

STATE OF NEW YORK

10440

IN ASSEMBLY

March 6, 2026

Introduced by M. of A. STECK, K. BROWN -- 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 preventing minors from participating in sports wagering

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

1 Section 1. Subparagraph (iv) of paragraph (i) of subdivision 12 of
2 section 1367 of the racing, pari-mutuel wagering and breeding law, as
3 added by section 3 of part Y of chapter 59 of the laws of 2021, is
4 amended to read as follows:

5 (iv) who has been identified as a prohibited sports bettor in a list
6 provided by the sports governing body to the commission and casino or
7 mobile sports wagering operator, that identifies the individual by such
8 personally identifiable information as specified by rules and regu-
9 lations promulgated by the commission, including persons who have regis-
10 tered identifying information under paragraph (k) of this subdivision;
11 or

12 § 2. Subdivision 12 of section 1367 of the racing, pari-mutuel wager-
13 ing and breeding law is amended by adding a new paragraph (k) to read as
14 follows:

15 (k) (i) The commission shall establish a means by which persons may
16 register any of their identifying information on an exclusion list for
17 the purposes of preventing themselves and any other person, including a
18 minor, from using such information to create an account on a mobile
19 sports wagering platform.

20 (ii) Mobile sports wagering operators shall be prohibited from permit-
21 ting the registration of any account with such identifying information,
22 provided that the commission has provided mobile sports wagering opera-
23 tors access to such excluded identifying information.

24 (iii) The commission shall promulgate regulations under this paragraph
25 to ensure: the secure collection and transmittal of such identifying
26 information to mobile sports wagering operators, as provided in subpara-
27 graph (ii) of this paragraph; the uniqueness and reliability of the
28 identifying information being collected; and that the identifying infor-
29 mation is strictly protected by data security measures, including but
30 not limited to encryption, firewalls, and password protection, data
31 system monitoring, limitations on access to authorized persons within

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

LBD11781-02-5

1 the commission, and other reasonable administrative, technical, and
2 physical safeguards to protect the security, confidentiality, and integ-
3 egrity of identifying information provided by persons under this para-
4 graph.

5 (iv) Persons submitting their identifying information for exclusion
6 from mobile sports wagering under this paragraph shall retain the right
7 to voluntarily rescind such exclusion at any time, at which point such
8 identifying information shall be deleted from the commission's database.

9 § 3. Subparagraph (iii) of paragraph (a) of subdivision 4 of section
10 1367-a of the racing, pari-mutuel wagering and breeding law, as added by
11 section 4 of part Y of chapter 59 of the laws of 2021, is amended to
12 read as follows:

13 (iii) (A) prohibit minors from participating in any sports wagering
14 [~~pursuant to rules and regulations promulgated by the commission~~] by
15 conducting age assurance to determine, at the point of account registra-
16 tion, that the person creating an account is not a minor. The commission
17 shall promulgate regulations identifying commercially reasonable and
18 technically feasible methods for mobile sports wagering operators to
19 determine if a person is a minor, considering the size, financial
20 resources, and technical capabilities of the mobile sports wagering
21 platform operated by such operator, the costs and effectiveness of
22 available age determination techniques, the audience of the mobile
23 sports wagering platform, and prevalent practices of the industry of the
24 mobile sports wagering operator and other similar digital industries.
25 Such regulations shall also identify the appropriate levels of accuracy
26 that would be commercially reasonable and technically feasible for
27 mobile sports wagering operators to achieve in determining whether a
28 person is a minor. Any information collected for the purpose of the age
29 assurance requirement under this subparagraph shall be deleted imme-
30 diately after an attempt to determine a person's age, except where
31 necessary for applicable provisions of state or federal law or regu-
32 lation.

33 (B) When promulgating regulations for commercially reasonable and
34 technically feasible methods for age assurance under this subparagraph,
35 the commission may incorporate the methods promulgated by the attorney
36 general under section fifteen hundred one of the general business law,
37 except that such regulations of the commission shall not incorporate the
38 method of a person self-reporting their age with no other supporting
39 evidence. Such self-reporting shall not be an acceptable method of age
40 assurance under this subparagraph.

41 (C) For the purposes of this subparagraph, a mobile sports wagering
42 operator shall treat a person as a minor if the person's device communi-
43 cates or signals that the person is or shall be treated as a minor,
44 including through a privacy setting, device setting, or other mechanism;

45 § 4. Severability. If any provision of this act or application there-
46 of shall for any reason be adjudged by any court of competent
47 jurisdiction to be invalid, such judgment shall not affect, impair, or
48 invalidate the remainder of the act, but shall be confined in its opera-
49 tion to the provision thereof directly involved in the controversy in
50 which the judgment shall have been rendered.

51 § 5. This act shall take effect on the one hundred eightieth day after
52 it shall have become a law. Effective immediately, the addition, amend-
53 ment and/or repeal of any rule or regulation necessary for the implemen-
54 tation of this act on its effective date are authorized to be made and
55 completed on or before such effective date.