

STATE OF NEW YORK

7908--B

2025-2026 Regular Sessions

IN SENATE

May 13, 2025

Introduced by Sens. GOUNARDES, KAVANAGH -- 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 -- 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. Paragraphs (bb) and (cc) of subdivision 1 of section 1367
2 of the racing, pari-mutuel wagering and breeding law, as amended by
3 section 3 of part Y of chapter 59 of the laws of 2021, are amended and
4 two new paragraphs (dd) and (ee) are added to read as follows:
5 (bb) "Suspicious wagering activity" means unusual wagering activity
6 that cannot be explained and is indicative of match fixing, the manipu-
7 lation of an event, misuse of inside information, or other prohibited
8 activity; **[and]**
9 (cc) "Independent integrity monitor" means an independent individual
10 or entity approved by the commission to receive reports of unusual
11 wagering activity from a casino, mobile sports wagering licensee, or
12 commission for the purpose of assisting in identifying suspicious wager-
13 ing activity~~[-]~~;
14 (dd) "Identifying information" means any data that identifies or could
15 reasonably be linked, directly or indirectly, with a specific natural
16 person or device. Identifying information as used in this section and in
17 section thirteen hundred sixty-seven-a of this article may include an
18 Internet protocol address; and

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

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

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

(i) Casinos and mobile sports wagering licensees shall adopt procedures to prevent persons from wagering on sports events who are prohibited from placing sports wagers. A casino or mobile sports wagering licensee shall not accept wagers from any person:

(i) whose name appears on the exclusion list maintained by the commission and provided to the casino or mobile sports wagering licensee;

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

(iii) who is attempting to create an account using excluded identifying information as described in paragraph (k) of this subdivision, or to place a wager through an account that was created, registered, opened or maintained using such excluded identifying information, provided that such identifying information has not been removed from the exclusion list pursuant to paragraph (k) of this subdivision;

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

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

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

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

(k) (i) The commission shall, by regulation, establish and maintain an exclusion list for identifying information on mobile sports wagering platforms that shall be separate and distinct from the list of self-excluded persons established pursuant to section thirteen hundred forty-four of this article, and a means by which persons may electronically register any of their identifying information, or, if such person is the parent or legal guardian of a minor, identifying information of or associated with such minor, on such list for the purposes of preventing themselves and any other person, including a minor, from using such information to create an account on a mobile sports wagering platform.

(ii) Mobile sports wagering operators shall be prohibited from permitting the registration of any account with such identifying information, provided that the commission has provided mobile sports wagering operators access to such excluded identifying information, and provided further that such prohibition shall not apply to identifying information removed from such exclusion list pursuant to this paragraph.

(iii) For purposes of subparagraph (iii) of paragraph (i) of this subdivision and this paragraph, the use of excluded identifying information shall mean the use of such information to create, register, open or maintain a mobile sports wagering account, and nothing in this paragraph shall be construed to require a casino, mobile sports wagering licensee or mobile sports wagering operator to conduct age assurance, identity

1 verification or screening against excluded identifying information upon
2 each login or placement of a wager.

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

16 (v) Persons submitting identifying information for exclusion from
17 mobile sports wagering under this paragraph shall retain the right to
18 voluntarily rescind such exclusion at any time, at which point such
19 identifying information shall be deleted from the commission's database
20 and the commission shall transmit notice of such removal to mobile
21 sports wagering operators.

22 (vi) Where identifying information is submitted by a parent or legal
23 guardian of a minor pursuant to subparagraph (i) of this paragraph, the
24 commission shall require, at the time of submission, the date on which
25 such minor will attain twenty-one years of age. Such identifying infor-
26 mation shall be deemed removed from the exclusion list upon such date,
27 and the commission shall immediately delete such identifying information
28 from the commission's database and transmit notice of such removal to
29 mobile sports wagering operators.

30 § 4. Subparagraph (iii) of paragraph (a) of subdivision 4 of section
31 1367-a of the racing, pari-mutuel wagering and breeding law, as added by
32 section 4 of part Y of chapter 59 of the laws of 2021, is amended to
33 read as follows:

34 (iii) (A) prohibit minors from participating in any sports wagering
35 pursuant to rules and regulations promulgated by the commission. Such
36 rules and regulations shall require the operator to conduct age assur-
37 ance to determine, only at the point of account registration, that the
38 person creating an account is not a minor. The commission shall promul-
39 gate regulations identifying commercially reasonable and technically
40 feasible methods for mobile sports wagering operators to determine if a
41 person is a minor, considering the size, financial resources, and tech-
42 nical capabilities of the mobile sports wagering platform operated by
43 such operator, the costs and effectiveness of available age determi-
44 nation techniques, the audience of the mobile sports wagering platform,
45 and prevalent practices of the industry of the mobile sports wagering
46 operator and other similar digital industries. Such regulations shall
47 also identify the appropriate levels of accuracy that would be commer-
48 cially reasonable and technically feasible for mobile sports wagering
49 operators to achieve in determining whether a person is a minor,
50 provided, however, that a person self-reporting their age with no other
51 supporting evidence shall not be deemed an acceptable method under this
52 subparagraph. Any information collected for the purpose of the age
53 assurance requirement under this subparagraph shall be deleted imme-
54 diately after an attempt to determine a person's age, except where
55 necessary for applicable provisions of state or federal law or regu-
56 lation. Nothing in this subparagraph shall be construed to require a

1 mobile sports wagering operator to conduct age assurance upon each login
2 or placement of a wager.

3 (B) For the purposes of this subparagraph, a mobile sports wagering
4 operator shall treat a person as a minor if, at the point of account
5 registration, the person's device communicates or signals that the
6 person is or shall be treated as a minor, including through a privacy
7 setting, device setting, or other mechanism;

8 § 5. Severability. If any provision of this act or application there-
9 of shall for any reason be adjudged by any court of competent
10 jurisdiction to be invalid, such judgment shall not affect, impair, or
11 invalidate the remainder of the act, but shall be confined in its opera-
12 tion to the provision thereof directly involved in the controversy in
13 which the judgment shall have been rendered.

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