

VETO MESSAGE:	No
GOVERNOR'S PRESS RELEASE ON SIGNING:	Yes
GOVERNOR'S SIGNING STATEMENT:	Yes

FOLLOWING WERE PRINTED:

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REPORTS:	No
HEARINGS:	No
OTHER (Public hearings from 2010 and 2011):	Yes
NEWSPAPER ARTICLES:	Yes

974.90 G191 2010b

Public Hearing before Senate Economic Growth Committee: Senate concurrent resolution no. 132 (proposes constitutional amendment authorizing Legislature by law to allow wagering at Atlantic City casinos and at horse racetracks on sports events): [December 9, 2010, Trenton, New Jersey]/hearing recorded and transcribed by the Office of Legislative Services, Public Information Office, Hearing Unit.

By New Jersey. Legislature. Senate. Economic Growth Committee.

Trenton, NJ: New Jersey Office of Legislative Services, Public Information Office, Hearing Unit, 2010.

<http://hdl.handle.net/10929/23675>

974.90 G191 2011

Public hearing before Senate Government, Wagering, Tourism & Historic Preservation Committee: the Committee will receive testimony on the importance of authorizing sports wagering for the gaming industry in New Jersey: [September 26, 2011, Trenton, New Jersey]/hearing recorded and transcribed by the Office of Legislative Services, public Information Office, Hearing Unit.

By New Jersey. Legislature. Senate. State Government, Wagering, Tourism and Historic Preservation Committee.

Trenton NJ: New Jersey Office of Legislative Services, Public Information Office, Hearing Unit, 2011.

<http://hdl.handle.net/10929/23676>

- "N.J. Senate approves new sports betting bill," NJBIZ, 10-15-14
- "Sports betting bill to reach Christie's desk this week," Asbury Park Press, 10-15-14
- "Assembly likely to follow Senate, back sports betting bill," The Record, 10-15-14
- "Sports betting bill gets Senate approval," The Star-Ledger, 10-15-14
- "Senate OKs bill on sports betting," The Philadelphia Inquirer, 10-15-14
- "NJ Senate Passes Sports Betting Bill," 88.3fm wbgo.org, 10-15-14
- "Sports betting closer to a reality in NJ," New Jersey 101.5, 10-15-14
- "Sports betting bill heads to Christie's desk after Assembly approval," NJBIZ, 10-16-14
- "NJ Assembly approves latest sports betting bill," northjersey.com, 10-16-14
- "Gov Christie signs sports betting bill," northjersey.com, 10-17-14
- "Christie signs sports betting bill into law," northjersey.com, 10-17-14
- "Sports betting poised to start next weekend in New Jersey," The Record, 10-18-2014
- "Christie signs law to clear way for sports betting," The Times, 10-18-14
- "Christie says: Place your bets," Asbury Park Press, 10-18-14
- "Christie signs bill to allow sports betting," The Press of Atlantic City, 10-18-14
- "Christie OKs betting law," The Philadelphia Inquirer, 10-18-14
- "Christie signs sports betting bill into law," NJBIZ, 10-18-14
- "Law allowing sports betting signed by Christie," The Trentonian, 10-18-14
- "Christie Approves Sports Betting He Calls Within Federal Law," Bloomberg Press, 10-18-14
- "Lesniak unimpressed with leagues' latest challenge to sports betting," NJBIZ, 10-20-14

§§1,2,4 -
C.5:12A-7 to
5:12A-9
§5 - Repealer

P.L.2014, CHAPTER 62, *approved October 17, 2014*

Senate, No. 2460

1 AN ACT partially repealing the prohibitions, permits, licenses, and
2 authorizations concerning wagers on professional, collegiate, or
3 amateur sport contests or athletic events, deleting a portion of
4 P.L.1977, c.110, and repealing sections 1 through 6 of P.L.2011,
5 c.231.

