STATE OF NEW YORK

6512

2025-2026 Regular Sessions

IN ASSEMBLY

March 5, 2025

Introduced by M. of A. VANEL -- 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 prohibiting certain limits or bans on players

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

Section 1. The racing, pari-mutuel wagering and breeding law is amended by adding a new section 912 to read as follows:

§ 912. Limiting or banning players. 1. a. No entity licensed under this chapter to conduct any gaming activity shall limit, prohibit, or require certain bets or ban a player based, in any part, on the player's success, except in cases where the player exceeds the threshold win and loss caps permitted under this section.

b. For purposes of this section, a player is deemed limited, prohibited, or required to place certain bets or banned based, in any part, on the player's success where the player's success is deemed a motivating factor behind the action, irrespective of any other act the player engaged in.

c. For purposes of this section, "success" shall mean a player's ability to win or lose a game or games operated by an entity licensed under this chapter through lawful means.

2. An entity licensed under this chapter to conduct any gaming activity may implement an identifiable win cap under the following circumstances:

a. The licensee implements an identifiable loss cap, expressed as a negative value, that shall not exceed two percent of the win cap; and

b. Both the win and loss caps are strictly enforced by the licensee except with respect to players who opt out in accordance with subdivision three of this section. A win or loss cap is deemed to be strictly enforced against a player where a player who exceeds either cap is prohibited from further play through the use of reasonable means by the

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

LBD10144-01-5

entity. It shall not be considered a failure to strictly enforce either cap where the result of a player's final bet causes them to exceed either cap.

3. A player may voluntarily opt out of both the win and loss caps, but not one, upon signed, written notice to the licensee. Such signed notice is effective when made before play or at any point during play, but not after the player has exceeded more than fifty percent of the win cap or loss cap. The notice shall not be effective where the player is visibly intoxicated. The notice shall be effective for either one hundred sixty-eight hours or until rescinded in writing. In either case, the length of time shall be printed in bold, capital letters at the top of such notice. A licensee may only provide an indefinite notice upon request by a player. Access or continued access to the licensee's gaming activities or the licensee's premises shall not be affected by the player's failure to sign the notice. Notice may be rescinded at any point if made in a signed writing following the notice becoming effective. Where a player opts out of the win and loss cap, a licensee may limit or ban such player based, in any part, on their success.

4. A person aggrieved by a violation of this section shall be entitled to a private right of action against the licensee for, in the case of the player:

a. exceeding the loss cap, the difference between the amount lost and the loss cap;

b. exceeding the win cap, the difference between the amount won and the win cap;

c. becoming limited, prohibited, or required to place certain bets or banned based, in any part, on the player's success, the difference between the player's current earnings or losses and the win cap or ten-thousand dollars, whichever is lower.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.