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P.L. 2021, CHAPTER 286, *approved November 8, 2021*
 Assembly, No. 637

1 **AN ACT** concerning sports pool operators and wagering on sports,
 2 and amending P.L.1977, c.110 and P.L.2018, c.33.

3
 4 **BE IT ENACTED** by the Senate and General Assembly of the State
 5 of New Jersey:

6
 7 1. Section 92 of P.L.1977, c.110 (C.5:12-92) is amended to
 8 read as follows:

9 92. Licensing of casino service industry enterprises. a. (1) Any
 10 business to be conducted with a casino applicant, racetrack, or
 11 licensee by a vendor offering goods or services which directly relate
 12 to casino, racetrack, sports wagering, or gaming activity, or Internet
 13 gaming activity, including gaming equipment and simulcast
 14 wagering equipment manufacturers, suppliers, repairers, and
 15 independent testing laboratories, and companies that supply sports
 16 wagering equipment or services, shall require licensure as a casino
 17 service industry enterprise in accordance with the provisions of this
 18 act prior to conducting any business whatsoever with a casino
 19 applicant, racetrack, or licensee, its employees or agents; provided,
 20 however, that upon a showing of good cause by a casino applicant,
 21 racetrack, or licensee, the director may permit an applicant for a
 22 casino service industry enterprise license to conduct business
 23 transactions with such casino applicant, racetrack, or licensee prior
 24 to the licensure of that casino service industry enterprise applicant
 25 under this subsection for such periods as the division may establish
 26 by regulation. Companies providing services to casino licensees
 27 regarding Internet gaming shall, notwithstanding any other
 28 provision of P.L.1977, c.110 (C.5:12-1 et seq.), be responsible for
 29 the full cost of their licensure, including any investigative costs.

30 In the case of conducting an online sports pool, as that term is
 31 defined in section 1 of P.L.2018, c.33 (C.5:12A-10), a vendor that
 32 holds an existing casino service industry enterprise license shall,
 33 upon the approval of the division, expand on any initial license
 34 granted by the division prior to offering goods or services directly
 35 related to sports wagering or online sports wagering activities or
 36 operations. The approval shall be in accordance with the terms and
 37 conditions set forth by the division.

38 (2) In addition to the requirements of paragraph (1) of this
 39 subsection, any casino service industry enterprise intending to
 40 manufacture, sell, distribute, test or repair slot machines within
 41 New Jersey, other than antique slot machines as defined in
 42 N.J.S.2C:37-7, shall be licensed in accordance with the provisions
 43 of this act prior to engaging in any such activities; provided,

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 however, that upon a showing of good cause by a casino applicant
2 or licensee, the director may permit an applicant for a casino service
3 industry enterprise license to conduct business transactions with the
4 casino applicant or licensee prior to the licensure of that casino
5 service industry enterprise applicant under this subsection for such
6 periods as the division may establish by regulation; and provided
7 further, however, that upon a showing of good cause by an
8 applicant required to be licensed as a casino service industry
9 enterprise pursuant to this paragraph, the director may permit the
10 casino service industry enterprise applicant to initiate the
11 manufacture of slot machines or engage in the sale, distribution,
12 testing or repair of slot machines with any person other than a
13 casino applicant or licensee, its employees or agents, prior to the
14 licensure of that casino service industry enterprise applicant under
15 this subsection.

16 (3) Vendors providing goods and services to casino licensees or
17 applicants ancillary to gaming, including, without limitation, junket
18 enterprises and junket representatives, and any person employed by
19 a junket enterprise or junket representative in a managerial or
20 supervisory position, non-casino applicants or licensees required to
21 hold a casino hotel alcoholic beverage license pursuant to section
22 103 of P.L.1977, c.110 (C.5:12-103), lessors of casino property not
23 required to hold a casino license pursuant to section 82 of P.L.1977,
24 c.110 (C.5:12-82), and licensors of authorized games shall be
25 required to be licensed as an ancillary casino service industry
26 enterprise and shall comply with the standards set forth in
27 paragraph (4) of subsection c. of this section.

28 b. Each casino service industry enterprise required to be
29 licensed pursuant to paragraph (1) of subsection a. of this section,
30 as well as its owners; management and supervisory personnel; and
31 employees if such employees have responsibility for services to a
32 casino applicant or licensee, must qualify under the standards,
33 except residency, established for qualification of a casino key
34 employee under this act, P.L.1977, c.110 (C.5:12-1 et seq.).

35 c. (1) Any vendor that offers goods or services to a casino
36 applicant or licensee that is not included in subsection a. of this
37 section including, but not limited to casino site contractors and
38 subcontractors, shopkeepers located within the approved hotels,
39 gaming schools that possess slot machines for the purpose of
40 instruction, and any non-supervisory employee of a junket
41 enterprise licensed under paragraph (3) of subsection a. of this
42 section, shall be required to register with the division in accordance
43 with the regulations promulgated under this act, P.L.1977, c.110
44 (C.5:12-1 et seq.).

45 (2) Notwithstanding the provisions of paragraph (1) of this
46 subsection, the director may, consistent with the public interest and
47 the policies of this act, direct that individual vendors registered
48 pursuant to paragraph (1) of this subsection be required to apply for
49 either a casino service industry enterprise license pursuant to

1 paragraph (1) of subsection a. of this section, or an ancillary casino
2 service industry enterprise license pursuant to paragraph (3) of
3 subsection a. of this section, as directed by the division, including,
4 without limitation, in-State and out-of-State sending tracks as
5 defined in section 2 of the "Casino Simulcasting Act," P.L.1992,
6 c.19 (C.5:12-192); shopkeepers located within the approved hotels;
7 and gaming schools that possess slot machines for the purpose of
8 instruction. The director may also order that any enterprise licensed
9 as or required to be licensed as an ancillary casino service industry
10 enterprise pursuant to paragraph (3) of subsection a. of this section
11 be required to apply for a casino service industry enterprise license
12 pursuant to paragraph (1) of subsection a. of this section. The
13 director may also, in his discretion, order that an independent
14 software contractor not otherwise required to be registered be either
15 registered as a vendor pursuant to subsection c. of this section or be
16 licensed pursuant to either paragraph (1) or (3) of subsection a. of
17 this section.

18 (3) (Deleted by amendment, P.L.2011, c.19)

19 (4) Each ancillary casino service industry enterprise required to
20 be licensed pursuant to paragraph (3) of subsection a. of this
21 section, as well as its owners, management and supervisory
22 personnel, and employees if such employees have responsibility for
23 services to a casino applicant or licensee, shall establish their good
24 character, honesty and integrity by clear and convincing evidence
25 and shall provide such financial information as may be required by
26 the division. Any enterprise required to be licensed as an ancillary
27 casino service industry enterprise pursuant to this section shall be
28 permitted to transact business with a casino licensee upon filing of
29 the appropriate vendor registration form and application for such
30 licensure.

31 d. Any applicant, licensee or qualifier of a casino service
32 industry enterprise license or of an ancillary casino service industry
33 enterprise license under subsection a. of this section, and any
34 vendor registrant under subsection c. of this section shall be
35 disqualified in accordance with the criteria contained in section 86
36 of **[this act]** P.L.1977, c.110 (C.5:12-86), except that no such
37 ancillary casino service industry enterprise license under paragraph
38 (3) of subsection a. of this section or vendor registration under
39 subsection c. of this section shall be denied or revoked if such
40 vendor registrant can affirmatively demonstrate rehabilitation as
41 provided in subsection d. of section 91 of P.L.1977, c.110 (C.5:12-
42 91).

43 e. No casino service industry enterprise license or ancillary
44 casino service industry enterprise license shall be issued pursuant to
45 subsection a. of this section to any person unless that person shall
46 provide proof of valid business registration with the Division of
47 Revenue in the Department of the Treasury.

48 f. (Deleted by amendment, P.L.2011, c.19)

1 g. For the purposes of this section, each applicant shall submit
2 to the division the name, address, fingerprints and a written consent
3 for a criminal history record background check to be performed, for
4 each person required to qualify as part of the application. The
5 division is hereby authorized to exchange fingerprint data with and
6 receive criminal history record information from the State Bureau
7 of Identification in the Division of State Police and the Federal
8 Bureau of Investigation consistent with applicable State and federal
9 laws, rules and regulations. The applicant shall bear the cost for the
10 criminal history record background check, including all costs of
11 administering and processing the check. The Division of State
12 Police shall promptly notify the division in the event a current or
13 prospective qualifier, who was the subject of a criminal history
14 record background check pursuant to this section, is arrested for a
15 crime or offense in this State after the date the background check
16 was performed.

17 h. (1) Subsequent to the licensure of any entity pursuant to
18 subsection a. of this section, including any finding of qualification
19 as may be required as a condition of licensure, or the registration of
20 any vendor pursuant to subsection c. of this section, the director
21 may revoke, suspend, limit, or otherwise restrict the license,
22 registration or qualification status upon a finding that the licensee,
23 registrant or qualifier is disqualified on the basis of the criteria set
24 forth in section 86 of P.L.1977, c.110 (C.5:12-86).

25 (2) A hearing prior to the suspension of any license, registration
26 or qualification issued pursuant to this section shall be a limited
27 proceeding at which the division shall have the affirmative
28 obligation to demonstrate that there is a reasonable possibility that
29 the licensee, registrant or qualifier is disqualified on the basis of the
30 criteria set forth in section 86 of P.L.1977, c.110 (C.5:12-86).

31 (cf: P.L.2013, c.27, s.12)

32

33 2. Section 1 of P.L.2018, c.33 (C.5:12A-10) is amended to read
34 as follows:

35 1. As used in this act:

36 **["casino"]** “Casino” means a licensed casino or gambling house
37 located in Atlantic City at which casino gambling is conducted
38 pursuant to the provisions of P.L.1977, c.110 (C.5:12-1 et seq.)**[:]** .

39 **["commission"]** “Commission” means the Casino Control
40 Commission established pursuant to section 50 of P.L.1977, c.110
41 (C.5:12-50)**[:]** .

42 **["collegiate sport or athletic event"]** “Collegiate sport or athletic
43 event” means a sport or athletic event offered or sponsored by or
44 played in connection with a public or private institution that offers
45 educational services beyond the secondary level**[:]** .

46 **["division"]** “Division” means the Division of Gaming
47 Enforcement established pursuant to section 55 of P.L.1977, c.110
48 (C.5:12-55)**[:]** .

1 **["former racetrack"]** “Former racetrack” means any former
2 racetrack where a horse race meeting was conducted within 15
3 years prior to the effective date of P.L.2014, c.62 (C.5:12A-7 et
4 seq.), excluding premises other than the land contained within the
5 racecourse oval**;** .

6 **["Internet sports pool operator"]** “Internet sports pool operator”
7 means an entity that is licensed as a casino service industry
8 enterprise pursuant to section 92 of P.L.1977, c.110 (C.5:12-92)
9 **[and that holds a permit issued by the division to operate an online**
10 **sports pool;** .

11 **["online sports pool"]** “Online sports pool” means a sports
12 wagering operation in which wagers on sports events are made
13 through computers or mobile or interactive devices and accepted at
14 a sports wagering lounge through an online gaming system which is
15 operating pursuant to a sports wagering **[permit] license** issued by
16 the division or racing commission pursuant to P.L.2018, c.33
17 (C.5:12A-10 et al.)**;** .

18 **["operator"]** “Operator” means a casino or a racetrack which has
19 elected to operate a sports pool, either independently or jointly, and
20 any entity with whom a casino or racetrack licensed to operate a
21 sports pool contracts to operate a sports pool or online sports pool,
22 including an Internet sports pool operator, on its behalf**;** .

23 **["professional sport or athletic event"]** “Professional sport or
24 athletic event” means an event at which two or more persons
25 participate in sports or athletic events and receive compensation in
26 excess of actual expenses for their participation in such event**;** .

27 **["prohibited sports event"]** “Prohibited sports event” means any
28 collegiate sport or athletic event that takes place in New Jersey or a
29 sport or athletic event in which any New Jersey college team
30 participates regardless of where the event takes place. A
31 "prohibited sports event" does not include the other games of a
32 collegiate sport or athletic tournament in which a New Jersey
33 college team participates, nor does it include any games of a
34 collegiate tournament that occurs outside New Jersey even though
35 some of the individual games or events are held in New Jersey. A
36 **[prohibited sports event]** “prohibited sports event” includes all high
37 school sports events **[, electronic]**. A “prohibited sports event”
38 includes electronic sports**[,]** and competitive video games **[but]**
39 that are sponsored by or affiliated with a high school or electronic
40 sports and competitive video games and tournaments in which a
41 majority of the competitors are under 18 years of age. A
42 “prohibited sports event” does not include **[international]** sports,
43 electronic sports, or competitive video game events in which
44 persons under age 18 make up a minority of the participants**;** .

45 **["racetrack"]** “Racetrack” means the physical facility and the
46 land, as of the effective date of P.L.2018, c.33 (C.5:12A-10 et al.),
47 where a permit holder conducts a horse race meeting with wagering

1 under a license issued by the racing commission pursuant to
2 P.L.1940, c.17 (C.5:5-22 et seq.), and includes any former
3 racetrack【;】.

