

Idaho



Regulatory Oversight

COMMERCIAL GAMING

Governing Body: Idaho has four compacted tribes: the Coeur d'Alene Tribe, the Kootenai Tribe of Idaho, the Nez Perce Tribe, and the Shoshone-Bannock Tribes of the Fort Hall Reservation.

As per the compact, the tribal gaming commission has the primary responsibility for the on-site regulation, control and security of the gaming operation.

The Idaho State Lottery has a limited authority to monitor and inspect the gaming operations to ensure that the gaming operation is conducted in compliance with the compact and applicable regulations.

The Kootenai Tribe of Idaho, the Coeur d'Alene Tribe, and the Nez Perce Tribe may all enter into management contracts for the management and operation of their tribal casinos. Under the terms of the Shoshone-Bannock Compact, in the event the tribe chooses to engage an outside management company, the tribe and the state must negotiate amendments to the compact.

All four compacts authorize the Idaho State Lottery to operate within the reservations subject to the tribes' approval. Under the terms of the Nez Perce Compact, Idaho agrees to pay to the Nez Perce Tribe an annual fee equal to 10 percent of the total annual net sales made by the Idaho State Lottery in the communities and surrounding unincorporated trading areas.

While the compacts limit the number of gaming machines the tribes may offer, they also provide that the tribe "may operate such additional tribal video gaming machines as are agreed to pursuant to good faith negotiations between the state and the tribe under a prudent business standard."

All four compacts remain in perpetuity, unless renegotiated, replaced, or terminated.



Licensing

TRIBAL GAMING

Operator: Under the compacts, the gaming operation must "compensate the state for actual expenses reasonably incurred relating to any background investigations conducted by the state." In addition, the tribes must negotiate with law enforcement agencies to provide funds to defray costs of additional law enforcement as a result of tribal gaming.

Manufacturer/Distributor: All manufacturers and distributors of gaming devices must be licensed by the tribal gaming commission. Under one of the compacts, the tribal gaming commission "may determine the suitability of a manufacturer or distributor through verification of its good standing in another jurisdiction where gambling is legal." Manufacturers and distributors include any person or entity who engages in "the selling, distributing, or otherwise supplying of gambling equipment of paraphernalia for use in connection with licensed gaming activity."

License fees are set by each tribe and are not listed in the tribal-state gaming compacts or gaming ordinances.



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Taxation & Tribal Revenue Sharing

TRIBAL GAMING

Revenue Share: The tribal-state compacts for the Kootenai Tribe of Idaho, the Coeur d'Alene Tribe, and the Nez Perce Tribe require the tribes to contribute five percent of its annual net gaming income for the support of local educational programs and schools on or near the reservation.

State Use of Revenue: The state uses revenue from tribal gaming to support local educational programs.

Tribal Use of Revenue: As required under IGRA, tribes must use tribal gaming funds:

1. To fund tribal government operations or programs;
2. To provide for the general welfare of the tribe and its members;
3. To promote tribal economic development;
4. To donate to charitable organizations; or
5. To help fund operations of local government agencies.

Withholding on Winnings: Federal law may require tribal casinos to issue a W-2G form to persons and may withhold winnings if certain conditions are met. For more information click [here](#).



Responsible Gaming

TRIBAL GAMING

Statutory Funding Requirement: There are no statutory funding requirements for responsible gaming treatment or programs in the tribal-state gaming compacts or tribal gaming ordinances.

Self-exclusion: There are no self-exclusion programs available at Idaho casinos.

Complimentary Alcoholic Drinks: Complimentary alcoholic beverages are not served at tribal casinos in Idaho.

Advertising Restrictions: The Shoshone-Bannock tribal-state compact requires the tribe to advertise their gaming activities in an honest and truthful manner. The tribal-state compacts for the remaining tribes do not outline specific advertising restrictions.

On-Premise Display Requirement: There are no on-premise display requirements in the tribal-state gaming compacts or tribal gaming ordinances.

Prevention of Underage Gambling: No person under 18 years of age can participate in Class III gaming.

Operation on Holidays: Tribal casinos in the state may operate 24 hours a day, seven days a week, including on holidays.



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Other Regulations

TRIBAL GAMING

Testing Requirements: There are no testing requirements outlined in the tribal compacts or tribal gaming ordinances.

AML requirements: Under federal U.S. law, commercial casino operators, tribal gaming operators and card clubs are required to comply with various statutes to prevent money laundering activities and other financial crimes, including terrorism.

Shipping Requirements: Under federal U.S. law, all gambling devices and all packages containing gambling devices, when shipped or transported, must be plainly and clearly labeled and marked so that the name and address of the shipper and the consignee and the contents of the package may be readily ascertained on an inspection of the package.

In addition, under the terms of the Coeur d'Alene gaming ordinance, all vendors or manufacturers must give written notification to the gaming board before the shipment of all gaming machines, gambling equipment, games or software.

Restrictions on Political Contributions: There are no compact restrictions on political contributions from parties with gaming interests. Under federal law, tribes are considered “persons” and are subject to regulation by the Federal Election Commission when making federal contributions.

Credit: Tribal casinos in Idaho are not permitted to offer credit to patrons.

Smoking Bans: Smoking ban restrictions are not outlined in state statutes or gaming regulations.

Cashless Gaming & Alternative Payments: Idaho law and regulations do not prohibit specific payment types. Additionally, Idaho does not accept cryptocurrency as a form of payment.



Sports Betting

Idaho does not currently offer legal sports betting.

