

# STATE OF NEW YORK

9542

## IN ASSEMBLY

January 14, 2026

Introduced by M. of A. PHEFFER AMATO -- 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 enacting the "gamblers unfairly abused by reward dynamics (GUARD) act"

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

1 Section 1. Short title. This act shall be known and may be cited as  
2 the "gamblers unfairly abused by reward dynamics (GUARD) act".

3 § 2. Subparagraphs (xiv) and (xv) of paragraph (a) of subdivision 4 of  
4 section 1367-a of the racing, pari-mutuel wagering and breeding law, as  
5 added by section 4 of part Y of chapter 59 of the laws of 2021, are  
6 amended and a new subparagraph (xvi) is added to read as follows:

7 (xiv) maintain a publicly accessible internet page dedicated to  
8 responsible play, a link to which must appear on the mobile sports  
9 wagering operator's website and in any mobile application or electronic  
10 platform on which a bettor may place wagers. The responsible play page  
11 shall include: a statement of the mobile sports wagering operator's  
12 policy and commitment to responsible gaming; information regarding, or  
13 links to information regarding, the risks associated with gambling and  
14 the potential signs of problem gaming; the availability of self-imposed  
15 responsible gaming limits; a link to a problem gaming webpage maintained  
16 by the office of addiction services and supports; and such other infor-  
17 mation or statements as the commission may require by rule; [~~and~~]

18 (xv) submit annually a problem gaming plan that was approved by the  
19 commission in consultation with the office of addiction services and  
20 supports that includes: the objectives of and timetables for implement-  
21 ing the plan; identification of the persons responsible for implementing  
22 and maintaining the plan; procedures for identifying users with  
23 suspected or known problem gaming behavior; procedures for providing  
24 information to users concerning problem gaming identification and  
25 resources; procedures to prevent gaming by minors and self-excluded  
26 persons; and such other problem gaming information as the commission may  
27 require by rule[~~-~~]; and

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

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1 (xvi) refrain from offering or providing any form of bonus bet, free  
2 bet, money back, contest entry, special odds, bonus payout or other  
3 monetary incentive for any person to: (A) open a new account; (B) refer  
4 a friend or other person to open a new account, provided that this  
5 subparagraph shall not apply to payments by mobile sports wagering oper-  
6 ators to its employees or contractors engaged in marketing activities;  
7 (C) place an initial bet; (D) re-activate or re-open an expired or  
8 lapsed account; (E) place a bet when such person has not otherwise made  
9 a bet in a ninety-day period; or (F) modify a self-exclusion gaming  
10 limit as set forth in subparagraph (xii) of this paragraph.

11 § 3. This act shall take effect immediately.