4 【"racing commission"】 “Racing Commission” means the New
5 Jersey Racing Commission established by section 1 of P.L.1940,
6 c.17 (C.5:5-22)【;】.

7 【"sports event"】 “Sports event” means any professional sport or
8 athletic event, any Olympic or international sports competition
9 event and any collegiate sport or athletic event, or any portion
10 thereof, including, but not limited to, the individual performance
11 statistics of athletes in a sports event or combination of sports
12 events, except "sports event" shall not include a prohibited sports
13 event or a fantasy sports activity, as defined in section 2 of
14 P.L.2017, c.231 (C.5:20-2)【;】. A “sports event” shall include any
15 live competition or talent contest, including awards competitions
16 and competitive eating contests.

17 【"sports pool"】 “Sports pool” means the business of accepting
18 wagers on any sports event by any system or method of wagering,
19 including but not limited to single-game bets, teaser bets, parlays,
20 over-under, moneyline, pools, exchange wagering, in-game
21 wagering, in-play bets, proposition bets, and straight bets【; and】.

22 【"sports wagering lounge"】 “Sports wagering lounge” means an
23 area wherein a licensed sports pool is operated located in a casino
24 hotel or racetrack.

25 (cf: P.L.2018, c.33, s.1)

26

27 3. Section 2 of P.L.2018, c.33 (C.5:12A-11) is amended to read
28 as follows:

29 2. a. The division shall issue all sports wagering licenses and
30 renewals thereof to casinos. The racing commission shall issue all
31 initial sports wagering licenses to racetracks but the division shall
32 have responsibility for the renewal thereof. In addition to casino
33 games permitted pursuant to the provisions of P.L.1977, c.110
34 (C.5:12-1 et seq.), a casino which holds a sports wagering license
35 issued by the division may operate a sports pool in accordance with
36 the provisions of this act and applicable regulations promulgated
37 pursuant to this act. A racetrack which holds an initial sports
38 wagering license issued by the racing commission or a sports
39 wagering license that has been renewed by the division may operate
40 a sports pool in accordance with the provisions of this act and
41 applicable regulations promulgated pursuant to this act.

42 The division may issue a transactional waiver to allow the
43 continued operation of an established sports wagering lounge and
44 authorization to conduct up to three online sports wagering
45 operations when a racetrack that holds a license issued by the racing
46 commission pursuant to P.L.1940, c.17 (C.5:5-22, et seq.)
47 undergoes a material change in ownership to a degree such that it
48 would be required to file a new application with the racing

1 commission in order to continue to operate pursuant to P.L.1940,
2 c.17 (C.5:5-22 et seq.). A transactional waiver issued pursuant to
3 this section shall be for an initial period of up to six months and
4 may be renewed during the pendency of the racing commission's
5 consideration of a new application for up to three one-year periods,
6 but the division shall have the right to reexamine and rescind the
7 grant of the waiver at any time.

8 A casino which holds a sports wagering license and a racetrack
9 which holds a sports wagering license may enter into an agreement
10 to jointly operate a sports pool at the racetrack, in accordance with
11 the provisions of this act and applicable regulations promulgated
12 pursuant to this act. A casino or racetrack that holds a sports
13 wagering license may conduct an online sports pool or may
14 authorize an internet sports pool operator licensed as a casino
15 service industry enterprise pursuant to section 92 of P.L.1977, c.110
16 (C.5:12-92), or an applicant for such license, to operate an online
17 sports pool on its behalf provided the terms of the agreement are
18 approved by the division【, in the case of a casino, or the racing
19 commission, in the case of a racetrack】; provided, however, that
20 each sports wagering licensee may provide no more than three
21 individually branded websites, each of which may have an
22 accompanying mobile application bearing the same brand as the
23 website for an online sports pool, those websites and mobile
24 applications, in the case of a casino being in addition to or, in the
25 discretion of the casino, in conjunction with, any websites and
26 mobile applications that also offer other types of Internet gaming
27 pursuant to P.L.2013, c.27 (C.5:12-95.17 et seq.). No online sports
28 pool shall be opened to the public, and no sports wagering, except
29 for test purposes, may be conducted therein, until an Internet sports
30 pool operator receives approval from the division 【a permit】 to
31 conduct an online sports pool on behalf of a casino or racetrack that
32 holds a sports wagering license. Sports wagering licensees and
33 operators may provide promotional credits, incentives, bonuses,
34 complimentaries, or similar benefits designed to induce sports
35 betters to wager. The division, in consultation with the
36 commission, shall establish by rule standards governing the
37 provision of these measures. The server or other equipment used by
38 a racetrack to accept wagers at a sports pool or online sports pool
39 shall be located in that racetrack or in any location in Atlantic City
40 which conforms to the requirements of section 20 of P.L.2013, c.27
41 (C.5:12-95.22) and any additional requirements which the division
42 may impose by regulation. The server or other equipment used by a
43 casino to accept wagers at a sports pool or online sports pool shall
44 conform to the requirements of section 20 of P.L.2013, c.27
45 (C.5:12-95.22) and any additional requirements which the division
46 may impose by regulation.

47 With regard to this act, P.L.2018, c.33 (C.5:12A-10 et al.), the
48 duties specified in section 63 of P.L.1977, c.110 (C.5:12-63) of the

1 Casino Control Commission shall apply to the extent not
2 inconsistent with the provisions of this act. In addition to the duties
3 specified in section 76 of P.L.1977, c.110 (C.5:12-76), the division
4 or racing commission, as required pursuant to this act, shall hear
5 and decide promptly and in reasonable order all applications for a
6 license to operate a sports pool. In addition to the duties specified
7 in section 76 of P.L.1977, c.110 (C.5:12-76), the division shall have
8 the general responsibility for the implementation of this act, except
9 with respect to the authority to issue sports wagering licenses to a
10 racetrack as provided by this act, and shall have all other duties
11 specified in that section with regard to the operation of a sports
12 pool.

13 The license to operate a sports pool shall be in addition to any
14 other license required to be issued pursuant to P.L.1977, c.110
15 (C.5:12-1 et seq.) to operate a casino or pursuant to P.L.1940, c. 17
16 (C.5:5-22 et seq.) to conduct horse racing. The division and the
17 racing commission shall each have the authority to charge a casino
18 or a racetrack a fee for the issuance or, in the case of the division
19 renewal, of a sports wagering license in an amount of \$100,000 for
20 initial issuance and in the case of a renewal a reasonable fee that is
21 based upon the expense associated with renewal, enforcement, and
22 gambling addiction programs. No sports wagering license shall be
23 issued by the division or racing commission to any entity unless it
24 has established its financial stability, integrity and responsibility
25 and its good character, honesty and integrity. No casino or
26 racetrack shall be permitted to operate a sports pool or accept
27 wagers via an online sports pool unless a sports wagering lounge is
28 established and has commenced operation in its facility; provided,
29 however, that an applicant for a sports wagering license may
30 petition the agency issuing the sports wagering license pursuant to
31 this act to commence operation of the sports pool at a temporary
32 facility and/or an online sports pool during the pendency of
33 construction of a sports wagering lounge in its facility. Such
34 temporary facility may include, at the discretion of the agency
35 issuing the sports wagering license pursuant to this act, the
36 utilization of designated windows at the current casino cage or
37 racetrack betting window for purposes of placing sports betting
38 wagers and self-service wagering machines located at the racetrack
39 or casino hotel complex. No license to operate a sports pool shall
40 be issued to any entity which is disqualified under the criteria of
41 section 86 of P.L.1977, c.110 (C.5:12-86).

42 No later than five years after the date of the issuance of a license
43 and every five years thereafter or within such lesser periods as the
44 agency issuing the sports wagering license pursuant to this act may
45 direct, a licensee shall submit to the said agency such
46 documentation or information as the division or racing commission
47 may by regulation require, to demonstrate to the satisfaction of the
48 agency that the licensee continues to meet the requirements of the
49 law and regulations.

1 The division and the racing commission following consultation
2 with the sports wagering licensees shall annually cause a report to
3 be prepared and distributed to the Governor on the impact of sports
4 wagering, including Internet wagering on sports events, on problem
5 gamblers and gambling addiction in New Jersey. The report shall
6 be prepared by a private organization or entity with expertise in
7 serving the needs of persons with gambling addictions, which
8 organization or entity shall be selected jointly by the division and
9 the racing commission. The report shall be prepared and distributed
10 under the supervision of, and in coordination with, the division and
11 the racing commission. Any costs associated with the preparation
12 and distribution of the report shall be borne by casino and racetrack
13 licensees who have been authorized by the division or the racing
14 commission to conduct Internet gaming and the division and the
15 racing commission shall be authorized to assess a fee against such
16 licensees for these purposes. The division and the racing
17 commission may also report periodically to the Governor on the
18 effectiveness of the statutory and regulatory controls in place to
19 ensure the integrity of gaming operations through the Internet.

20 b. A sports pool shall be operated in a sports wagering lounge
21 located at a casino or racetrack. A sports wagering lounge may be
22 located at a casino simulcasting facility. The lounge shall conform
23 to all requirements concerning square footage, design, equipment,
24 security measures and related matters which the division shall by
25 regulation prescribe. The space required for the establishment of a
26 lounge shall not reduce the space authorized for casino gaming
27 activities as specified in section 83 of P.L.1977, c.110 (C.5:12-83).

28 c. No sports pool or online sports pool shall be offered or made
29 available for wagering to the public by any entity other than a sports
30 wagering licensee, pursuant to P.L.2018, c.33 (C.5:12A-10 et al.),
31 an applicant for such license, operating such pool on behalf of a
32 licensee, or an Internet sports pool operator, on behalf of a sports
33 wagering licensee. Any person who offers a sports pool or an
34 online sports pool without approval of the division or racing
35 commission to do so is guilty of a crime of the fourth degree and
36 notwithstanding the provisions of N.J.S.2C:43-3, shall be subject to
37 a fine of not more than \$25,000 and in the case of a person other
38 than a natural person, to a fine of not more than \$100,000 and any
39 other appropriate disposition authorized by subsection b. of
40 N.J.S.2C:43-2.

41 d. The operator shall establish or display the odds at which
42 wagers may be placed on sports events.

43 e. An operator shall accept wagers on sports events only from
44 persons physically present in the sports wagering lounge; through
45 self-service wagering machines located in its facility as authorized
46 by the agency issuing the sports wagering license; or through an
47 online sports pool. A person placing a wager on a sports event shall
48 be at least 21 years of age.

49 f. (1) Any person who is:

1 an athlete, coach, referee, or director of a sports governing body
2 or any of its member teams;
3 a sports governing body or any of its member teams;
4 a player or a referee personnel member, in or on any sports event
5 overseen by that person's sports governing body based on publicly
6 available information;
7 a person who holds a position of authority or influence sufficient
8 to exert influence over the participants in a sporting contest,
9 including but not limited to coaches, managers, handlers, athletic
10 trainers, or horse trainers;
11 a person with access to certain types of exclusive information on
12 any sports event overseen by that person's sports governing body
13 based on publicly available information; or
14 a person identified by any lists provided by the sports governing
15 body to the division and the racing commission,
16 shall not be permitted to have any ownership interest in, control
17 of, or otherwise be employed by an operator, a sports wagering
18 licensee, or a facility in which a sports wagering lounge is located
19 or place a wager on a sports event that is overseen by that person's
20 sports governing body based on publicly available information.

21 Any employee of a sports governing body or its member teams
22 who is not prohibited from wagering on a sports event shall,
23 nevertheless, provide notice to the division prior to placing a wager
24 on a sports event. The direct or indirect legal or beneficial owner of
25 10 percent or more of a sports governing body shall not place or
26 accept any wager on a sports event in which any member team of
27 that sports governing body participates. The direct or indirect legal
28 or beneficial owner of 10 percent or more of a member team of a
29 sports governing body shall not place or accept any wager on a
30 sports event in which that member team participates. Any person
31 who violates this paragraph shall be guilty of a disorderly persons
32 offense and shall be fined not less than \$500 and not more than
33 \$1,000.

34 (2) The prohibition set forth in paragraph (1) of this subsection
35 shall not apply to any person who is a direct or indirect owner of a
36 specific sports governing body member team and (i) has less than
37 10 percent direct or indirect ownership interest in a casino or
38 racetrack or (ii) the shares of such person are registered pursuant to
39 section 12 of the Securities Exchange Act of 1934, as amended (15
40 U.S.C. s.781), and the value of the ownership of such team
41 represents less than one percent of the person's total enterprise
42 value.

43 (3) An operator shall adopt procedures to prevent persons from
44 wagering on sports events who are prohibited from placing sports
45 wagers. An operator shall not accept wagers from any person
46 whose identity is known to the operator and:
47 whose name appears on the exclusion list maintained by the
48 division pursuant to section 71 of P.L.1977, c.110 (C.5:12-71);

1 whose name appears on any self-exclusion list maintained by the
2 division pursuant to sections 1 and 2 of P.L.2001, c.39 (C.5:12-71.2
3 and C.5:12-71.3, respectively);

4 who is the operator, director, officer, owner, or employee of the
5 operator or any relative thereof living in the same household as the
6 operator;

7 who has access to nonpublic confidential information held by the
8 operator; or

9 who is an agent or proxy for any other person.

