

Montana



Regulatory Oversight

TRIBAL GAMING

Montana has tribal-state gaming compacts with five of its seven tribes. These tribes are:

- Assiniboine and Sioux Nations of the Fort Peck Indian Reservation (effective 2012)
- Chippewa Cree Nation of Rocky Boy's Indian Reservation (effective 2013)
- Crow Nation of the Crow Indian Reservation (effective 2014)
- Gros Ventre and Assiniboine Nations of the Fort Belknap Indian Reservation (effective 2007)
- Northern Cheyenne Nation of the Northern Cheyenne Indian Reservation (effective 2013)

The tribes operating gaming can offer between 400 and 925 Class III gaming machines. Compacts generally run for ten years and will automatically renew for an additional 10-year term. Other compacts have a 15 or 20-year term in the state.

Tribal gaming agencies are the main gaming regulators. Tribes may offer a select number of high stakes gaming machines, with higher prize limits. Tribes in the state may also offer all types of gaming products offered by the state, which in Montana includes Sports Betting, Sports Pools and Sports tab Games, Fantasy Sports Leagues, Fishing Derbies and Betting on Natural occurrences, Calcutta Pools, Raffles, Live Keno and Simulcast Racing, on top of video gaming machines and poker.

The Montana Department of Justice, Gambling Control Division can assist tribal gaming agencies in investigations and provide other requested services to ensure proper compliance with the provisions of the tribal-state compacts.



Licensing

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The tribes must investigate and license employees at gaming establishments in the state. Additional information on licensing for tribal compacts in Montana is not publicly available.



Taxation & Tribal Revenue Sharing

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Revenue Share: Tribes in Montana do not share Class III gaming revenue with the state.

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

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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

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Statutory Funding Requirement: The compacts do not require tribes to contribute to state programs to limit and aid problem gamblers.

Self-exclusion: The compacts do not require operators to offer a self-exclusion program for gaming patrons.

Complimentary Alcoholic Drinks: While the compacts are generally silent on the treatment of alcohol in the state, some tribes offer alcohol on complimentary or at a reduced cost while other tribes in the state do not. In one of the tribal-state compacts, it states that the tribe is authorized to sell, offer for sale, give away or allow the consumption of alcoholic beverages during the hours when gaming operations are conducted.

Advertising Restrictions: The compacts do not set advertising restrictions.

On-Premise Display Requirement: The compacts do not set on-premise display requirements.

Prevention of Underage Gambling: A person must be at least 18 years old to gamble in a tribal casino in Montana.

Operation on Holidays: Tribes may operate gaming facilities on holidays. Some tribes in the state only offer gaming at specific hours, generally ranging from 8am to 2am.



Other Regulations

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Testing Requirements: Gaming machines must be tested and approved by the tribe before placement on the reservation. The machines must meet all technical requirements as set forth by the Montana Department of Justice. The tribe may also contract with the state to certify and inspect video gambling machines. Tribes may also contract with a private company with expertise and credentials for the inspection and certification of machines.



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AML requirements: Under federal U.S. law, commercial casino operators, tribal gaming operators and card clubs are required to comply with various statutes in order 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.

Restrictions on Political Contributions: Under federal law, tribes are considered “persons” and are subject to regulation by the Federal Election Commission when making federal contributions.

Credit: Credit may not be extended to patrons at tribal casinos.

Smoking Bans: Montana’s Clean Indoor Air Act does not apply to public facilities owned and operated by tribal governments or tribal members within their reservation of enrollment. Furthermore, the compacts do not address the prohibition of smoking, as such smoking may be offered by tribal gaming facilities.

Cashless Gaming & Alternative Payments: Cashless gaming is permitted. However, cryptocurrency is not currently accepted as form of payment for gambling transactions.



Sports Betting

Authorized Operators: The Montana Lottery operates and regulates sports betting via its current lottery provider, Intralot.

Retail locations, such as bars and taverns, that hold a gambling operator license and a liquor license may apply to become a sports wagering sales agent to offer lottery-operated betting kiosks.

Mobile Sports Betting: Montana law only permits on-premise mobile wagering at licensed establishments.

Operator Taxes & Fees: The Montana Lottery operates sports wagering through its contract with Intralot.

There is a one-time \$50 application fee to become a licensed retail location. Sports wagering retail locations are entitled to a six percent base commission of the value of sports wagers made.

Amateur Restrictions: The implementing law and regulations do not prohibit wagering on amateur events. However, the lottery director has the power to establish parameters on what sports and bet types.

Official Data Mandate & Integrity Fee: Montana statute and regulations do not mandate the use of official league data or provide an integrity fee to sports leagues.