6
7 **BE IT ENACTED** *by the Senate and General Assembly of the State*
8 *of New Jersey:*

9
10 1. (New section) The provisions of chapter 37 of Title 2C of
11 the New Jersey Statutes, chapter 40 of Title 2A of the New Jersey
12 Statutes, chapter 5 of Title 5 of the Revised Statutes, and P.L.1977,
13 c.110 (C.5:12-1 et seq.), as amended and supplemented, and any
14 rules and regulations that may require or authorize any State agency
15 to license, authorize, permit or otherwise take action to allow any
16 person to engage in the placement or acceptance of any wager on
17 any professional, collegiate, or amateur sport contest or athletic
18 event, or that prohibit participation in or operation of a pool that
19 accepts such wagers, are repealed to the extent they apply or may be
20 construed to apply at a casino or gambling house operating in this
21 State in Atlantic City or a running or harness horse racetrack in this
22 State, to the placement and acceptance of wagers on professional,
23 collegiate, or amateur sport contests or athletic events by persons 21
24 years of age or older situated at such location or to the operation of
25 a wagering pool that accepts such wagers from persons 21 years of
26 age or older situated at such location, provided that the operator of
27 the casino, gambling house, or running or harness horse racetrack
28 consents to the wagering or operation.

29 As used in this act, P.L. , c. (C.) (pending before the
30 Legislature as this bill):

31 “collegiate sport contest or athletic event” shall not include a
32 collegiate sport contest or collegiate athletic event that takes place
33 in New Jersey or a sport contest or athletic event in which any New
34 Jersey college team participates regardless of where the event takes
35 place; and

36 “running or harness horse racetrack” means the physical facility
37 where a horse race meeting with parimutuel wagering is conducted
38 and includes any former racetrack where such a meeting was

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 conducted within 15 years prior to the effective date of this act,
2 excluding premises other than those where the racecourse itself was
3 located.

4
5 2. (New section) The provisions of this act, P.L. , c. (C.)
6 (pending before the Legislature as this bill), are not intended and
7 shall not be construed as causing the State to sponsor, operate,
8 advertise, promote, license, or authorize by law or compact the
9 placement or acceptance of any wager on any professional,
10 collegiate, or amateur sport contest or athletic event but, rather, are
11 intended and shall be construed to repeal State laws and regulations
12 prohibiting and regulating the placement and acceptance, at a casino
13 or gambling house operating in this State in Atlantic City or a
14 running or harness horse racetrack in this State, of wagers on
15 professional, collegiate, or amateur sport contests or athletic events
16 by persons 21 years of age or older situated at such locations.

17
18 3. Section 24 of P.L.1977, c.110 (C.5:12-24) is amended to
19 read as follows:

20 24. "Gross Revenue"-- The total of all sums actually received by
21 a casino licensee from gaming operations, [including operation of a
22 sports pool,] less only the total of all sums actually paid out as
23 winnings to patrons; provided, however, that the cash equivalent
24 value of any merchandise or thing of value included in a jackpot or
25 payout shall not be included in the total of all sums paid out as
26 winnings to patrons for purposes of determining gross revenue.
27 "Gross Revenue" shall not include any amount received by a casino
28 from casino simulcasting pursuant to the "Casino Simulcasting
29 Act," P.L.1992, c.19 (C.5:12-191 et al.).
30 (cf: P.L.2011, c.231, s.7)

31
32 4. (New section) The provisions of this act, P.L. , c. (C.)
33 (pending before the Legislature as this bill), shall be deemed to be
34 severable, and if any phrase, clause, sentence, word or provision of
35 this act is declared to be unconstitutional, invalid, preempted or
36 inoperative in whole or in part, or the applicability thereof to any
37 person is held invalid, by a court of competent jurisdiction, the
38 remainder of this act shall not thereby be deemed to be
39 unconstitutional, invalid, preempted or inoperative and, to the
40 extent it is not declared unconstitutional, invalid, preempted or
41 inoperative, shall be effectuated and enforced.

42
43 5. Sections 1 through 6 of P.L.2011, c.231 (C.5:12A-1 through
44 C.5:12A-6) are repealed.

45
46 6. This act shall take effect immediately.