10 (4) An operator shall adopt procedures to obtain personally
11 identifiable information from any individual who places any single
12 wager in an amount of \$10,000 or greater on a sports event while
13 physically present in a racetrack facility or a casino.

14 Sections 1 and 2 of P.L.2002, c.89 (C.5:5-65.1 and C.5:5-65.2,
15 respectively) shall apply to the conduct of sports wagering under
16 this act.

17 g. The holder of a sports wagering license may contract with an
18 entity to conduct that operation, in accordance with the regulations
19 of and approval by the division. That entity shall obtain a license as
20 a casino service industry enterprise prior to the execution of any
21 such contract, and such license shall be issued pursuant to the
22 provisions of P.L.1977, c.110 (C.5:12-1 et seq.) and in accordance
23 with the regulations promulgated by the division in consultation
24 with the commission. That entity shall, upon approval of the
25 division, expand on any initial license granted by the division prior
26 to entering into any such contract. The approval shall be in
27 accordance with the terms and conditions set forth by the division.

28 h. If any provision of this act, P.L.2018, c.33 (C.5:12A-10 et
29 al.), or its application to any person or circumstance, is held invalid,
30 the invalidity shall not affect other provisions or applications of this
31 act which can be given effect without the invalid provision or
32 application, and to this end the provisions of this act are severable.

33 i. An operator shall promptly report to the division:

34 any criminal or disciplinary proceedings commenced against the
35 operator or its employees in connection with the operations of the
36 sports pool or online sports pool;

37 any abnormal betting activity or patterns that may indicate a
38 concern about the integrity of a sports event or events;

39 any other conduct with the potential to corrupt a betting outcome
40 of a sports event for purposes of financial gain, including but not
41 limited to match fixing; and

42 suspicious or illegal wagering activities, including the use of
43 funds derived from illegal activity, wagers to conceal or launder
44 funds derived from illegal activity, use of agents to place wagers, or
45 use of false identification.

46 The division is authorized to share any information under this
47 section with any law enforcement entity, team, sports governing
48 body, or regulatory agency the division deems appropriate.

1 j. An operator shall maintain records of sports wagering
2 operations in accordance with regulations promulgated by the
3 division.

4 k. A sports wagering licensee may, in addition to having a
5 sports wagering lounge, conduct wagering on authorized sports
6 events through one or more kiosks or self-service wagering stations
7 located within its facility. Such self-service wagering stations
8 located at a casino may offer any game authorized under rules
9 established by the division. Such self-service wagering stations
10 located at a racetrack may offer wagering only on authorized sports
11 events and horse races.

12 l. All wagers on sports events authorized under this provision
13 shall be initiated, received and otherwise made within this State
14 unless otherwise determined by the division in accordance with
15 applicable federal and **[state]** State laws. Consistent with the intent
16 of the United States Congress as articulated in the Unlawful Internet
17 Gambling Enforcement Act of 2006 (31 U.S.C. s.5361 et seq.), the
18 intermediate routing of electronic data relating to a lawful intrastate
19 wager authorized under this provision shall not determine the
20 location or locations in which such wager is initiated, received or
21 otherwise made.

22 m. A sports wagering licensee shall not accept any wager on
23 any sports event unless the sports event has been approved for
24 wagering by the director. Except as otherwise provided in this
25 subsection, no sports event shall be approved for wagering unless
26 the director has certified that the sports event has appropriate
27 policies and procedures to monitor the integrity of the athletes or
28 competitors. In the absence of such certification, the director shall
29 impose a wager limit of not more than \$100 or a win limit of \$500,
30 whichever is greater, on the amount permitted to be wagered or won
31 on such competitions or contests by any individual.

32 (cf: P.L.2019, c.266, s.1)

33

34 4. This act shall take effect immediately.

35

36

37

38

39 Revises permit and license processes for sports pools operators
40 and online sports pool operators; revises definitions of certain
41 sports events; allows for transactional waiver for sports wagering
42 lounge.

ASSEMBLY, No. 637

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman RALPH R. CAPUTO

District 28 (Essex)

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

Co-Sponsored by:

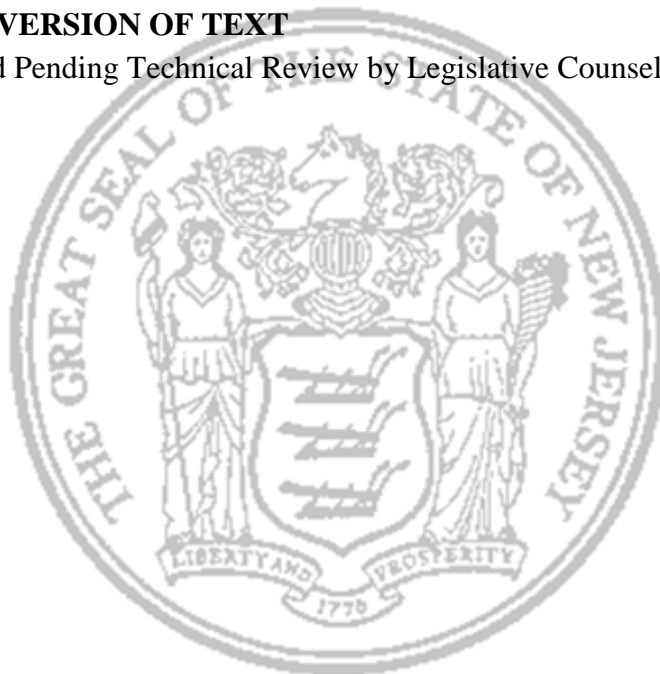
Assemblymen Armato and Mazzeo

SYNOPSIS

Revises permit and license processes for sports pools operators and online sports pool operators; revises definitions of certain sports events; allows for transactional waiver for sports wagering lounge.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/3/2020)

1 AN ACT concerning sports pool operators and wagering on sports,
2 and amending P.L.1977, c.110 and P.L.2018, c.33.

3

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

6

7 1. Section 92 of P.L.1977, c.110 (C.5:12-92) is amended to
8 read as follows:

9 92. Licensing of casino service industry enterprises. a. (1) Any
10 business to be conducted with a casino applicant, racetrack, or
11 licensee by a vendor offering goods or services which directly relate
12 to casino, racetrack, sports wagering, or gaming activity, or Internet
13 gaming activity, including gaming equipment and simulcast
14 wagering equipment manufacturers, suppliers, repairers, and
15 independent testing laboratories, and companies that supply sports
16 wagering equipment or services, shall require licensure as a casino
17 service industry enterprise in accordance with the provisions of this
18 act prior to conducting any business whatsoever with a casino
19 applicant, racetrack, or licensee, its employees or agents; provided,
20 however, that upon a showing of good cause by a casino applicant,
21 racetrack, or licensee, the director may permit an applicant for a
22 casino service industry enterprise license to conduct business
23 transactions with such casino applicant, racetrack, or licensee prior
24 to the licensure of that casino service industry enterprise applicant
25 under this subsection for such periods as the division may establish
26 by regulation. Companies providing services to casino licensees
27 regarding Internet gaming shall, notwithstanding any other
28 provision of P.L.1977, c.110 (C.5:12-1 et seq.), be responsible for
29 the full cost of their licensure, including any investigative costs.

30 In the case of conducting an online sports pool, as that term is
31 defined in section 1 of P.L.2018, c.33 (C.5:12A-10), a vendor that
32 holds an existing casino service industry enterprise license shall,
33 upon the approval of the division, expand on any initial license
34 granted by the division prior to offering goods or services directly
35 related to sports wagering or online sports wagering activities or
36 operations. The approval shall be in accordance with the terms and
37 conditions set forth by the division.

38 (2) In addition to the requirements of paragraph (1) of this
39 subsection, any casino service industry enterprise intending to
40 manufacture, sell, distribute, test or repair slot machines within
41 New Jersey, other than antique slot machines as defined in
42 N.J.S.2C:37-7, shall be licensed in accordance with the provisions
43 of this act prior to engaging in any such activities; provided,
44 however, that upon a showing of good cause by a casino applicant
45 or licensee, the director may permit an applicant for a casino service

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 industry enterprise license to conduct business transactions with the
2 casino applicant or licensee prior to the licensure of that casino
3 service industry enterprise applicant under this subsection for such
4 periods as the division may establish by regulation; and provided
5 further, however, that upon a showing of good cause by an
6 applicant required to be licensed as a casino service industry
7 enterprise pursuant to this paragraph, the director may permit the
8 casino service industry enterprise applicant to initiate the
9 manufacture of slot machines or engage in the sale, distribution,
10 testing or repair of slot machines with any person other than a
11 casino applicant or licensee, its employees or agents, prior to the
12 licensure of that casino service industry enterprise applicant under
13 this subsection.

14 (3) Vendors providing goods and services to casino licensees or
15 applicants ancillary to gaming, including, without limitation, junket
16 enterprises and junket representatives, and any person employed by
17 a junket enterprise or junket representative in a managerial or
18 supervisory position, non-casino applicants or licensees required to
19 hold a casino hotel alcoholic beverage license pursuant to section
20 103 of P.L.1977, c.110 (C.5:12-103), lessors of casino property not
21 required to hold a casino license pursuant to section 82 of P.L.1977,
22 c.110 (C.5:12-82), and licensors of authorized games shall be
23 required to be licensed as an ancillary casino service industry
24 enterprise and shall comply with the standards set forth in
25 paragraph (4) of subsection c. of this section.

26 b. Each casino service industry enterprise required to be
27 licensed pursuant to paragraph (1) of subsection a. of this section,
28 as well as its owners; management and supervisory personnel; and
29 employees if such employees have responsibility for services to a
30 casino applicant or licensee, must qualify under the standards,
31 except residency, established for qualification of a casino key
32 employee under this act, P.L.1977, c.110 (C.5:12-1 et seq.).

33 c. (1) Any vendor that offers goods or services to a casino
34 applicant or licensee that is not included in subsection a. of this
35 section including, but not limited to casino site contractors and
36 subcontractors, shopkeepers located within the approved hotels,
37 gaming schools that possess slot machines for the purpose of
38 instruction, and any non-supervisory employee of a junket
39 enterprise licensed under paragraph (3) of subsection a. of this
40 section, shall be required to register with the division in accordance
41 with the regulations promulgated under this act, P.L.1977, c.110
42 (C.5:12-1 et seq.).

43 (2) Notwithstanding the provisions of paragraph (1) of this
44 subsection, the director may, consistent with the public interest and
45 the policies of this act, direct that individual vendors registered
46 pursuant to paragraph (1) of this subsection be required to apply for
47 either a casino service industry enterprise license pursuant to
48 paragraph (1) of subsection a. of this section, or an ancillary casino
49 service industry enterprise license pursuant to paragraph (3) of

1 subsection a. of this section, as directed by the division, including,
2 without limitation, in-State and out-of-State sending tracks as
3 defined in section 2 of the "Casino Simulcasting Act," P.L.1992,
4 c.19 (C.5:12-192); shopkeepers located within the approved hotels;
5 and gaming schools that possess slot machines for the purpose of
6 instruction. The director may also order that any enterprise licensed
7 as or required to be licensed as an ancillary casino service industry
8 enterprise pursuant to paragraph (3) of subsection a. of this section
9 be required to apply for a casino service industry enterprise license
10 pursuant to paragraph (1) of subsection a. of this section. The
11 director may also, in his discretion, order that an independent
12 software contractor not otherwise required to be registered be either
13 registered as a vendor pursuant to subsection c. of this section or be
14 licensed pursuant to either paragraph (1) or (3) of subsection a. of
15 this section.

16 (3) (Deleted by amendment, P.L.2011, c.19)

17 (4) Each ancillary casino service industry enterprise required to
18 be licensed pursuant to paragraph (3) of subsection a. of this
19 section, as well as its owners, management and supervisory
20 personnel, and employees if such employees have responsibility for
21 services to a casino applicant or licensee, shall establish their good
22 character, honesty and integrity by clear and convincing evidence
23 and shall provide such financial information as may be required by
24 the division. Any enterprise required to be licensed as an ancillary
25 casino service industry enterprise pursuant to this section shall be
26 permitted to transact business with a casino licensee upon filing of
27 the appropriate vendor registration form and application for such
28 licensure.

29 d. Any applicant, licensee or qualifier of a casino service
30 industry enterprise license or of an ancillary casino service industry
31 enterprise license under subsection a. of this section, and any
32 vendor registrant under subsection c. of this section shall be
33 disqualified in accordance with the criteria contained in section 86
34 of **[this act]** P.L.1977, c.110 (C.5:12-86), except that no such
35 ancillary casino service industry enterprise license under paragraph
36 (3) of subsection a. of this section or vendor registration under
37 subsection c. of this section shall be denied or revoked if such
38 vendor registrant can affirmatively demonstrate rehabilitation as
39 provided in subsection d. of section 91 of P.L.1977, c.110 (C.5:12-
40 91).

41 e. No casino service industry enterprise license or ancillary
42 casino service industry enterprise license shall be issued pursuant to
43 subsection a. of this section to any person unless that person shall
44 provide proof of valid business registration with the Division of
45 Revenue in the Department of the Treasury.

