§ 1401. Definitions. As used in this article, the following terms shall have the following meanings:

1. "Authorized player" shall mean an individual located in New York state, who is not a prohibited player, that participates in an interactive fantasy sports contest offered by a registrant.

2. "Collegiate sport or athletic event" shall mean a sport or athletic event offered or sponsored by or played in connection with a public or private institution that offers education services beyond the secondary level.

3. "Commission" shall mean the New York state gaming commission.

4. "Entry fee" shall mean cash or cash equivalent that is paid by an authorized player to an operator or registrant to participate in an interactive fantasy sports contest offered by such operator or registrant.

5. "High school sport or athletic event" shall mean a sport or athletic event offered or sponsored by or played in connection with a public or private institution that offers education services at the secondary level.

6. "Highly experienced player" shall mean an authorized player who has:

(a) entered more than one thousand contests offered by a single operator or registrant; or

(b) won more than three prizes valued at one thousand dollars each or more from a single operator or registrant.

7. "Horse racing event" shall mean any sport or athletic event conducted in New York state subject to the provisions of articles two, three, four, five, six, nine, ten and eleven of this chapter, or any sport or athletic event conducted outside of New York state, which if conducted in New York state would be subject to the provisions of this chapter.

8. "Interactive fantasy sports contest" or "contest" shall mean a game of skill wherein one or more contestants compete against each other by using their knowledge and understanding of athletic events and athletes to select and manage rosters of simulated players whose performance directly corresponds with the actual performance of human competitors on sports teams and in sports events.

9. "Interactive fantasy sports gross revenue" shall mean the amount equal to the total of all entry fees not attributable to New York state prohibited sports events that a registrant collects from all players, less the total of all sums not attributable to New York state prohibited sports events paid out as winnings to all players, multiplied by the resident percentage for New York state; provided, however, that the total of all sums paid out as winnings to players shall not include the cash equivalent value of any merchandise or thing of value awarded as a prize.

10. "Interactive fantasy sports operator" or "operator" shall mean any person or entity that offers any interactive fantasy sports contest to any authorized player through any interactive fantasy sports platform.

11. "Interactive fantasy sports platform" or "platform" shall mean the combination of hardware, software, and data networks used to manage, administer, or control contests and any associated entry fees.

12. "Interactive fantasy sports registrant" or "registrant" shall mean an operator that is registered by the commission. A registrant may utilize multiple interactive fantasy sports platforms and offer multiple contests, provided that each platform and each contest has been reviewed and approved by the commission.

13. "Minor" shall mean any person under the age of eighteen years.

14. "Prohibited player" shall mean:

(a) any member, officer, employee or agent of an operator or registrant;

(b) any spouse, child, brother, sister or parent residing as a member of the same household in the principal place of abode of any member, officer, employee or agent of an operator or registrant;

(c) any individual with access to non-public confidential information about contests;

(d) any amateur or professional athlete whose performance may be used to determine the outcome of a contest;

(e) any sports agent, team employee, referee, or league official associated with any sport or athletic event on which contests are based;

(f) any individual located in a state where the conduct of contests is expressly prohibited; or

(g) any minor.

15. "Prohibited sports event" shall mean any collegiate sport or athletic event, any high school sport or athletic event or any horse racing event.

16. "Resident percentage" shall mean, for each interactive fantasy sports contest, the percentage, rounded to the nearest tenth of a percent, of the total entry fees collected from players located in New York state, divided by the total entry fees collected from all players in interactive fantasy sports contests not prohibited in New York state.

17. "Sports event" shall mean any amateur or professional sport or athletic event, except a prohibited sports event.