

# STATE OF NEW YORK

9579

## IN ASSEMBLY

January 21, 2026

Introduced by M. of A. WOERNER -- read once and referred to the Committee on Racing and Wagering

AN ACT to amend the racing, pari-mutuel wagering and breeding law, in relation to establishing consumer-protection standards for high-value customer programs offered by mobile sports wagering operators

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 1367-a of the racing, pari-mutuel wagering and  
2 breeding law is amended by adding a new subdivision 5-a to read as  
3 follows:

4 5-a. (a) As used in this subdivision, "high-value customer program"  
5 means any "VIP", "elite", "preferred", "high-value", or similarly-designated  
6 program that provides enhanced incentives, bonuses, rebates, dedi-  
7 cated account management, or other special benefits tied to wagering  
8 activity.

9 (b) No mobile sports wagering operator, or any affiliate or agent  
10 thereof shall offer, enroll, or permit any person under twenty-five  
11 years of age to participate in any high-value customer program.

12 (c)(i) Prior to enrolling any person in a high-value customer program,  
13 a mobile sports wagering operator shall conduct an affordability review  
14 to determine whether the person's wagering activity is affordable and  
15 sustainable, and does not pose a risk of gambling-related harm.

16 (ii) Such review shall include, at a minimum: identity and age verifi-  
17 cation; know-your-customer due-diligence; verification of income or  
18 financial capacity sufficient to support wagering levels; review of  
19 wagering patterns for indicators of harm; whether such person has ever  
20 been on any state or private gambling self-exclusion list; and any other  
21 factor required by the gaming commission.

22 (iii) A person who has been placed on any state or private gambling  
23 self-exclusion list shall not be eligible for any high-value customer  
24 program for at least two years after such person's self-exclusion period  
25 has expired.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 (iv) Every mobile sports wagering operator shall maintain written  
2 records of such reviews and shall re-evaluate each enrolled person at  
3 least quarterly, or more frequently if indicators of harm appear.

4 (v) A mobile sports wagering operator shall deny or suspend high-value  
5 customer status to any person who fails to provide information necessary  
6 to complete the review required pursuant to this subdivision or if such  
7 review indicates material risk of harm.

8 (d) No mobile sports wagering operator shall offer or provide, to any  
9 person with high-value customer status, any incentive, reward, rebate,  
10 bonus, or promotion that:

11 (i) is conditioned upon net losses, escalating losses, or wagering at  
12 levels inconsistent with the affordability review;

13 (ii) encourages continuing to bet or increasing the size of a bet to  
14 recoup losses from previous bets, increased frequency of play, or wager-  
15 ing beyond preset limits;

16 (iii) offers gifts, hospitality, or other benefits conditioned on  
17 reaching higher loss or spend thresholds; or

18 (iv) is otherwise determined by the gaming commission to present an  
19 unreasonable risk of gambling-related harm.

20 (e) No person employed by or affiliated with a mobile sports wagering  
21 operator may receive any remuneration based upon the number of bets  
22 placed or the amount wagered by a person enrolled in a high-value  
23 customer program.

24 (f) Mobile sport wagering operators shall maintain written policies  
25 governing the operation of high-value programs, including eligibility  
26 criteria, responsible-gaming safeguards, and internal controls. Such  
27 programs shall be overseen by an employee holding a position approved by  
28 the gaming commission, who shall be responsible for compliance with this  
29 subdivision and all regulations promulgated hereunder.

30 (g) The commission shall promulgate rules to implement the require-  
31 ments of this subdivision, including detailed affordability-check stand-  
32 ards, reporting requirements, auditing procedures, and limitations on  
33 incentives or marketing practices.

34 § 2. This act shall take effect immediately.