STATEMENT

1
2
3 This bill implements the decision of the United States Court of
4 Appeals for the Third Circuit in *National Collegiate Athletic*
5 *Association v. Governor of New Jersey*, 730 F.3d 208 (3d Cir.
6 2013), wherein the court in interpreting the Professional and
7 Amateur Sports Protection Act of 1992 (PASPA), 28 U.S.C. § 3701
8 *et seq.*, stated that it does “not read PASPA to prohibit New Jersey
9 from repealing its ban on sports wagering.” *National Collegiate*
10 *Athletic Association*, 730 F.3d at 232. The court further stated that
11 “it is left up to each state to decide how much of a law enforcement
12 priority it wants to make of sports gambling, or *what the exact*
13 *contours of the prohibition will be.*” *Id.* at 233 (emphasis added).
14 Moreover, the United States in its brief submitted to the Supreme
15 Court of the United States in opposition to petitions for writs of
16 certiorari in the above-referenced case wrote that “PASPA does not
17 even obligate New Jersey to leave in place the state-law
18 prohibitions against sports gambling that it had chosen to adopt
19 prior to PASPA’s enactment. To the contrary, *New Jersey is free to*
20 *repeal those prohibitions in whole or in part.*” United States Brief
21 to the Supreme Court in Opposition to Petitions for Writs of
22 Certiorari (Nos. 13-967, 13-979, 13-980), dated May 14, 2014, at
23 11 (emphasis added).

24

25

26

27

28 Partially repeals prohibitions, permits, licenses, and
29 authorizations concerning wagers on professional, collegiate, or
30 amateur sport contests or athletic events.

SENATE, No. 2460

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED OCTOBER 9, 2014

Sponsored by:

Senator RAYMOND J. LESNIAK

District 20 (Union)

Senator JIM WHELAN

District 2 (Atlantic)

Senator JOSEPH M. KYRILLOS, JR.

District 13 (Monmouth)

Assemblyman RALPH R. CAPUTO

District 28 (Essex)

Assemblyman VINCENT MAZZEO

District 2 (Atlantic)

Assemblyman JOHN J. BURZICHELLI

District 3 (Cumberland, Gloucester and Salem)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Co-Sponsored by:

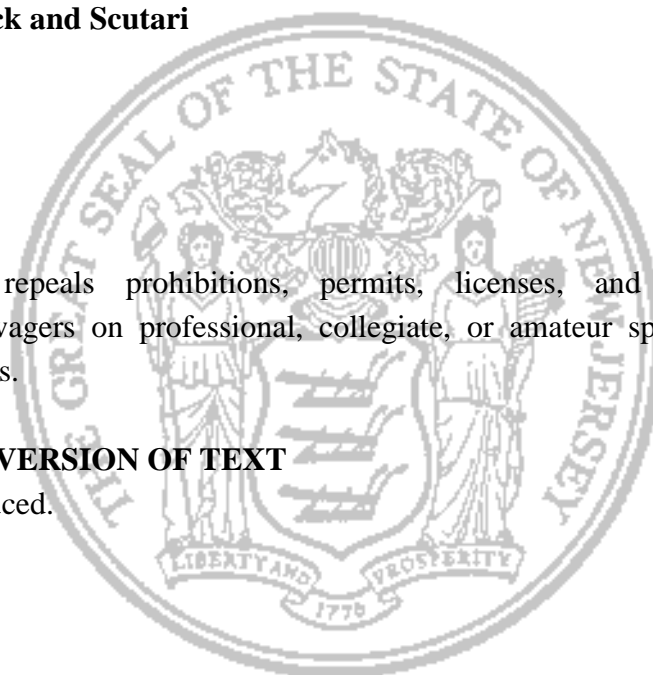
Senators Beck and Scutari

SYNOPSIS

Partially repeals prohibitions, permits, licenses, and authorizations concerning wagers on professional, collegiate, or amateur sport contests or athletic events.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/17/2014)

1 AN ACT partially repealing the prohibitions, permits, licenses, and
2 authorizations concerning wagers on professional, collegiate, or
3 amateur sport contests or athletic events, deleting a portion of
4 P.L.1977, c.110, and repealing sections 1 through 6 of P.L.2011,
5 c.231.

6
7 **BE IT ENACTED** by the Senate and General Assembly of the State
8 of New Jersey:

9
10 1. (New section) The provisions of chapter 37 of Title 2C of
11 the New Jersey Statutes, chapter 40 of Title 2A of the New Jersey
12 Statutes, chapter 5 of Title 5 of the Revised Statutes, and P.L.1977,
13 c.110 (C.5:12-1 et seq.), as amended and supplemented, and any
14 rules and regulations that may require or authorize any State agency
15 to license, authorize, permit or otherwise take action to allow any
16 person to engage in the placement or acceptance of any wager on
17 any professional, collegiate, or amateur sport contest or athletic
18 event, or that prohibit participation in or operation of a pool that
19 accepts such wagers, are repealed to the extent they apply or may be
20 construed to apply at a casino or gambling house operating in this
21 State in Atlantic City or a running or harness horse racetrack in this
22 State, to the placement and acceptance of wagers on professional,
23 collegiate, or amateur sport contests or athletic events by persons 21
24 years of age or older situated at such location or to the operation of
25 a wagering pool that accepts such wagers from persons 21 years of
26 age or older situated at such location, provided that the operator of
27 the casino, gambling house, or running or harness horse racetrack
28 consents to the wagering or operation.

