

# STATE OF NEW YORK

10440--A

## IN ASSEMBLY

March 6, 2026

Introduced by M. of A. STECK, K. BROWN, LUNSFORD, SIMON, HYNDMAN, BURROUGHS, TAPIA -- read once and referred to the Committee on Racing and Wagering -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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. Section 1344 of the racing, pari-mutuel wagering and breed-  
2 ing law is amended by adding a new subdivision 6 to read as follows:

3 6. The commission shall further provide by regulation for the estab-  
4 lishment of an exclusion list for identifying information on mobile  
5 sports wagering platforms as described in paragraph (k) of subdivision  
6 twelve of section thirteen hundred sixty-seven of this article. Such  
7 regulations shall allow persons to electronically register for placement  
8 on such list.

9 § 2. Paragraphs (bb) and (cc) of subdivision 1 of section 1367 of the  
10 racing, pari-mutuel wagering and breeding law, as amended by section 3  
11 of part Y of chapter 59 of the laws of 2021, are amended and two new  
12 paragraphs (dd) and (ee) are added to read as follows:

13 (bb) "Suspicious wagering activity" means unusual wagering activity  
14 that cannot be explained and is indicative of match fixing, the manipu-  
15 lation of an event, misuse of inside information, or other prohibited  
16 activity; ~~and~~

17 (cc) "Independent integrity monitor" means an independent individual  
18 or entity approved by the commission to receive reports of unusual  
19 wagering activity from a casino, mobile sports wagering licensee, or  
20 commission for the purpose of assisting in identifying suspicious wager-  
21 ing activity~~[-]~~;

22 (dd) "Identifying information" means any data that identifies or could  
23 reasonably be linked, directly or indirectly, with a specific natural  
24 person or device. Identifying information as used in this section and in  
25 section thirteen hundred sixty-seven-a of this article may include an  
26 Internet protocol address; and

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

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1 (ee) "Internet protocol address" means a unique numerical identifier  
2 assigned to a device that can be used to direct Internet traffic to such  
3 device.

4 § 3. Paragraph (i) of subdivision 12 of section 1367 of the racing,  
5 pari-mutuel wagering and breeding law, as added by section 3 of part Y  
6 of chapter 59 of the laws of 2021, is amended to read as follows:

7 (i) Casinos and mobile sports wagering licensees shall adopt proce-  
8 dures to prevent persons from wagering on sports events who are prohib-  
9 ited from placing sports wagers. A casino or mobile sports wagering  
10 licensee shall not accept wagers from any person:

11 (i) whose name appears on the exclusion list maintained by the commis-  
12 sion and provided to the casino or mobile sports wagering licensee;

13 (ii) whose name appears on any self-exclusion list maintained by the  
14 commission and provided to the casino or mobile sports wagering licen-  
15 see;

16 (iii) who is attempting to create an account or place a wager using  
17 excluded identifying information as described in paragraph (k) of this  
18 subdivision;

19 (iv) who is the operator, director, officer, owner, or employee of the  
20 casino or mobile sports wagering licensee or any spouse, child, sibling  
21 or parent living in the same principal place of abode as such individ-  
22 ual;

23 [~~(iv)~~] (v) who has been identified as a prohibited sports bettor in a  
24 list provided by the sports governing body to the commission and casino  
25 or mobile sports wagering operator, that identifies the individual by  
26 such personally identifiable information as specified by rules and regu-  
27 lations promulgated by the commission; or

28 [~~(v)~~] (vi) who is an agent or proxy for a prohibited sports bettor.

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

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

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

41 (iii) The commission shall promulgate regulations under this paragraph  
42 to ensure: the secure collection and transmittal of such identifying  
43 information to mobile sports wagering operators, as provided in subpara-  
44 graph (ii) of this paragraph; the uniqueness and reliability of the  
45 identifying information being collected; and that the identifying infor-  
46 mation is strictly protected by data security measures, including but  
47 not limited to encryption, firewalls, and password protection, data  
48 system monitoring, limitations on access to authorized persons within  
49 the commission, and other reasonable administrative, technical, and  
50 physical safeguards to protect the security, confidentiality, and integ-  
51 egrity of identifying information provided by persons under this para-  
52 graph.

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

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

5 (iii) (A) prohibit minors from participating in any sports wagering  
6 pursuant to rules and regulations promulgated by the commission. Such  
7 rules and regulations shall require the operator to conduct age assur-  
8 ance to determine, at the point of account registration, that the person  
9 creating an account is not a minor. The commission shall promulgate  
10 regulations identifying commercially reasonable and technically feasible  
11 methods for mobile sports wagering operators to determine if a person is  
12 a minor, considering the size, financial resources, and technical capa-  
13 bilities of the mobile sports wagering platform operated by such opera-  
14 tor, the costs and effectiveness of available age determination tech-  
15 niques, the audience of the mobile sports wagering platform, and  
16 prevalent practices of the industry of the mobile sports wagering opera-  
17 tor and other similar digital industries. Such regulations shall also  
18 identify the appropriate levels of accuracy that would be commercially  
19 reasonable and technically feasible for mobile sports wagering operators  
20 to achieve in determining whether a person is a minor, provided, howev-  
21 er, that a person self-reporting their age with no other supporting  
22 evidence shall not be deemed an acceptable method under this subpara-  
23 graph. Any information collected for the purpose of the age assurance  
24 requirement under this subparagraph shall be deleted immediately after  
25 an attempt to determine a person's age, except where necessary for  
26 applicable provisions of state or federal law or regulation.

27 (B) For the purposes of this subparagraph, a mobile sports wagering  
28 operator shall treat a person as a minor if the person's device communi-  
29 cates or signals that the person is or shall be treated as a minor,  
30 including through a privacy setting, device setting, or other mechanism;

31 § 6. Severability. If any provision of this act or application there-  
32 of shall for any reason be adjudged by any court of competent  
33 jurisdiction to be invalid, such judgment shall not affect, impair, or  
34 invalidate the remainder of the act, but shall be confined in its opera-  
35 tion to the provision thereof directly involved in the controversy in  
36 which the judgment shall have been rendered.

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