

STATE OF NEW YORK

9584

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 and the penal law, in relation to enhancing know your customer requirements and to clarify that sharing a mobile sports wagering account is a criminal activity

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

1 Section 1. Subdivision 1 of section 1367-a of the racing, pari-mutuel
2 wagering and breeding law is amended by adding two new paragraphs (c)
3 and (d) to read as follows:

4 (c) "Account sharing" means entering into or participating in an
5 agreement between two or more persons to, either temporarily or perma-
6 nently, share access to an authorized sports bettor's account with the
7 purpose of concealing a person's identity, which account has been estab-
8 lished with a mobile sports wagering operator to participate in mobile
9 sports wagering under this section.

10 (d) "Proxy betting" means any wagering or betting activity, including
11 a request of another to engage in wagering or betting activity, involv-
12 ing two or more persons, where one person places a wager on behalf of
13 another person with the intent to hide or conceal the bettor's identity.

14 § 2. Subparagraphs (xiv) and (xv) of paragraph (a) of subdivision 4 of
15 section 1367-a of the racing, pari-mutuel wagering and breeding law, as
16 added by section 4 of part Y of chapter 59 of the laws of 2021, are
17 amended and two new subparagraphs (xvi) and (xvii) are added to read as
18 follows:

19 (xiv) maintain a publicly accessible internet page dedicated to
20 responsible play, a link to which must appear on the mobile sports
21 wagering operator's website and in any mobile application or electronic
22 platform on which a bettor may place wagers. The responsible play page
23 shall include: a statement of the mobile sports wagering operator's
24 policy and commitment to responsible gaming; information regarding, or
25 links to information regarding, the risks associated with gambling and
26 the potential signs of problem gaming; the availability of self-imposed

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

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1 responsible gaming limits; a link to a problem gaming webpage maintained
2 by the office of addiction services and supports; and such other infor-
3 mation or statements as the commission may require by rule; ~~[and]~~

4 (xv) submit annually a problem gaming plan that was approved by the
5 commission in consultation with the office of addiction services and
6 supports that includes: the objectives of and timetables for implement-
7 ing the plan; identification of the persons responsible for implementing
8 and maintaining the plan; procedures for identifying users with
9 suspected or known problem gaming behavior; procedures for providing
10 information to users concerning problem gaming identification and
11 resources; procedures to prevent gaming by minors and self-excluded
12 persons; and such other problem gaming information as the commission may
13 require by rule~~[-]~~;

14 (xvi) upon account creation, the following information, at a minimum,
15 shall be provided by a potential authorized sport bettor before status
16 as an authorized sports bettor may be confirmed:

17 (1) full name;

18 (2) physical residential address;

19 (3) date of birth;

20 (4) last four digits of such person's social security number or an
21 equivalent identification number for a person who has no social security
22 number such as a passport or taxpayer identification number;

23 (5) race and ethnicity;

24 (6) gender;

25 (7) a photograph of a government-issued identification card; and

26 (8) a live photograph; and

27 (xvii)(1) utilize multi-factor authentication to verify a potential
28 authorized sport bettor's identity. Each authorized sports bettor shall
29 be required to use a username and any two of the following methods of
30 authentication to verify such person's identity:

31 (A) password or other commonly used mobile phone login mechanism;

32 (B) answer previously provided security questions;

33 (C) biometric data, including fingerprint, facial or voice recogni-
34 tion;

35 (D) an authorization code sent by phone call, text message or email to
36 the contact information provided at the opening of the account; or

37 (E) any other authorization type as approved by the commission.

38 (2) Once an authorized sports bettor has successfully logged in using
39 multi-factor authentication, subsequent logins to the same account on
40 the same device may be exempt from multi-factor authentication for a
41 period not to exceed one hour.

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

45 (d) Mobile sports wagering licensees shall not permit sports wagering
46 by anyone they know, or should have known, to be a prohibited sports
47 bettor and shall immediately notify the gaming commission when the
48 licensee has knowledge that a prohibited sports bettor has placed a
49 wager on their platform. The commission shall penalize a mobile sports
50 wagering licensee found to have violated this subdivision as follows:

51 (i) for a first violation, a fine of five thousand dollars;

52 (ii) for a second violation within one year of a violation, a fine of
53 twenty thousand dollars;

54 (iii) for a third violation within one year of a violation, a fine of
55 twenty-five thousand dollars; and

1 (iv) for a fourth violation or subsequent violation within one year of
2 a violation, a fine of twenty-five thousand dollars and such further
3 action as the commission may deem appropriate, which may include without
4 limitation the suspension or revocation of the mobile sports wagering
5 operator's license.

6 § 4. Section 1367-a of the racing, pari-mutuel wagering and breeding
7 law is amended by adding a new subdivision 8 to read as follows:

8 8. No person shall engage in account sharing or proxy betting with a
9 prohibited sports bettor. The commission shall fine a person found to
10 have violated this subdivision as follows:

11 (a) for a first violation, a fine of one thousand dollars;

12 (b) for a second violation within one year of a violation, a fine of
13 five thousand dollars;

14 (c) for a third violation within one year of a violation, a fine of
15 ten thousand dollars; and

16 (d) for a fourth violation or subsequent violation within one year of
17 a violation, a fine of twenty-five thousand dollars and such further
18 action as the commission may deem appropriate.

19 § 5. Subdivision 4 of section 225.00 of the penal law is amended to
20 read as follows:

21 4. "Advance gambling activity." A person "advances gambling activity"
22 when, acting other than as a player, ~~[he]~~ such person engages in conduct
23 which materially aids any form of gambling activity. Such conduct
24 includes but is not limited to account sharing or proxy betting as
25 defined by paragraphs (c) and (d) of subdivision one of section thirteen
26 hundred sixty-seven-a of the racing, pari-mutuel wagering and breeding
27 law on a mobile wagering account, and conduct directed toward the
28 creation or establishment of the particular game, contest, scheme,
29 device or activity involved, toward the acquisition or maintenance of
30 premises, paraphernalia, equipment or apparatus therefor, toward the
31 solicitation or inducement of persons to participate therein, toward the
32 actual conduct of the playing phases thereof, toward the arrangement of
33 any of its financial or recording phases, or toward any other phase of
34 its operation. One advances gambling activity when, having substantial
35 proprietary or other authoritative control over premises being used with
36 ~~[his]~~ one's knowledge for purposes of gambling activity, ~~[he]~~ such
37 person permits such to occur or continue or makes no effort to prevent
38 its occurrence or continuation.

39 § 6. Subdivision 7 of section 225.00 of the penal law is amended to
40 read as follows:

41 7. "Gambling device" means any device, machine, paraphernalia or
42 equipment which is used or usable in the playing phases of any gambling
43 activity, including those that provide access to a mobile sports wager-
44 ing account, whether such activity consists of gambling between persons
45 or gambling by a person involving the playing of a machine. Notwith-
46 standing the foregoing, lottery tickets, policy slips and other items
47 used in the playing phases of lottery and policy schemes are not gambl-
48 ing devices.

49 § 7. This act shall take effect immediately.