29 As used in this act, P.L. , c. (C.) (pending before the
30 Legislature as this bill):

31 “collegiate sport contest or athletic event” shall not include a
32 collegiate sport contest or collegiate athletic event that takes place
33 in New Jersey or a sport contest or athletic event in which any New
34 Jersey college team participates regardless of where the event takes
35 place; and

36 “running or harness horse racetrack” means the physical facility
37 where a horse race meeting with parimutuel wagering is conducted
38 and includes any former racetrack where such a meeting was
39 conducted within 15 years prior to the effective date of this act,
40 excluding premises other than those where the racecourse itself was
41 located.

42
43 2. (New section) The provisions of this act, P.L. , c. (C.)
44 (pending before the Legislature as this bill), are not intended and
45 shall not be construed as causing the State to sponsor, operate,

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 advertise, promote, license, or authorize by law or compact the
2 placement or acceptance of any wager on any professional,
3 collegiate, or amateur sport contest or athletic event but, rather, are
4 intended and shall be construed to repeal State laws and regulations
5 prohibiting and regulating the placement and acceptance, at a casino
6 or gambling house operating in this State in Atlantic City or a
7 running or harness horse racetrack in this State, of wagers on
8 professional, collegiate, or amateur sport contests or athletic events
9 by persons 21 years of age or older situated at such locations.

10

11 3. Section 24 of P.L.1977, c.110 (C.5:12-24) is amended to
12 read as follows:

13 24. "Gross Revenue"-- The total of all sums actually received by
14 a casino licensee from gaming operations, [including operation of a
15 sports pool,] less only the total of all sums actually paid out as
16 winnings to patrons; provided, however, that the cash equivalent
17 value of any merchandise or thing of value included in a jackpot or
18 payout shall not be included in the total of all sums paid out as
19 winnings to patrons for purposes of determining gross revenue.
20 "Gross Revenue" shall not include any amount received by a casino
21 from casino simulcasting pursuant to the "Casino Simulcasting
22 Act," P.L.1992, c.19 (C.5:12-191 et al.).

23 (cf: P.L.2011, c.231, s.7)

24

25 4. (New section) The provisions of this act, P.L. , c. (C.)
26 (pending before the Legislature as this bill), shall be deemed to be
27 severable, and if any phrase, clause, sentence, word or provision of
28 this act is declared to be unconstitutional, invalid, preempted or
29 inoperative in whole or in part, or the applicability thereof to any
30 person is held invalid, by a court of competent jurisdiction, the
31 remainder of this act shall not thereby be deemed to be
32 unconstitutional, invalid, preempted or inoperative and, to the
33 extent it is not declared unconstitutional, invalid, preempted or
34 inoperative, shall be effectuated and enforced.

35

36 5. Sections 1 through 6 of P.L.2011, c.231 (C.5:12A-1 through
37 C.5:12A-6) are repealed.

38

39 6. This act shall take effect immediately.

40

41

42

STATEMENT

43

44 This bill implements the decision of the United States Court of
45 Appeals for the Third Circuit in *National Collegiate Athletic*
46 *Association v. Governor of New Jersey*, 730 F.3d 208 (3d Cir.
47 2013), wherein the court in interpreting the Professional and
48 Amateur Sports Protection Act of 1992 (PASPA), 28 U.S.C. § 3701

1 *et seq.*, stated that it does “not read PASPA to prohibit New Jersey
2 from repealing its ban on sports wagering.” *National Collegiate*
3 *Athletic Association*, 730 F.3d at 232. The court further stated that
4 “it is left up to each state to decide how much of a law enforcement
5 priority it wants to make of sports gambling, or *what the exact*
6 *contours of the prohibition will be.*” *Id.* at 233 (emphasis added).
7 Moreover, the United States in its brief submitted to the Supreme
8 Court of the United States in opposition to petitions for writs of
9 certiorari in the above-referenced case wrote that “PASPA does not
10 even obligate New Jersey to leave in place the state-law
11 prohibitions against sports gambling that it had chosen to adopt
12 prior to PASPA’s enactment. To the contrary, *New Jersey is free to*
13 *repeal those prohibitions in whole or in part.*” United States Brief
14 to the Supreme Court in Opposition to Petitions for Writs of
15 Certiorari (Nos. 13-967, 13-979, 13-980), dated May 14, 2014, at
16 11 (emphasis added).

