

STATE OF NEW YORK

7908--A

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 -- recommitted to the Committee on Racing, Gaming and Wagering in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee and committed to the Committee on Finance -- 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 breeding
2 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

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

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1 commission for the purpose of assisting in identifying suspicious wager-
2 ing activity[-];

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

8 (ee) "Internet protocol address" means a unique numerical identifier
9 assigned to a device that can be used to direct Internet traffic to such
10 device.

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

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

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

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

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

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

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

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

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

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

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

48 (iii) The commission shall promulgate regulations under this paragraph
49 to ensure: the secure collection and transmittal of such identifying
50 information to mobile sports wagering operators, as provided in subpara-
51 graph (ii) of this paragraph; the uniqueness and reliability of the
52 identifying information being collected; and that the identifying infor-
53 mation is strictly protected by data security measures, including but
54 not limited to encryption, firewalls, and password protection, data
55 system monitoring, limitations on access to authorized persons within
56 the commission, and other reasonable administrative, technical, and

1 physical safeguards to protect the security, confidentiality, and integ-
2 riety of identifying information provided by persons under this para-
3 graph.

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

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

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

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

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

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