, 2025, commission meeting will begin at 10:00 a.m. for an in-person meeting at the Eisenhower State Office Building in Topeka, Kansas.

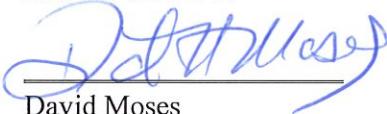
Commissioner Jones (Fleming) moved to adjourn the meeting. Motion passed 4-0. The meeting was adjourned at 11:46 a.m.

SUBMITTED BY:


Larry Turnquist

Secretary

APPROVED BY:



David Moses

Chairman