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 2460

STATE OF NEW JERSEY

DATED: OCTOBER 9, 2014

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 2460.

This bill concerns wagering on any professional, collegiate, or amateur sport contest or athletic event at certain casinos and racetracks.

Specifically, section 1 of this bill partially repeals certain provisions of law and any rules and regulations that may require or authorize a State agency to license, authorize, permit or take action to allow a person to engage in the placement or acceptance of any wager on any professional, collegiate, or amateur sport contest or athletic event or that prohibit participation in or operation of a pool that accepts such wagers to the extent they apply at a casino or gambling house operating in this State in Atlantic City or at a running or harness horse racetrack in this State, to the placement and acceptance of wagers on professional, collegiate, or amateur sport contests or athletic events by persons 21 years of age or older situated at such location, or to the operation of a wagering pool that accepts such wagers from persons 21 years of age or older situated at such location, provided that the operator of the casino, gambling house, or running or harness horse racetrack consents to the wagering or operation. Under the bill, a “collegiate sport contest or athletic event” shall not include a collegiate sport contest or collegiate athletic event that takes place in New Jersey or a sport contest or athletic event in which any New Jersey college team participates regardless of where the event takes place; and “running or harness horse racetrack” means the physical facility where a horse race meeting with parimutuel wagering is conducted and includes any former racetrack where such a meeting was conducted within 15 years prior to the effective date of this bill, excluding premises other than those where the racecourse itself was located.

Section 2 sets forth the intent of the bill and the construction that shall be applied to its provisions.

Section 3 amends the “Casino Control Act” so that the operation of a sports pool is no longer included in the definition of “gross revenue” that otherwise applies to a casino licensee’s gaming operations.

Section 4 is a severability clause.

Section 5 repeals chapter 12A of Title 5 of the Revised Statutes, that allowed casinos in Atlantic City and racetracks in this State to

conduct wagering on professional and college sporting events and provided for the State regulation and taxation thereof.

This bill is in response to the decision of the United States Court of Appeals for the Third Circuit in *National Collegiate Athletic Association v. Governor of New Jersey*, 730 F.3d 208 (3d Cir. 2013), dated September 17, 2013.

FISCAL IMPACT:

This bill is not certified for a Fiscal Note.

ASSEMBLY, No. 3711

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED SEPTEMBER 18, 2014

Sponsored by:

Assemblyman RALPH R. CAPUTO

District 28 (Essex)

Assemblyman VINCENT MAZZEO

District 2 (Atlantic)

Assemblyman JOHN J. BURZICHELLI

District 3 (Cumberland, Gloucester and Salem)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Repealing partially all prohibitions, permits, licenses, and authorizations concerning sports wagering.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 9/19/2014)

A3711 CAPUTO, MAZZEO

2

1 AN ACT repealing partially all prohibitions, permits, licenses, and
2 authorizations concerning sports wagering and supplementing
3 Title 5 of the Revised Statutes.

4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7

8 1. All prohibitions, including but not limited to chapter 37 of
9 Title 2C of the New Jersey Statutes, against wagering on the results
10 of any professional, college, or amateur sport or athletic event, and
11 all statutes, rules, regulations, or other State laws that may require
12 any State or State agency to license, authorize, permit, or otherwise
13 take action to allow any person to conduct or engage in the
14 placement or acceptance of any wager on the results of any
15 professional, college, or amateur sport or athletic event be and the
16 same are all hereby partially repealed to the extent such State or
17 Agency prohibition, rule, regulation, or other State law applies to
18 casinos or gambling houses in Atlantic City or at current running
19 and horse racetracks in this State.