46 f. (Deleted by amendment, P.L.2011, c.19)

47 g. For the purposes of this section, each applicant shall submit
48 to the division the name, address, fingerprints and a written consent

1 for a criminal history record background check to be performed, for
2 each person required to qualify as part of the application. The
3 division is hereby authorized to exchange fingerprint data with and
4 receive criminal history record information from the State Bureau
5 of Identification in the Division of State Police and the Federal
6 Bureau of Investigation consistent with applicable State and federal
7 laws, rules and regulations. The applicant shall bear the cost for the
8 criminal history record background check, including all costs of
9 administering and processing the check. The Division of State
10 Police shall promptly notify the division in the event a current or
11 prospective qualifier, who was the subject of a criminal history
12 record background check pursuant to this section, is arrested for a
13 crime or offense in this State after the date the background check
14 was performed.

15 h. (1) Subsequent to the licensure of any entity pursuant to
16 subsection a. of this section, including any finding of qualification
17 as may be required as a condition of licensure, or the registration of
18 any vendor pursuant to subsection c. of this section, the director
19 may revoke, suspend, limit, or otherwise restrict the license,
20 registration or qualification status upon a finding that the licensee,
21 registrant or qualifier is disqualified on the basis of the criteria set
22 forth in section 86 of P.L.1977, c.110 (C.5:12-86).

23 (2) A hearing prior to the suspension of any license, registration
24 or qualification issued pursuant to this section shall be a limited
25 proceeding at which the division shall have the affirmative
26 obligation to demonstrate that there is a reasonable possibility that
27 the licensee, registrant or qualifier is disqualified on the basis of the
28 criteria set forth in section 86 of P.L.1977, c.110 (C.5:12-86).
29 (cf: P.L.2013, c.27, s.12)

30
31 2. Section 1 of P.L.2018, c.33 (C.5:12A-10) is amended to read
32 as follows:

33 1. As used in this act:

34 **["casino"]** “Casino” means a licensed casino or gambling house
35 located in Atlantic City at which casino gambling is conducted
36 pursuant to the provisions of P.L.1977, c.110 (C.5:12-1 et seq.)**;**

37 **["commission"]** “Commission” means the Casino Control
38 Commission established pursuant to section 50 of P.L.1977, c.110
39 (C.5:12-50)**;**

40 **["collegiate sport or athletic event"]** “Collegiate sport or athletic
41 event” means a sport or athletic event offered or sponsored by or
42 played in connection with a public or private institution that offers
43 educational services beyond the secondary level**;**

44 **["division"]** “Division” means the Division of Gaming
45 Enforcement established pursuant to section 55 of P.L.1977, c.110
46 (C.5:12-55)**;**

47 **["former racetrack"]** “Former racetrack” means any former
48 racetrack where a horse race meeting was conducted within 15

1 years prior to the effective date of P.L.2014, c.62 (C.5:12A-7 et
2 seq.), excluding premises other than the land contained within the
3 racecourse oval[;] .

4 **["Internet sports pool operator"]** "Internet sports pool operator"
5 means an entity that is licensed as a casino service industry
6 enterprise pursuant to section 92 of P.L.1977, c.110 (C.5:12-92)
7 **[and that holds a permit issued by the division to operate an online**
8 **sports pool;]** .

9 **["online sports pool"]** "Online sports pool" means a sports
10 wagering operation in which wagers on sports events are made
11 through computers or mobile or interactive devices and accepted at
12 a sports wagering lounge through an online gaming system which is
13 operating pursuant to a sports wagering **[permit] license** issued by
14 the division or racing commission pursuant to P.L.2018, c.33
15 (C.5:12A-10 et al.)[;] .

16 **["operator"]** "Operator" means a casino or a racetrack which has
17 elected to operate a sports pool, either independently or jointly, and
18 any entity with whom a casino or racetrack licensed to operate a
19 sports pool contracts to operate a sports pool or online sports pool,
20 including an Internet sports pool operator, on its behalf[;] .

21 **["professional sport or athletic event"]** "Professional sport or
22 athletic event" means an event at which two or more persons
23 participate in sports or athletic events and receive compensation in
24 excess of actual expenses for their participation in such event[;] .

25 **["prohibited sports event"]** "Prohibited sports event" means any
26 collegiate sport or athletic event that takes place in New Jersey or a
27 sport or athletic event in which any New Jersey college team
28 participates regardless of where the event takes place. A
29 "prohibited sports event" does not include the other games of a
30 collegiate sport or athletic tournament in which a New Jersey
31 college team participates, nor does it include any games of a
32 collegiate tournament that occurs outside New Jersey even though
33 some of the individual games or events are held in New Jersey. A
34 **[prohibited sports event]** "prohibited sports event" includes all high
35 school sports events **[, electronic]**. A "prohibited sports event"
36 includes electronic sports[,] and competitive video games **[but]**
37 that are sponsored by or affiliated with a high school or electronic
38 sports and competitive video games and tournaments in which a
39 majority of the competitors are under 18 years of age. A
40 "prohibited sports event" does not include **[international]** sports,
41 electronic sports, or competitive video game events in which
42 persons under age 18 make up a minority of the participants[;] .

43 **["racetrack"]** "Racetrack" means the physical facility and the
44 land, as of the effective date of P.L.2018, c.33 (C.5:12A-10 et al.),
45 where a permit holder conducts a horse race meeting with wagering
46 under a license issued by the racing commission pursuant to

1 P.L.1940, c.17 (C.5:5-22 et seq.), and includes any former
2 racetrack【;】.

3 【"racing commission"】 "Racing Commission" means the New
4 Jersey Racing Commission established by section 1 of P.L.1940,
5 c.17 (C.5:5-22)【;】.

6 【"sports event"】 "Sports event" means any professional sport or
7 athletic event, any Olympic or international sports competition
8 event and any collegiate sport or athletic event, or any portion
9 thereof, including, but not limited to, the individual performance
10 statistics of athletes in a sports event or combination of sports
11 events, except "sports event" shall not include a prohibited sports
12 event or a fantasy sports activity, as defined in section 2 of
13 P.L.2017, c.231 (C.5:20-2)【;】. A "sports event" shall include any
14 live competition or talent contest, including awards competitions
15 and competitive eating contests.

16 【"sports pool"】 "Sports pool" means the business of accepting
17 wagers on any sports event by any system or method of wagering,
18 including but not limited to single-game bets, teaser bets, parlays,
19 over-under, moneyline, pools, exchange wagering, in-game
20 wagering, in-play bets, proposition bets, and straight bets【; and】.

21 【"sports wagering lounge"】 "Sports wagering lounge" means an
22 area wherein a licensed sports pool is operated located in a casino
23 hotel or racetrack.

24 (cf: P.L.2018, c.33, s.1)

25

26 3. Section 2 of P.L.2018, c.33 (C.5:12A-11) is amended to read
27 as follows:

28 2. a. The division shall issue all sports wagering licenses and
29 renewals thereof to casinos. The racing commission shall issue all
30 initial sports wagering licenses to racetracks but the division shall
31 have responsibility for the renewal thereof. In addition to casino
32 games permitted pursuant to the provisions of P.L.1977, c.110
33 (C.5:12-1 et seq.), a casino which holds a sports wagering license
34 issued by the division may operate a sports pool in accordance with
35 the provisions of this act and applicable regulations promulgated
36 pursuant to this act. A racetrack which holds an initial sports
37 wagering license issued by the racing commission or a sports
38 wagering license that has been renewed by the division may operate
39 a sports pool in accordance with the provisions of this act and
40 applicable regulations promulgated pursuant to this act.

41 The division may issue a transactional waiver to allow the
42 continued operation of an established sports wagering lounge and
43 authorization to conduct up to three online sports wagering
44 operations when a racetrack that holds a license issued by the racing
45 commission pursuant to P.L.1940, c.17 (C.5:5-22, et seq.)
46 undergoes a material change in ownership to a degree such that it
47 would be required to file a new application with the racing
48 commission in order to continue to operate pursuant to P.L.1940,

1 c.17 (C.5:5-22 et seq.). A transactional waiver issued pursuant to
2 this section shall be for an initial period of up to six months and
3 may be renewed during the pendency of the racing commission's
4 consideration of a new application for up to three one-year periods,
5 but the division shall have the right to reexamine and rescind the
6 grant of the waiver at any time.

7 A casino which holds a sports wagering license and a racetrack
8 which holds a sports wagering license may enter into an agreement
9 to jointly operate a sports pool at the racetrack, in accordance with
10 the provisions of this act and applicable regulations promulgated
11 pursuant to this act. A casino or racetrack that holds a sports
12 wagering license may conduct an online sports pool or may
13 authorize an internet sports pool operator licensed as a casino
14 service industry enterprise pursuant to section 92 of P.L.1977, c.110
15 (C.5:12-92), or an applicant for such license, to operate an online
16 sports pool on its behalf provided the terms of the agreement are
17 approved by the division~~],~~ in the case of a casino, or the racing
18 commission, in the case of a racetrack~~];~~ provided, however, that
19 each sports wagering licensee may provide no more than three
20 individually branded websites, each of which may have an
21 accompanying mobile application bearing the same brand as the
22 website for an online sports pool, those websites and mobile
23 applications, in the case of a casino being in addition to or, in the
24 discretion of the casino, in conjunction with, any websites and
25 mobile applications that also offer other types of Internet gaming
26 pursuant to P.L.2013, c.27 (C.5:12-95.17 et seq.). No online sports
27 pool shall be opened to the public, and no sports wagering, except
28 for test purposes, may be conducted therein, until an Internet sports
29 pool operator receives approval from the division ~~【a permit】~~ to
30 conduct an online sports pool on behalf of a casino or racetrack that
31 holds a sports wagering license. Sports wagering licensees and
32 operators may provide promotional credits, incentives, bonuses,
33 complimentaries, or similar benefits designed to induce sports
34 betters to wager. The division, in consultation with the
35 commission, shall establish by rule standards governing the
36 provision of these measures. The server or other equipment used by
37 a racetrack to accept wagers at a sports pool or online sports pool
38 shall be located in that racetrack or in any location in Atlantic City
39 which conforms to the requirements of section 20 of P.L.2013, c.27
40 (C.5:12-95.22) and any additional requirements which the division
41 may impose by regulation. The server or other equipment used by a
42 casino to accept wagers at a sports pool or online sports pool shall
43 conform to the requirements of section 20 of P.L.2013, c.27
44 (C.5:12-95.22) and any additional requirements which the division
45 may impose by regulation.

46 With regard to this act, P.L.2018, c.33 (C.5:12A-10 et al.), the
47 duties specified in section 63 of P.L.1977, c.110 (C.5:12-63) of the
48 Casino Control Commission shall apply to the extent not

1 inconsistent with the provisions of this act. In addition to the duties
2 specified in section 76 of P.L.1977, c.110 (C.5:12-76), the division
3 or racing commission, as required pursuant to this act, shall hear
4 and decide promptly and in reasonable order all applications for a
5 license to operate a sports pool. In addition to the duties specified
6 in section 76 of P.L.1977, c.110 (C.5:12-76), the division shall have
7 the general responsibility for the implementation of this act, except
8 with respect to the authority to issue sports wagering licenses to a
9 racetrack as provided by this act, and shall have all other duties
10 specified in that section with regard to the operation of a sports
11 pool.

12 The license to operate a sports pool shall be in addition to any
13 other license required to be issued pursuant to P.L.1977, c.110
14 (C.5:12-1 et seq.) to operate a casino or pursuant to P.L.1940, c. 17
15 (C.5:5-22 et seq.) to conduct horse racing. The division and the
16 racing commission shall each have the authority to charge a casino
17 or a racetrack a fee for the issuance or, in the case of the division
18 renewal, of a sports wagering license in an amount of \$100,000 for
19 initial issuance and in the case of a renewal a reasonable fee that is
20 based upon the expense associated with renewal, enforcement, and
21 gambling addiction programs. No sports wagering license shall be
22 issued by the division or racing commission to any entity unless it
23 has established its financial stability, integrity and responsibility
24 and its good character, honesty and integrity. No casino or
25 racetrack shall be permitted to operate a sports pool or accept
26 wagers via an online sports pool unless a sports wagering lounge is
27 established and has commenced operation in its facility; provided,
28 however, that an applicant for a sports wagering license may
29 petition the agency issuing the sports wagering license pursuant to
30 this act to commence operation of the sports pool at a temporary
31 facility and/or an online sports pool during the pendency of
32 construction of a sports wagering lounge in its facility. Such
33 temporary facility may include, at the discretion of the agency
34 issuing the sports wagering license pursuant to this act, the
35 utilization of designated windows at the current casino cage or
36 racetrack betting window for purposes of placing sports betting
37 wagers and self-service wagering machines located at the racetrack
38 or casino hotel complex. No license to operate a sports pool shall
39 be issued to any entity which is disqualified under the criteria of
40 section 86 of P.L.1977, c.110 (C.5:12-86).

41 No later than five years after the date of the issuance of a license
42 and every five years thereafter or within such lesser periods as the
43 agency issuing the sports wagering license pursuant to this act may
44 direct, a licensee shall submit to the said agency such
45 documentation or information as the division or racing commission
46 may by regulation require, to demonstrate to the satisfaction of the
47 agency that the licensee continues to meet the requirements of the
48 law and regulations.

