

# STATE OF NEW YORK

7908

2025-2026 Regular Sessions

## IN SENATE

May 13, 2025

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Racing, Gaming 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.

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

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1 (iii) The commission shall promulgate regulations under this paragraph  
2 to ensure: the secure collection and transmittal of such identifying  
3 information to mobile sports wagering operators, as provided in subpara-  
4 graph (ii) of this paragraph; the uniqueness and reliability of the  
5 identifying information being collected; and that the identifying infor-  
6 mation is strictly protected by data security measures, including but  
7 not limited to encryption, firewalls, and password protection, data  
8 system monitoring, limitations on access to authorized persons within  
9 the commission, and other reasonable administrative, technical, and  
10 physical safeguards to protect the security, confidentiality, and integ-  
11 egrity of identifying information provided by persons under this para-  
12 graph.

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

17 § 3. Subparagraph (iii) of paragraph (a) of subdivision 4 of section  
18 1367-a of the racing, pari-mutuel wagering and breeding law, as added by  
19 section 4 of part Y of chapter 59 of the laws of 2021, is amended to  
20 read as follows:

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

41 (B) When promulgating regulations for commercially reasonable and  
42 technically feasible methods for age assurance under this subparagraph,  
43 the commission may incorporate the methods promulgated by the attorney  
44 general under section fifteen hundred one of the general business law,  
45 except that such regulations of the commission shall not incorporate the  
46 method of a person self-reporting their age with no other supporting  
47 evidence. Such self-reporting shall not be an acceptable method of age  
48 assurance under this subparagraph.

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

53 § 4. Severability. If any provision of this act or application there-  
54 of shall for any reason be adjudged by any court of competent  
55 jurisdiction to be invalid, such judgment shall not affect, impair, or  
56 invalidate the remainder of the act, but shall be confined in its opera-

1 tion to the provision thereof directly involved in the controversy in  
2 which the judgment shall have been rendered.  
3 § 5. This act shall take effect on the one hundred eightieth day after  
4 it shall have become a law. Effective immediately, the addition, amend-  
5 ment and/or repeal of any rule or regulation necessary for the implemen-  
6 tation of this act on its effective date are authorized to be made and  
7 completed on or before such effective date.