20

21 2. Pursuant to section 2 of that certain Act of the Congress of
22 the United States entitled "An act to prohibit transportation of
23 gambling devices in interstate and foreign commerce," approved
24 January 2, 1951, 15 U.S.C. s.1171-1177, the State of New Jersey,
25 acting by and through its duly elected and qualified members of its
26 Legislature, does hereby in this section, and in accordance with and
27 in compliance with the provisions of section 2 of such Act of
28 Congress, declare and proclaim that it is exempt from the provisions
29 of section 2 of that certain Act of the Congress of the United States
30 entitled "An act to prohibit transportation of gambling devices in
31 interstate and foreign commerce," approved January 2, 1951, as set
32 forth in section 3 of this Act.

33

34 3. All shipments of gambling devices to casinos or gambling
35 houses in Atlantic City or at current running and horse racetracks in
36 this State, the registering, recording and labeling of which has been
37 duly had by the manufacturer or dealer thereof in accordance with
38 sections 3 and 4 of that certain Act of the Congress of the United
39 States entitled "An act to prohibit transportation of gambling
40 devices in interstate and foreign commerce," approved January 2,
41 1951, 15 U.S.C. s.1171-1177, shall be deemed legal shipments
42 thereof into this State.

43

44 4. Without in any way limiting the rights of private property
45 owners at common law, the owners or operators of casinos or
46 gambling houses in Atlantic City or current running and horse
47 racetracks in this State shall have the right to exclude persons from
48 their property or refuse to do business with such persons provided

1 that such exclusion or refusal is not in violation of any law of this
2 State or any federal law relating to public accommodations.

3

4 5. This act shall take effect immediately.

5

6

7

STATEMENT

8

9 This bill results from the decision of the United States Court of
10 Appeals for the Third Circuit (Court) in *National Collegiate*
11 *Athletic Association, et al. v. Governor of the State of New Jersey,*
12 *et al.*, C.A. No. 13-1713, 1714, 1715, dated September 17, 2013,
13 wherein the Court in interpreting the Sports Protection Act of 1992
14 (PASPA), 28 U.S.C. § 3701 *et seq.*, stated that it does “not read
15 PASPA to prohibit New Jersey from repealing its ban on sports
16 wagering.” Third Circuit Decision at 73. The Court further stated
17 that “it is left up to each state to decide how much of a law
18 enforcement priority it wants to make of sports gambling, or *what*
19 *the exact contours of the prohibition will be.*” Decision at 78-79
20 (emphasis added). Moreover, the United States in its brief
21 submitted to the Supreme Court of the United States in opposition
22 to petitions for writs of certiorari in the above-referenced case
23 wrote that “PASPA does not even obligate New Jersey to leave in
24 place the state-law prohibitions against sports gambling that it had
25 chosen to adopt prior to PASPA’s enactment. To the contrary, *New*
26 *Jersey is free to repeal those prohibitions in whole or in part.*”
27 United States Brief to the Supreme Court in Opposition to Petitions
28 for Writs of Certiorari, dated May 14, 2014, at 11 (emphasis added).

29 Accordingly, New Jersey has decided that its “exact contours of
30 the prohibition” against sports wagering should be to repeal all of
31 New Jersey’s prohibitions, permits, licenses, and authorizations
32 concerning sports wagering “at casinos or gambling houses in
33 Atlantic City or at current running and harness horse racetracks in
34 this State.”

ASSEMBLY TOURISM, GAMING AND THE ARTS
COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 3711

STATE OF NEW JERSEY

DATED: OCTOBER 2, 2014

The Assembly Tourism, Gaming and the Arts Committee reports favorably an Assembly Committee Substitute for Assembly Bill No. 3711.

This bill implements the decision of the United States Court of Appeals for the Third Circuit in *National Collegiate Athletic Association v. Governor of New Jersey*, 730 F.3d 208 (3d Cir. 2013), wherein the court in interpreting the Professional and Amateur Sports Protection Act of 1992 (PASPA), 28 U.S.C. § 3701 *et seq.*, stated that it does “not read PASPA to prohibit New Jersey from repealing its ban on sports wagering.” *National Collegiate Athletic Association*, 730 F.3d at 232. The court further stated that “it is left up to each state to decide how much of a law enforcement priority it wants to make of sports gambling, or *what the exact contours of the prohibition will be.*” *Id.* at 233 (emphasis added). Moreover, the United States in its brief submitted to the Supreme Court of the United States in opposition to petitions for writs of certiorari in the above-referenced case wrote that “PASPA does not even obligate New Jersey to leave in place the state-law prohibitions against sports gambling that it had chosen to adopt prior to PASPA’s enactment. To the contrary, *New Jersey is free to repeal those prohibitions in whole or in part.*” United States Brief to the Supreme Court in Opposition to Petitions for Writs of Certiorari (Nos. 13-967, 13-979, 13-980), dated May 14, 2014, at 11 (emphasis added).