1 The division and the racing commission following consultation
2 with the sports wagering licensees shall annually cause a report to
3 be prepared and distributed to the Governor on the impact of sports
4 wagering, including Internet wagering on sports events, on problem
5 gamblers and gambling addiction in New Jersey. The report shall
6 be prepared by a private organization or entity with expertise in
7 serving the needs of persons with gambling addictions, which
8 organization or entity shall be selected jointly by the division and
9 the racing commission. The report shall be prepared and distributed
10 under the supervision of, and in coordination with, the division and
11 the racing commission. Any costs associated with the preparation
12 and distribution of the report shall be borne by casino and racetrack
13 licensees who have been authorized by the division or the racing
14 commission to conduct Internet gaming and the division and the
15 racing commission shall be authorized to assess a fee against such
16 licensees for these purposes. The division and the racing
17 commission may also report periodically to the Governor on the
18 effectiveness of the statutory and regulatory controls in place to
19 ensure the integrity of gaming operations through the Internet.

20 b. A sports pool shall be operated in a sports wagering lounge
21 located at a casino or racetrack. A sports wagering lounge may be
22 located at a casino simulcasting facility. The lounge shall conform
23 to all requirements concerning square footage, design, equipment,
24 security measures and related matters which the division shall by
25 regulation prescribe. The space required for the establishment of a
26 lounge shall not reduce the space authorized for casino gaming
27 activities as specified in section 83 of P.L.1977, c.110 (C.5:12-83).

28 c. No sports pool or online sports pool shall be offered or made
29 available for wagering to the public by any entity other than a sports
30 wagering licensee, pursuant to P.L.2018, c.33 (C.5:12A-10 et al.),
31 an applicant for such license, operating such pool on behalf of a
32 licensee, or an Internet sports pool operator, on behalf of a sports
33 wagering licensee. Any person who offers a sports pool or an
34 online sports pool without approval of the division or racing
35 commission to do so is guilty of a crime of the fourth degree and
36 notwithstanding the provisions of N.J.S.2C:43-3, shall be subject to
37 a fine of not more than \$25,000 and in the case of a person other
38 than a natural person, to a fine of not more than \$100,000 and any
39 other appropriate disposition authorized by subsection b. of
40 N.J.S.2C:43-2.

41 d. The operator shall establish or display the odds at which
42 wagers may be placed on sports events.

43 e. An operator shall accept wagers on sports events only from
44 persons physically present in the sports wagering lounge; through
45 self-service wagering machines located in its facility as authorized
46 by the agency issuing the sports wagering license; or through an
47 online sports pool. A person placing a wager on a sports event shall
48 be at least 21 years of age.

49 f. (1) Any person who is:

1 an athlete, coach, referee, or director of a sports governing body
2 or any of its member teams;
3 a sports governing body or any of its member teams;
4 a player or a referee personnel member, in or on any sports event
5 overseen by that person's sports governing body based on publicly
6 available information;
7 a person who holds a position of authority or influence sufficient
8 to exert influence over the participants in a sporting contest,
9 including but not limited to coaches, managers, handlers, athletic
10 trainers, or horse trainers;
11 a person with access to certain types of exclusive information on
12 any sports event overseen by that person's sports governing body
13 based on publicly available information; or
14 a person identified by any lists provided by the sports governing
15 body to the division and the racing commission,
16 shall not be permitted to have any ownership interest in, control
17 of, or otherwise be employed by an operator, a sports wagering
18 licensee, or a facility in which a sports wagering lounge is located
19 or place a wager on a sports event that is overseen by that person's
20 sports governing body based on publicly available information.
21 Any employee of a sports governing body or its member teams
22 who is not prohibited from wagering on a sports event shall,
23 nevertheless, provide notice to the division prior to placing a wager
24 on a sports event. The direct or indirect legal or beneficial owner of
25 10 percent or more of a sports governing body shall not place or
26 accept any wager on a sports event in which any member team of
27 that sports governing body participates. The direct or indirect legal
28 or beneficial owner of 10 percent or more of a member team of a
29 sports governing body shall not place or accept any wager on a
30 sports event in which that member team participates. Any person
31 who violates this paragraph shall be guilty of a disorderly persons
32 offense and shall be fined not less than \$500 and not more than
33 \$1,000.
34 (2) The prohibition set forth in paragraph (1) of this subsection
35 shall not apply to any person who is a direct or indirect owner of a
36 specific sports governing body member team and (i) has less than
37 10 percent direct or indirect ownership interest in a casino or
38 racetrack or (ii) the shares of such person are registered pursuant to
39 section 12 of the Securities Exchange Act of 1934, as amended (15
40 U.S.C. s.781), and the value of the ownership of such team
41 represents less than one percent of the person's total enterprise
42 value.
43 (3) An operator shall adopt procedures to prevent persons from
44 wagering on sports events who are prohibited from placing sports
45 wagers. An operator shall not accept wagers from any person
46 whose identity is known to the operator and:
47 whose name appears on the exclusion list maintained by the
48 division pursuant to section 71 of P.L.1977, c.110 (C.5:12-71);

1 whose name appears on any self-exclusion list maintained by the
2 division pursuant to sections 1 and 2 of P.L.2001, c.39 (C.5:12-71.2
3 and C.5:12-71.3, respectively);

4 who is the operator, director, officer, owner, or employee of the
5 operator or any relative thereof living in the same household as the
6 operator;

7 who has access to nonpublic confidential information held by the
8 operator; or

9 who is an agent or proxy for any other person.

10 (4) An operator shall adopt procedures to obtain personally
11 identifiable information from any individual who places any single
12 wager in an amount of \$10,000 or greater on a sports event while
13 physically present in a racetrack facility or a casino.

14 Sections 1 and 2 of P.L.2002, c.89 (C.5:5-65.1 and C.5:5-65.2,
15 respectively) shall apply to the conduct of sports wagering under
16 this act.

17 g. The holder of a sports wagering license may contract with an
18 entity to conduct that operation, in accordance with the regulations
19 of and approval by the division. That entity shall obtain a license as
20 a casino service industry enterprise prior to the execution of any
21 such contract, and such license shall be issued pursuant to the
22 provisions of P.L.1977, c.110 (C.5:12-1 et seq.) and in accordance
23 with the regulations promulgated by the division in consultation
24 with the commission. That entity shall, upon approval of the
25 division, expand on any initial license granted by the division prior
26 to entering into any such contract. The approval shall be in
27 accordance with the terms and conditions set forth by the division.

28 h. If any provision of this act, P.L.2018, c.33 (C.5:12A-10 et
29 al.), or its application to any person or circumstance, is held invalid,
30 the invalidity shall not affect other provisions or applications of this
31 act which can be given effect without the invalid provision or
32 application, and to this end the provisions of this act are severable.

33 i. An operator shall promptly report to the division:

34 any criminal or disciplinary proceedings commenced against the
35 operator or its employees in connection with the operations of the
36 sports pool or online sports pool;

37 any abnormal betting activity or patterns that may indicate a
38 concern about the integrity of a sports event or events;

39 any other conduct with the potential to corrupt a betting outcome
40 of a sports event for purposes of financial gain, including but not
41 limited to match fixing; and

42 suspicious or illegal wagering activities, including the use of
43 funds derived from illegal activity, wagers to conceal or launder
44 funds derived from illegal activity, use of agents to place wagers, or
45 use of false identification.

46 The division is authorized to share any information under this
47 section with any law enforcement entity, team, sports governing
48 body, or regulatory agency the division deems appropriate.

1 j. An operator shall maintain records of sports wagering
2 operations in accordance with regulations promulgated by the
3 division.

4 k. A sports wagering licensee may, in addition to having a
5 sports wagering lounge, conduct wagering on authorized sports
6 events through one or more kiosks or self-service wagering stations
7 located within its facility. Such self-service wagering stations
8 located at a casino may offer any game authorized under rules
9 established by the division. Such self-service wagering stations
10 located at a racetrack may offer wagering only on authorized sports
11 events and horse races.

12 l. All wagers on sports events authorized under this provision
13 shall be initiated, received and otherwise made within this State
14 unless otherwise determined by the division in accordance with
15 applicable federal and **[state]** State laws. Consistent with the intent
16 of the United States Congress as articulated in the Unlawful Internet
17 Gambling Enforcement Act of 2006 (31 U.S.C. s.5361 et seq.), the
18 intermediate routing of electronic data relating to a lawful intrastate
19 wager authorized under this provision shall not determine the
20 location or locations in which such wager is initiated, received or
21 otherwise made.

22 m. A sports wagering licensee shall not accept any wager on
23 any sports event unless the sports event has been approved for
24 wagering by the director. Except as otherwise provided in this
25 subsection, no sports event shall be approved for wagering unless
26 the director has certified that the sports event has appropriate
27 policies and procedures to monitor the integrity of the athletes or
28 competitors. In the absence of such certification, the director shall
29 impose a wager limit of not more than \$100 or a win limit of \$500,
30 whichever is greater, on the amount permitted to be wagered or won
31 on such competitions or contests by any individual.

32 (cf: P.L.2019, c.266, s.1)

33

34 4. This act shall take effect immediately.

35

36

37

STATEMENT

38

39 This bill revises the definitions of certain sports events, revises
40 the license processes for sports pools operators and online sports
41 pool operators, allows for a transactional waiver for a sports
42 wagering lounge.

43 This bill requires companies that supply sports wagering
44 equipment or services to casinos, racetracks, or online sports
45 wagering operators to obtain a license as a casino service industry
46 enterprise prior to conducting any business. The bill establishes a
47 process for vendors to expand on the initial casino service industry

1 enterprise license to supply sports wagering equipment and
2 services.

3 Under existing law, the term “sports event” includes a wide
4 variety of events. This bill expands the list of sporting events to
5 include any skill-based attraction, including awards competitions
6 and competitive eating contests. The director of the Division of
7 Gaming Enforcement is required to certify that any sporting event
8 approved for wagering has the appropriate policies and procedures
9 in place to monitor the integrity of the sporting event. In the
10 absence of such policies and procedures, the director will impose a
11 wager limit not more than \$100 or a win limit of \$500, whichever is
12 greater.

13 Under existing law, certain events, such as high school sporting
14 events, are considered “prohibited sports events” and cannot be
15 wagered on. This bill expands on “prohibited sports events” to
16 include electronic sports competitions sponsored by or affiliated
17 with high schools or competitions in which the majority of
18 competitors are under the age of 18. The bill also clarifies the age
19 limit regarding certain sports events to accommodate the growing
20 trend of younger competitors in the video gaming community.

21 In response to the growing online sports wagering industry, this
22 bill allows for a transactional waiver period of six months for
23 racetracks with a sports wagering lounge to continue accepting bets.
24 This allows the racetracks to continue normal operations while
25 adding online sports wagering operations and obtaining the
26 additional licenses from the racing commission and the Division of
27 Gaming Enforcement. The bill allows for a renewal of the
28 transactional waiver up to three one-year periods following the
29 initial waiver, at the discretion of the division.

ASSEMBLY TOURISM, GAMING AND THE ARTS
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 637

STATE OF NEW JERSEY

DATED: MARCH 5, 2020

The Assembly Tourism, Gaming and the Arts Committee reports favorably Assembly Bill No. 637

This bill revises the definitions of certain sports events, revises the license processes for sports pools operators and online sports pool operators, and allows for a transactional waiver for a sports wagering lounge.

This bill requires companies that supply sports wagering equipment or services to casinos, racetracks, or online sports wagering operators to obtain a license as a casino service industry enterprise prior to conducting any business. The bill establishes a process for vendors to expand on the initial casino service industry enterprise license to supply sports wagering equipment and services.

Under existing law, the term “sports event” includes a wide variety of events. This bill expands the list of sporting events to include any skill-based attraction, including awards competitions and competitive eating contests. The director of the Division of Gaming Enforcement is required to certify that any sporting event approved for wagering has the appropriate policies and procedures in place to monitor the integrity of the sporting event. In the absence of such policies and procedures, the director will impose a wager limit not more than \$100 or a win limit of \$500, whichever is greater.

Under existing law, certain events, such as high school sporting events, are considered “prohibited sports events” and cannot be wagered on. This bill expands on “prohibited sports events” to include electronic sports competitions sponsored by or affiliated with high schools or competitions in which the majority of competitors are under the age of 18. The bill also clarifies the age limit regarding certain sports events to accommodate the growing trend of younger competitors in the video gaming community.

In response to the growing online sports wagering industry, this bill allows for a transactional waiver period of six months for racetracks with a sports wagering lounge to continue accepting bets. This allows the racetracks to continue normal operations while adding online sports wagering operations and obtaining the additional licenses from the racing commission and the Division of Gaming Enforcement. The bill allows for a renewal of the transactional waiver up to three

one-year periods following the initial waiver, at the discretion of the division.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE STATE GOVERNMENT, WAGERING, TOURISM &
HISTORIC PRESERVATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 637

STATE OF NEW JERSEY

DATED: MARCH 22, 2021

The Senate State Government, Wagering, Tourism and Historic Preservation Committee reports favorably Assembly Bill No. 637.

This bill revises the definitions of certain sports events, revises the license processes for sports pool operators and online sports pool operators, and allows for a transactional waiver for a sports wagering lounge.

This bill requires companies that supply sports wagering equipment or services to casinos, racetracks, or online sports wagering operators to obtain a license as a casino service industry enterprise prior to conducting any business. The bill establishes a process for vendors to expand on the initial casino service industry enterprise license to supply sports wagering equipment and services.

Under existing law, the term “sports event” includes a wide variety of events. This bill expands the list of sporting events to include any skill-based attraction, including awards competitions and competitive eating contests. The director of the Division of Gaming Enforcement is required to certify that any sporting event approved for wagering has the appropriate policies and procedures in place to monitor the integrity of the sporting event. In the absence of such policies and procedures, the director will impose a wager limit not more than \$100 or a win limit of \$500, whichever is greater.

Under existing law, certain events, such as high school sporting events, are considered “prohibited sports events” and cannot be wagered on. This bill expands on “prohibited sports events” to include electronic sports competitions sponsored by or affiliated with high schools or competitions in which the majority of competitors are under the age of 18. The bill also clarifies the age limit regarding certain sports events to accommodate the growing trend of younger competitors in the video gaming community.

This bill allows for a transactional waiver period of six months for racetracks with a sports wagering lounge to continue accepting bets. This allows the racetracks to continue normal operations while adding online sports wagering operations and obtaining the additional licenses from the racing commission and the Division of

Gaming Enforcement. The bill allows for a renewal of the transactional waiver up to three one-year periods following the initial waiver, at the discretion of the division.

Assembly Bill No. 637 is identical to Senate Bill No. 2670 of the 2020-2021 session.

SENATE, No. 2670

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JULY 6, 2020

Sponsored by:

Senator JAMES BEACH

District 6 (Burlington and Camden)

Co-Sponsored by:

Senator Brown

SYNOPSIS

Revises permit and license processes for sports pools operators and online sports pool operators; revises definitions of certain sports events; allows for transactional waiver for sports wagering lounge.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/22/2021)

S2670 BEACH

2

1 AN ACT concerning sports pool operators and wagering on sports,
2 and amending P.L.1977, c.110 and P.L.2018, c.33.

3

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

6

7 1. Section 92 of P.L.1977, c.110 (C.5:12-92) is amended to read
8 as follows:

9 92. Licensing of casino service industry
10 enterprises. a. (1) Any business to be conducted with a casino
11 applicant, racetrack, or licensee by a vendor offering goods or
12 services which directly relate to casino, racetrack, sports wagering,
13 or gaming activity, or Internet gaming activity, including gaming
14 equipment and simulcast wagering equipment manufacturers,
15 suppliers, repairers, and independent testing laboratories, and
16 companies that supply sports wagering equipment or services, shall
17 require licensure as a casino service industry enterprise in accordance
18 with the provisions of this act prior to conducting any business
19 whatsoever with a casino applicant, racetrack, or licensee, its
20 employees or agents; provided, however, that upon a showing of
21 good cause by a casino applicant, racetrack, or licensee, the director
22 may permit an applicant for a casino service industry enterprise
23 license to conduct business transactions with such casino applicant,
24 racetrack, or licensee prior to the licensure of that casino service
25 industry enterprise applicant under this subsection for such periods
26 as the division may establish by regulation. Companies providing
27 services to casino licensees regarding Internet gaming shall,
28 notwithstanding any other provision of P.L.1977, c.110 (C.5:12-1 et
29 seq.), be responsible for the full cost of their licensure, including any
30 investigative costs.

31 In the case of conducting an online sports pool, as that term is
32 defined in section 1 of P.L.2018, c.33 (C.5:12A-10), a vendor that
33 holds an existing casino service industry enterprise license shall,
34 upon the approval of the division, expand on any initial license
35 granted by the division prior to offering goods or services directly
36 related to sports wagering or online sports wagering activities or
37 operations. The approval shall be in accordance with the terms and
38 conditions set forth by the division.

39 (2) In addition to the requirements of paragraph (1) of this
40 subsection, any casino service industry enterprise intending to
41 manufacture, sell, distribute, test or repair slot machines within New
42 Jersey, other than antique slot machines as defined in N.J.S.2C:37-7,
43 shall be licensed in accordance with the provisions of this act prior
44 to engaging in any such activities; provided, however, that upon a
45 showing of good cause by a casino applicant or licensee, the director

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.

S2670 BEACH

1 may permit an applicant for a casino service industry enterprise
2 license to conduct business transactions with the casino applicant or
3 licensee prior to the licensure of that casino service industry
4 enterprise applicant under this subsection for such periods as the
5 division may establish by regulation; and provided further, however,
6 that upon a showing of good cause by an applicant required to be
7 licensed as a casino service industry enterprise pursuant to this
8 paragraph, the director may permit the casino service industry
9 enterprise applicant to initiate the manufacture of slot machines or
10 engage in the sale, distribution, testing or repair of slot machines with
11 any person other than a casino applicant or licensee, its employees or
12 agents, prior to the licensure of that casino service industry enterprise
13 applicant under this subsection.

14 (3) Vendors providing goods and services to casino licensees or
15 applicants ancillary to gaming, including, without limitation, junket
16 enterprises and junket representatives, and any person employed by
17 a junket enterprise or junket representative in a managerial or
18 supervisory position, non-casino applicants or licensees required to
19 hold a casino hotel alcoholic beverage license pursuant to section 103
20 of P.L.1977, c.110 (C.5:12-103), lessors of casino property not
21 required to hold a casino license pursuant to section 82 of
22 P.L.1977, c.110 (C.5:12-82), and licensors of authorized games shall
23 be required to be licensed as an ancillary casino service industry
24 enterprise and shall comply with the standards set forth in paragraph
25 (4) of subsection c. of this section.

26 b. Each casino service industry enterprise required to be licensed
27 pursuant to paragraph (1) of subsection a. of this section, as well as
28 its owners; management and supervisory personnel; and employees
29 if such employees have responsibility for services to a casino
30 applicant or licensee, must qualify under the standards, except
31 residency, established for qualification of a casino key employee
32 under this act, P.L.1977, c.110 (C.5:12-1 et seq.).

33 c. (1) Any vendor that offers goods or services to a casino
34 applicant or licensee that is not included in subsection a. of this
35 section including, but not limited to casino site contractors and
36 subcontractors, shopkeepers located within the approved hotels,
37 gaming schools that possess slot machines for the purpose of
38 instruction, and any non-supervisory employee of a junket enterprise
39 licensed under paragraph (3) of subsection a. of this section, shall be
40 required to register with the division in accordance with the
41 regulations promulgated under this act, P.L.1977, c.110 (C.5:12-1 et
42 seq.).

43 (2) Notwithstanding the provisions of paragraph (1) of this
44 subsection, the director may, consistent with the public interest and
45 the policies of this act, direct that individual vendors registered
46 pursuant to paragraph (1) of this subsection be required to apply for
47 either a casino service industry enterprise license pursuant to

S2670 BEACH

1 paragraph (1) of subsection a. of this section, or an ancillary casino
2 service industry enterprise license pursuant to paragraph (3) of
3 subsection a. of this section, as directed by the division, including,
4 without limitation, in-State and out-of-State sending tracks as
5 defined in section 2 of the "Casino Simulcasting Act," P.L.1992, c.19
6 (C.5:12-192); shopkeepers located within the approved hotels; and
7 gaming schools that possess slot machines for the purpose of
8 instruction. The director may also order that any enterprise licensed
9 as or required to be licensed as an ancillary casino service industry
10 enterprise pursuant to paragraph (3) of subsection a. of this section
11 be required to apply for a casino service industry enterprise license
12 pursuant to paragraph (1) of subsection a. of this section. The
13 director may also, in his discretion, order that an independent
14 software contractor not otherwise required to be registered be either
15 registered as a vendor pursuant to subsection c. of this section or be
16 licensed pursuant to either paragraph (1) or (3) of subsection a. of
17 this section.

18 (3) (Deleted by amendment, P.L.2011, c.19)

19 (4) Each ancillary casino service industry enterprise required to
20 be licensed pursuant to paragraph (3) of subsection a. of this section,
21 as well as its owners, management and supervisory personnel, and
22 employees if such employees have responsibility for services to a
23 casino applicant or licensee, shall establish their good character,
24 honesty and integrity by clear and convincing evidence and shall
25 provide such financial information as may be required by the
26 division. Any enterprise required to be licensed as an ancillary
27 casino service industry enterprise pursuant to this section shall be
28 permitted to transact business with a casino licensee upon filing of
29 the appropriate vendor registration form and application for such
30 licensure.

31 d. Any applicant, licensee or qualifier of a casino service
32 industry enterprise license or of an ancillary casino service industry
33 enterprise license under subsection a. of this section, and any vendor
34 registrant under subsection c. of this section shall be disqualified in
35 accordance with the criteria contained in section 86 of **[this act]**
36 P.L.1977, c.110 (C.5:12-86), except that no such ancillary casino
37 service industry enterprise license under paragraph (3) of subsection
38 a. of this section or vendor registration under subsection c. of this
39 section shall be denied or revoked if such vendor registrant can
40 affirmatively demonstrate rehabilitation as provided in subsection d.
41 of section 91 of P.L.1977, c.110 (C.5:12-91).

42 e. No casino service industry enterprise license or ancillary
43 casino service industry enterprise license shall be issued pursuant to
44 subsection a. of this section to any person unless that person shall
45 provide proof of valid business registration with the Division of
46 Revenue in the Department of the Treasury.

S2670 BEACH

1 f. (Deleted by amendment, P.L.2011, c.19)

2 g. For the purposes of this section, each applicant shall submit
3 to the division the name, address, fingerprints and a written consent
4 for a criminal history record background check to be performed, for
5 each person required to qualify as part of the application. The
6 division is hereby authorized to exchange fingerprint data with and
7 receive criminal history record information from the State Bureau of
8 Identification in the Division of State Police and the Federal Bureau
9 of Investigation consistent with applicable State and federal laws,
10 rules and regulations. The applicant shall bear the cost for the
11 criminal history record background check, including all costs of
12 administering and processing the check. The Division of State Police
13 shall promptly notify the division in the event a current or prospective
14 qualifier, who was the subject of a criminal history record
15 background check pursuant to this section, is arrested for a crime or
16 offense in this State after the date the background check was
17 performed.

18 h. (1) Subsequent to the licensure of any entity pursuant to
19 subsection a. of this section, including any finding of qualification as
20 may be required as a condition of licensure, or the registration of any
21 vendor pursuant to subsection c. of this section, the director may
22 revoke, suspend, limit, or otherwise restrict the license, registration
23 or qualification status upon a finding that the licensee, registrant or
24 qualifier is disqualified on the basis of the criteria set forth in section
25 86 of P.L.1977, c.110 (C.5:12-86).

26 (2) A hearing prior to the suspension of any license, registration
27 or qualification issued pursuant to this section shall be a limited
28 proceeding at which the division shall have the affirmative obligation
29 to demonstrate that there is a reasonable possibility that the licensee,
30 registrant or qualifier is disqualified on the basis of the criteria set
31 forth in section 86 of P.L.1977, c.110 (C.5:12-86).

32 (cf: P.L.2013, c.27, s.12)

33

34 2. Section 1 of P.L.2018, c.33 (C.5:12A-10) is amended to read
35 as follows:

36 1. As used in this act:

37 **["casino"]** “Casino” means a licensed casino or gambling house
38 located in Atlantic City at which casino gambling is conducted
39 pursuant to the provisions of P.L.1977, c.110 (C.5:12-1 et seq.)**[:]** .

40 **["commission"]** “Commission” means the Casino Control
41 Commission established pursuant to section 50 of P.L.1977, c.110
42 (C.5:12-50)**[:]** .

43 **["collegiate sport or athletic event"]** “Collegiate sport or athletic
44 event” means a sport or athletic event offered or sponsored by or
45 played in connection with a public or private institution that offers
46 educational services beyond the secondary level**[:]**

S2670 BEACH

6

1 **["division"]** “Division” means the Division of Gaming
2 Enforcement established pursuant to section 55 of P.L.1977, c.110
3 (C.5:12-55)**【;】** .

4 **["former racetrack"]** “Former racetrack” means any former
5 racetrack where a horse race meeting was conducted within 15 years
6 prior to the effective date of P.L.2014, c.62 (C.5:12A-7 et seq.),
7 excluding premises other than the land contained within the
8 racecourse oval**【;】** .

9 **["Internet sports pool operator"]** “Internet sports pool operator”
10 means an entity that is licensed as a casino service industry enterprise
11 pursuant to section 92 of P.L.1977, c.110 (C.5:12-92) [and that holds
12 a permit issued by the division to operate an online sports pool**【;】** .

13 **["online sports pool"]** “Online sports pool” means a sports
14 wagering operation in which wagers on sports events are made
15 through computers or mobile or interactive devices and accepted at a
16 sports wagering lounge through an online gaming system which is
17 operating pursuant to a sports wagering **【permit】** license issued by
18 the division or racing commission pursuant to P.L.2018, c.33
19 (C.5:12A-10 et al.)**【;】** .

20 **["operator"]** “Operator” means a casino or a racetrack which has
21 elected to operate a sports pool, either independently or jointly, and
22 any entity with whom a casino or racetrack licensed to operate a
23 sports pool contracts to operate a sports pool or online sports pool,
24 including an Internet sports pool operator, on its behalf**【;】** .