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 3711

with Assembly Floor Amendments
(Proposed by Assemblyman CAPUTO)

ADOPTED: OCTOBER 16, 2014

These Assembly Amendments make this committee substitute identical to Senate No. 2460 by adding definitions and severability provisions, and by clarifying certain other provisions.

Governor Christie Signs Revised Sports Wagering Bill

Friday, October 17, 2014 Tags: [Bill Action](#)

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Trenton, NJ - Reinforcing his support for legal sports wagering in New Jersey, Governor Chris Christie today signed legislation that reflects recent court rulings and removes prohibitions against sports wagering in New Jersey.

"As I've said all along, I am a strong proponent of legalized sports wagering in New Jersey. But given earlier decisions by federal courts, it was critical that we follow a correct and appropriate path to curtail new court challenges and expensive litigation," Governor Christie said. "I believe we have found that path in this bipartisan legislative effort."

In a signing statement with the bill (S-2460), the Governor explains that this bill corrects the critical flaws in the Legislature's earlier bill on sports wagering that was vetoed. For example, the new bill specifies that certain collegiate sports contests and athletic events shall not be the subject of wagering, as the New Jersey Constitution mandates, and it limits the repeal to wagers placed by persons at least 21 years of age. The bill also repeals the prior Sports Wagering Act in its entirety, thereby providing certainty and clarity to the law.

The Governor's signing statement is attached.

Press Contact:
Michael Drewniak
Kevin Roberts
609-777-2600



**GOVERNOR'S STATEMENT UPON SIGNING
SENATE BILL NO. 2460**

Senate Bill No. 2460, which I have signed today, codifies a partial repeal of criminal and civil prohibitions against sports wagering similar to that which the Acting Attorney General of New Jersey earlier recognized as having been accomplished by the previously enacted Sports Wagering Act. This bill closely adheres to controlling federal law, fully responds to the issues raised by the federal courts, and remedies the concerns requiring my veto of Senate Bill No. 2250 earlier this year.

As I explained when I returned Senate Bill No. 2250 without my approval, I am a strong proponent of legalized sports wagering in the State of New Jersey. As a result, in January of 2012 I signed into law a comprehensive licensing and regulatory regime authorizing sports wagering. The State defended that law vigorously in the federal courts, including an unsuccessful petition to the Supreme Court of the United States. Regrettably, that comprehensive regime was ultimately enjoined by the courts under the federal Professional and Amateur Sports Protection Act (PASPA), requiring the State to pursue a different path to eliminate New Jersey's prior prohibition against sports wagering.

As the Acting Attorney General concluded in a September 8, 2014 Law Enforcement Directive and Formal Opinion, the provisions of the Sports Wagering Act effecting a partial repeal of the civil and criminal prohibitions against sports wagering were severable from the provisions enjoined by the federal courts. Indeed, the federal courts held specifically that New Jersey is not required to maintain a ban on sports wagering, and that sports wagering can occur absent a ban. This bill codifies a partial repeal similar to that previously recognized by the Acting Attorney General, and does so in a manner acknowledged by the federal court of appeals to be lawful, thus avoiding another costly and unnecessary legal battle over the continued effectiveness of the Sports Wagering Act's repeal provisions.

Importantly, this bill also improves upon critical concepts and resolves technical issues in Senate Bill No. 2250. For example, this bill specifies that certain college sport contests or athletic events shall not be the subject of wagering, as the New Jersey Constitution mandates. Likewise, it specifies that the repeal only extends to wagers by persons who are 21 years of age or older. Finally, this bill also repeals the January 2012 law in its entirety, thereby adding certainty and clarity to the law.

I have always maintained that PASPA represents an unsound and exclusionary policy. But so long as PASPA remains in effect, New Jersey must abide by and respect its requirements. This bill does just that. Accordingly, I sign Senate Bill No. 2460 into law.

Date: October 17, 2014

/s/ Chris Christie

Governor

Attest:

/s/ Christopher S. Porrino

Chief Counsel to the Governor