25 **["professional sport or athletic event"]** “Professional sport or
26 athletic event” means an event at which two or more persons
27 participate in sports or athletic events and receive compensation in
28 excess of actual expenses for their participation in such event**【;】** .

29 **["prohibited sports event"]** “Prohibited sports event” means any
30 collegiate sport or athletic event that takes place in New Jersey or a
31 sport or athletic event in which any New Jersey college team
32 participates regardless of where the event takes place. A "prohibited
33 sports event" does not include the other games of a collegiate sport
34 or athletic tournament in which a New Jersey college team
35 participates, nor does it include any games of a collegiate tournament
36 that occurs outside New Jersey even though some of the individual
37 games or events are held in New Jersey. A **【prohibited sports event】**
38 “prohibited sports event” includes all high school sports events
39 **【, electronic】**. A “prohibited sports event” includes electronic
40 sports【,】 and competitive video games **【but】** that are sponsored by
41 or affiliated with a high school or electronic sports and competitive
42 video games and tournaments in which a majority of the competitors
43 are under 18 years of age. A “prohibited sports event” does not
44 include **【international】** sports, electronic sports, or competitive video
45 game events in which persons under age 18 make up a minority of
46 the participants**【;】**

S2670 BEACH

7

1 **["racetrack"]** “Racetrack” means the physical facility and the land,
2 as of the effective date of P.L.2018, c.33 (C.5:12A-10 et al.), where
3 a permit holder conducts a horse race meeting with wagering under a
4 license issued by the racing commission pursuant to P.L.1940, c.17
5 (C.5:5-22 et seq.), and includes any former racetrack**【;】** .

6 **["racing commission"]** “Racing Commission” means the New
7 Jersey Racing Commission established by section 1 of P.L.1940, c.17
8 (C.5:5-22)**【;】** .

9 **["sports event"]** “Sports event” means any professional sport or
10 athletic event, any Olympic or international sports competition event
11 and any collegiate sport or athletic event, or any portion thereof,
12 including, but not limited to, the individual performance statistics of
13 athletes in a sports event or combination of sports events, except
14 "sports event" shall not include a prohibited sports event or a fantasy
15 sports activity, as defined in section 2 of P.L.2017, c.231 (C.5:20-
16 2)**【;】** . A “sports event” shall include any live competition or talent
17 contest, including awards competitions and competitive eating
18 contests.

19 **["sports pool"]** “Sports pool” means the business of accepting
20 wagers on any sports event by any system or method of wagering,
21 including but not limited to single-game bets, teaser bets, parlays,
22 over-under, moneyline, pools, exchange wagering, in-game
23 wagering, in-play bets, proposition bets, and straight bets**【; and】** .

24 **["sports wagering lounge"]** “Sports wagering lounge” means an
25 area wherein a licensed sports pool is operated located in a casino
26 hotel or racetrack.

27 (cf: P.L.2018, c.33, s.1)

28

29 3. Section 2 of P.L.2018, c.33 (C.5:12A-11) is amended to read
30 as follows:

31 2. a. The division shall issue all sports wagering licenses and
32 renewals thereof to casinos. The racing commission shall issue all
33 initial sports wagering licenses to racetracks but the division shall
34 have responsibility for the renewal thereof. In addition to casino
35 games permitted pursuant to the provisions of P.L.1977, c.110
36 (C.5:12-1 et seq.), a casino which holds a sports wagering license
37 issued by the division may operate a sports pool in accordance with
38 the provisions of this act and applicable regulations promulgated
39 pursuant to this act. A racetrack which holds an initial sports
40 wagering license issued by the racing commission or a sports
41 wagering license that has been renewed by the division may operate
42 a sports pool in accordance with the provisions of this act and
43 applicable regulations promulgated pursuant to this act.

44 The division may issue a transactional waiver to allow the
45 continued operation of an established sports wagering lounge and
46 authorization to conduct up to three online sports wagering
47 operations when a racetrack that holds a license issued by the racing

1 commission pursuant to P.L.1940, c.17 (C.5:5-22, et seq.) undergoes
2 a material change in ownership to a degree such that it would be
3 required to file a new application with the racing commission in order
4 to continue to operate pursuant to P.L.1940, c.17 (C.5:5-22 et seq.).
5 A transactional waiver issued pursuant to this section shall be for an
6 initial period of up to six months and may be renewed during the
7 pendency of the racing commission's consideration of a new
8 application for up to three one-year periods, but the division shall
9 have the right to reexamine and rescind the grant of the waiver at any
10 time.

11 A casino which holds a sports wagering license and a racetrack
12 which holds a sports wagering license may enter into an agreement
13 to jointly operate a sports pool at the racetrack, in accordance with
14 the provisions of this act and applicable regulations promulgated
15 pursuant to this act. A casino or racetrack that holds a sports
16 wagering license may conduct an online sports pool or may authorize
17 an internet sports pool operator licensed as a casino service industry
18 enterprise pursuant to section 92 of P.L.1977, c.110 (C.5:12-92), or
19 an applicant for such license, to operate an online sports pool on its
20 behalf provided the terms of the agreement are approved by the
21 division[, in the case of a casino, or the racing commission, in the
22 case of a racetrack]; provided, however, that each sports wagering
23 licensee may provide no more than three individually branded
24 websites, each of which may have an accompanying mobile
25 application bearing the same brand as the website for an online sports
26 pool, those websites and mobile applications, in the case of a casino
27 being in addition to or, in the discretion of the casino, in conjunction
28 with, any websites and mobile applications that also offer other types
29 of Internet gaming pursuant to P.L.2013, c.27 (C.5:12-95.17 et seq.).
30 No online sports pool shall be opened to the public, and no sports
31 wagering, except for test purposes, may be conducted therein, until
32 an Internet sports pool operator receives approval from the division
33 [a permit] to conduct an online sports pool on behalf of a casino or
34 racetrack that holds a sports wagering license. Sports wagering
35 licensees and operators may provide promotional credits, incentives,
36 bonuses, complimentaries, or similar benefits designed to induce
37 sports betters to wager. The division, in consultation with the
38 commission, shall establish by rule standards governing the provision
39 of these measures. The server or other equipment used by a racetrack
40 to accept wagers at a sports pool or online sports pool shall be located
41 in that racetrack or in any location in Atlantic City which conforms
42 to the requirements of section 20 of P.L.2013, c.27 (C.5:12-95.22)
43 and any additional requirements which the division may impose by
44 regulation. The server or other equipment used by a casino to accept
45 wagers at a sports pool or online sports pool shall conform to the
46 requirements of section 20 of P.L.2013, c.27 (C.5:12-95.22) and any
47 additional requirements which the division may impose by
48 regulation.

S2670 BEACH

1 With regard to this act, P.L.2018, c.33 (C.5:12A-10 et al.), the
2 duties specified in section 63 of P.L.1977, c.110 (C.5:12-63) of the
3 Casino Control Commission shall apply to the extent not inconsistent
4 with the provisions of this act. In addition to the duties specified in
5 section 76 of P.L.1977, c.110 (C.5:12-76), the division or racing
6 commission, as required pursuant to this act, shall hear and decide
7 promptly and in reasonable order all applications for a license to
8 operate a sports pool. In addition to the duties specified in section
9 76 of P.L.1977, c.110 (C.5:12-76), the division shall have the general
10 responsibility for the implementation of this act, except with respect
11 to the authority to issue sports wagering licenses to a racetrack as
12 provided by this act, and shall have all other duties specified in that
13 section with regard to the operation of a sports pool.

14 The license to operate a sports pool shall be in addition to any
15 other license required to be issued pursuant to P.L.1977, c.110
16 (C.5:12-1 et seq.) to operate a casino or pursuant to P.L.1940, c. 17
17 (C.5:5-22 et seq.) to conduct horse racing. The division and the
18 racing commission shall each have the authority to charge a casino
19 or a racetrack a fee for the issuance or, in the case of the division
20 renewal, of a sports wagering license in an amount of \$100,000 for
21 initial issuance and in the case of a renewal a reasonable fee that is
22 based upon the expense associated with renewal, enforcement, and
23 gambling addiction programs. No sports wagering license shall be
24 issued by the division or racing commission to any entity unless it
25 has established its financial stability, integrity and responsibility and
26 its good character, honesty and integrity. No casino or racetrack shall
27 be permitted to operate a sports pool or accept wagers via an online
28 sports pool unless a sports wagering lounge is established and has
29 commenced operation in its facility; provided, however, that an
30 applicant for a sports wagering license may petition the agency
31 issuing the sports wagering license pursuant to this act to commence
32 operation of the sports pool at a temporary facility and/or an online
33 sports pool during the pendency of construction of a sports wagering
34 lounge in its facility. Such temporary facility may include, at the
35 discretion of the agency issuing the sports wagering license pursuant
36 to this act, the utilization of designated windows at the current casino
37 cage or racetrack betting window for purposes of placing sports
38 betting wagers and self-service wagering machines located at the
39 racetrack or casino hotel complex. No license to operate a sports
40 pool shall be issued to any entity which is disqualified under the
41 criteria of section 86 of P.L.1977, c.110 (C.5:12-86).

42 No later than five years after the date of the issuance of a license
43 and every five years thereafter or within such lesser periods as the
44 agency issuing the sports wagering license pursuant to this act may
45 direct, a licensee shall submit to the said agency such documentation
46 or information as the division or racing commission may by
47 regulation require, to demonstrate to the satisfaction of the agency

1 that the licensee continues to meet the requirements of the law and
2 regulations.

3 The division and the racing commission following consultation
4 with the sports wagering licensees shall annually cause a report to be
5 prepared and distributed to the Governor on the impact of sports
6 wagering, including Internet wagering on sports events, on problem
7 gamblers and gambling addiction in New Jersey. The report shall be
8 prepared by a private organization or entity with expertise in serving
9 the needs of persons with gambling addictions, which organization
10 or entity shall be selected jointly by the division and the racing
11 commission. The report shall be prepared and distributed under the
12 supervision of, and in coordination with, the division and the racing
13 commission. Any costs associated with the preparation and
14 distribution of the report shall be borne by casino and racetrack
15 licensees who have been authorized by the division or the racing
16 commission to conduct Internet gaming and the division and the
17 racing commission shall be authorized to assess a fee against such
18 licensees for these purposes. The division and the racing commission
19 may also report periodically to the Governor on the effectiveness of
20 the statutory and regulatory controls in place to ensure the integrity
21 of gaming operations through the Internet.

22 b. A sports pool shall be operated in a sports wagering lounge
23 located at a casino or racetrack. A sports wagering lounge may be
24 located at a casino simulcasting facility. The lounge shall conform
25 to all requirements concerning square footage, design, equipment,
26 security measures and related matters which the division shall by
27 regulation prescribe. The space required for the establishment of a
28 lounge shall not reduce the space authorized for casino gaming
29 activities as specified in section 83 of P.L.1977, c.110 (C.5:12-83).

30 c. No sports pool or online sports pool shall be offered or made
31 available for wagering to the public by any entity other than a sports
32 wagering licensee, pursuant to P.L.2018, c.33 (C.5:12A-10 et al.), an
33 applicant for such license, operating such pool on behalf of a
34 licensee, or an Internet sports pool operator, on behalf of a sports
35 wagering licensee. Any person who offers a sports pool or an online
36 sports pool without approval of the division or racing commission to
37 do so is guilty of a crime of the fourth degree and notwithstanding
38 the provisions of N.J.S.2C:43-3, shall be subject to a fine of not more
39 than \$25,000 and in the case of a person other than a natural person,
40 to a fine of not more than \$100,000 and any other appropriate
41 disposition authorized by subsection b. of N.J.S.2C:43-2.

42 d. The operator shall establish or display the odds at which
43 wagers may be placed on sports events.

44 e. An operator shall accept wagers on sports events only from
45 persons physically present in the sports wagering lounge; through
46 self-service wagering machines located in its facility as authorized
47 by the agency issuing the sports wagering license; or through an

S2670 BEACH

1 online sports pool. A person placing a wager on a sports event shall
2 be at least 21 years of age.

3 f. (1) Any person who is:

4 an athlete, coach, referee, or director of a sports governing body
5 or any of its member teams;

6 a sports governing body or any of its member teams;

7 a player or a referee personnel member, in or on any sports event
8 overseen by that person's sports governing body based on publicly
9 available information;

10 a person who holds a position of authority or influence sufficient
11 to exert influence over the participants in a sporting contest,
12 including but not limited to coaches, managers, handlers, athletic
13 trainers, or horse trainers;

14 a person with access to certain types of exclusive information on
15 any sports event overseen by that person's sports governing body
16 based on publicly available information; or

17 a person identified by any lists provided by the sports governing
18 body to the division and the racing commission,

19 shall not be permitted to have any ownership interest in, control
20 of, or otherwise be employed by an operator, a sports wagering
21 licensee, or a facility in which a sports wagering lounge is located or
22 place a wager on a sports event that is overseen by that person's sports
23 governing body based on publicly available information.

24 Any employee of a sports governing body or its member teams
25 who is not prohibited from wagering on a sports event shall,
26 nevertheless, provide notice to the division prior to placing a wager
27 on a sports event. The direct or indirect legal or beneficial owner of
28 10 percent or more of a sports governing body shall not place or
29 accept any wager on a sports event in which any member team of that
30 sports governing body participates. The direct or indirect legal or
31 beneficial owner of 10 percent or more of a member team of a sports
32 governing body shall not place or accept any wager on a sports event
33 in which that member team participates. Any person who violates
34 this paragraph shall be guilty of a disorderly persons offense and shall
35 be fined not less than \$500 and not more than \$1,000.

36 (2) The prohibition set forth in paragraph (1) of this subsection
37 shall not apply to any person who is a direct or indirect owner of a
38 specific sports governing body member team and (i) has less than 10
39 percent direct or indirect ownership interest in a casino or racetrack
40 or (ii) the shares of such person are registered pursuant to section 12
41 of the Securities Exchange Act of 1934, as amended (15 U.S.C.
42 s.781), and the value of the ownership of such team represents less
43 than one percent of the person's total enterprise value.

44 (3) An operator shall adopt procedures to prevent persons from
45 wagering on sports events who are prohibited from placing sports
46 wagers. An operator shall not accept wagers from any person whose
47 identity is known to the operator and:

S2670 BEACH

12

- 1 whose name appears on the exclusion list maintained by the
- 2 division pursuant to section 71 of P.L.1977, c.110 (C.5:12-71);
- 3 whose name appears on any self-exclusion list maintained by the
- 4 division pursuant to sections 1 and 2 of P.L.2001, c.39 (C.5:12-71.2
- 5 and C.5:12-71.3, respectively);
- 6 who is the operator, director, officer, owner, or employee of the
- 7 operator or any relative thereof living in the same household as the
- 8 operator;
- 9 who has access to nonpublic confidential information held by the
- 10 operator; or
- 11 who is an agent or proxy for any other person.

12 (4) An operator shall adopt procedures to obtain personally

13 identifiable information from any individual who places any single

14 wager in an amount of \$10,000 or greater on a sports event while

15 physically present in a racetrack facility or a casino.

16 Sections 1 and 2 of P.L.2002, c.89 (C.5:5-65.1 and C.5:5-65.2,

17 respectively) shall apply to the conduct of sports wagering under this

18 act.

19 g. The holder of a sports wagering license may contract with an

20 entity to conduct that operation, in accordance with the regulations

21 of and approval by the division. That entity shall obtain a license as

22 a casino service industry enterprise prior to the execution of any such

23 contract, and such license shall be issued pursuant to the provisions

24 of P.L.1977, c.110 (C.5:12-1 et seq.) and in accordance with the

25 regulations promulgated by the division in consultation with the

26 commission. That entity shall, upon approval of the division, expand

27 on any initial license granted by the division prior to entering into

28 any such contract. The approval shall be in accordance with the terms

29 and conditions set forth by the division.

30 h. If any provision of this act, P.L.2018, c.33 (C.5:12A-10 et al.),

31 or its application to any person or circumstance, is held invalid, the

32 invalidity shall not affect other provisions or applications of this act

33 which can be given effect without the invalid provision or

34 application, and to this end the provisions of this act are severable.

35 i. An operator shall promptly report to the division:

36 any criminal or disciplinary proceedings commenced against the

37 operator or its employees in connection with the operations of the

38 sports pool or online sports pool;

39 any abnormal betting activity or patterns that may indicate a

40 concern about the integrity of a sports event or events;

41 any other conduct with the potential to corrupt a betting outcome

42 of a sports event for purposes of financial gain, including but not

43 limited to match fixing; and

44 suspicious or illegal wagering activities, including the use of funds

45 derived from illegal activity, wagers to conceal or launder funds

46 derived from illegal activity, use of agents to place wagers, or use of

47 false identification.

S2670 BEACH

13

1 The division is authorized to share any information under this
2 section with any law enforcement entity, team, sports governing
3 body, or regulatory agency the division deems appropriate.

4 j. An operator shall maintain records of sports wagering
5 operations in accordance with regulations promulgated by the
6 division.

7 k. A sports wagering licensee may, in addition to having a sports
8 wagering lounge, conduct wagering on authorized sports events
9 through one or more kiosks or self-service wagering stations located
10 within its facility. Such self-service wagering stations located at a
11 casino may offer any game authorized under rules established by the
12 division. Such self-service wagering stations located at a racetrack
13 may offer wagering only on authorized sports events and horse races.

14 l. All wagers on sports events authorized under this provision
15 shall be initiated, received and otherwise made within this State
16 unless otherwise determined by the division in accordance with
17 applicable federal and [state] State laws. Consistent with the intent
18 of the United States Congress as articulated in the Unlawful Internet
19 Gambling Enforcement Act of 2006 (31 U.S.C. s.5361 et seq.), the
20 intermediate routing of electronic data relating to a lawful intrastate
21 wager authorized under this provision shall not determine the
22 location or locations in which such wager is initiated, received or
23 otherwise made.

24 m. A sports wagering licensee shall not accept any wager on any
25 sports event unless the sports event has been approved for wagering
26 by the director. Except as otherwise provided in this subsection, no
27 sports event shall be approved for wagering unless the director has
28 certified that the sports event has appropriate policies and procedures
29 to monitor the integrity of the athletes or competitors. In the absence
30 of such certification, the director shall impose a wager limit of not
31 more than \$100 or a win limit of \$500, whichever is greater, on the
32 amount permitted to be wagered or won on such competitions or
33 contests by any individual.

34 (cf: P.L.2019, c.266, s.1)

35
36 4. This act shall take effect immediately.
37

38
39 STATEMENT
40

41 This bill revises the definitions of certain sports events, revises the
42 license processes for sports pools operators and online sports pool
43 operators, allows for a transactional waiver for a sports wagering
44 lounge.

45 This bill requires companies that supply sports wagering
46 equipment or services to casinos, racetracks, or online sports
47 wagering operators to obtain a license as a casino service industry
48 enterprise prior to conducting any business. The bill establishes a

S2670 BEACH

14

1 process for vendors to expand on the initial casino service industry
2 enterprise license to supply sports wagering equipment and services.

3 Under existing law, the term “sports event” includes a wide
4 variety of events. This bill expands the list of sporting events to
5 include any skill-based attraction, including awards competitions and
6 competitive eating contests. The director of the Division of Gaming
7 Enforcement is required to certify that any sporting event approved
8 for wagering has the appropriate policies and procedures in place to
9 monitor the integrity of the sporting event. In the absence of such
10 policies and procedures, the director will impose a wager limit not
11 more than \$100 or a win limit of \$500, whichever is greater.

12 Under existing law, certain events, such as high school sporting
13 events, are considered “prohibited sports events” and cannot be
14 wagered on. This bill expands on “prohibited sports events” to
15 include electronic sports competitions sponsored by or affiliated with
16 high schools or competitions in which the majority of competitors are
17 under the age of 18. The bill also clarifies the age limit regarding
18 certain sports events to accommodate the growing trend of younger
19 competitors in the video gaming community.

20 In response to the growing online sports wagering industry, this
21 bill allows for a transactional waiver period of six months for
22 racetracks with a sports wagering lounge to continue accepting bets.
23 This allows the racetracks to continue normal operations while
24 adding online sports wagering operations and obtaining the
25 additional licenses from the racing commission and the Division of
26 Gaming Enforcement. The bill allows for a renewal of the
27 transactional waiver up to three one-year periods following the initial
28 waiver, at the discretion of the division.

SENATE STATE GOVERNMENT, WAGERING, TOURISM &
HISTORIC PRESERVATION COMMITTEE

STATEMENT TO

SENATE, No. 2670

STATE OF NEW JERSEY

DATED: MARCH 22, 2021

The Senate State Government, Wagering, Tourism and Historic Preservation Committee reports favorably Senate Bill No. 2670.

This bill revises the definitions of certain sports events, revises the license processes for sports pool operators and online sports pool operators, and allows for a transactional waiver for a sports wagering lounge.

This bill requires companies that supply sports wagering equipment or services to casinos, racetracks, or online sports wagering operators to obtain a license as a casino service industry enterprise prior to conducting any business. The bill establishes a process for vendors to expand on the initial casino service industry enterprise license to supply sports wagering equipment and services.

Under existing law, the term “sports event” includes a wide variety of events. This bill expands the list of sporting events to include any skill-based attraction, including awards competitions and competitive eating contests. The director of the Division of Gaming Enforcement is required to certify that any sporting event approved for wagering has the appropriate policies and procedures in place to monitor the integrity of the sporting event. In the absence of such policies and procedures, the director will impose a wager limit not more than \$100 or a win limit of \$500, whichever is greater.

Under existing law, certain events, such as high school sporting events, are considered “prohibited sports events” and cannot be wagered on. This bill expands on “prohibited sports events” to include electronic sports competitions sponsored by or affiliated with high schools or competitions in which the majority of competitors are under the age of 18. The bill also clarifies the age limit regarding certain sports events to accommodate the growing trend of younger competitors in the video gaming community.

This bill allows for a transactional waiver period of six months for racetracks with a sports wagering lounge to continue accepting bets. This allows the racetracks to continue normal operations while adding online sports wagering operations and obtaining the additional licenses from the racing commission and the Division of

Gaming Enforcement. The bill allows for a renewal of the transactional waiver up to three one-year periods following the initial waiver, at the discretion of the division.

Senate Bill No. 2670 is identical to Assembly Bill No. 637 of the 2020-2021 session.

Governor Murphy Takes Action on Legislation

11/8/2021

TRENTON – Today, Governor Murphy signed the following bills into law:

S-249/A-1259 (Singleton, Turner/Schaer, DeCroce, Vainieri Huttle) – Requires pharmacy benefits manager providing services within Medicaid program to disclose certain information to DHS

S-324/A-3533 (Diegnan, A.M. Bucco/Benson, Freiman, DeCroce) – Authorizes operators of motor vehicles to display electronic proof of registration; requires MVC to send application for registration renewal to lessee of leased vehicle

SCS for S-399 and 1645/ACS for A-869 and 1380 (Lagana, Weinberg, Stack, Turner, Cunningham/Chiaravalloti, Holley) – Requires residential landlords to install covers on steam radiators upon request of tenant

S-537/A-3110 (Codey/McKeon, Verrelli, Vainieri Huttle) – Establishes certain minimum and maximum temperatures in rooming and boarding houses, dementia care homes, and certain nursing homes and residential health care facilities

S-550/A-1616 (Codey, Pennacchio/Lampitt, Conaway, Vainieri Huttle) – Requires certain student identification cards to contain telephone number for suicide prevention hotline

SCS for S-647/A-4825 (Greenstein, Singleton/McKeon, Karabinchak, Stanley) – Revises cybersecurity, asset management, and related reporting requirements in “Water Quality Accountability Act”

S-828/A-2101 (Lagana, Greenstein/Swain, Tully, Verrelli) – Requires public utilities and local units to provide notice prior to initiating certain infrastructure projects

S-829/A-2135 (Lagana, Singleton/Tully, Swain, Murphy) – Requires property condition disclosure statement to indicate presence of lead plumbing in residential property

S-830/A-2134 (Lagana, Greenstein/Tully, Swain, Conaway) – Requires public water systems to offer drinking water tests to customers in certain circumstances

S-894/A-3874 (Pou, Greenstein/Lopez, Vainieri Huttle) – Prohibits sale of paint or coating removal products that contain methylene chloride unless purchaser meets certain safety standards for use

S-1010/A-2103 (Lagana, Turner/Swain, Tully, Johnson) – Permits counties and municipalities to bond for alternative fuel vehicles

S-1047/A-1712 (Cryan, Pou/Burzichelli, Karabinchak, Giblin) – Concerns disclosure of certain information prior to sale of real estate

S-1148/A-1221 (Ruiz, Pou/Chaparro, Speight, Wimberly) – Requires emergency contact information and access instructions for social services hotline to be provided to tenants of multiple dwellings

S-1239/A-5131 (Codey/McKeon, Danielsen, Jasey) – Authorizes imposition of fee for connection to municipal electric distribution system

S-1259/A-2628 (Singleton/Murphy) – Concerns labor contractors

S-1726/A-795 (Lagana, Pou/Verrelli, Swain, Zwicker) – Prohibits sale of cosmetic products that have been tested on animals

- S-2727/A-4775 (Pennacchio, Pou/Vainieri Huttle, Jasey, McKnight)** – Establishes Multigenerational Family Housing Continuity Commission; provides municipal guidance to periodically analyze local advancement of commission’s senior citizen housing recommendations
- S-2861/A-5390 (Singleton, Addiego/Quijano, McKnight, Speight)** – Concerns certain restrictive covenants on real property
- S-2996/A-5019 (Testa, Sweeney/McClellan, Taliaferro, Johnson)** – Allows Board of Cosmetology and Hairstyling licensees to operate mobile facilities when providing services
- S-3000/A-4688 (Weinberg, Greenstein/Benson, Verrelli, Vainieri Huttle)** – Codifies and establishes certain network adequacy standards for pediatric primary and specialty care in Medicaid program
- S-3032/A-4855 (Sweeney, Vitale/Benson, Vainieri Huttle, Chiaravalloti)** – Requires DOH to develop Statewide plan for infection control and prevention infrastructure improvements in nursing homes
- S-3091/A-4933 (Addiego, Bateman/Burzichelli, Benson, Mukherji)** – Requires builders to offer unit concrete products that utilize carbon footprint-reducing technology as option in new construction; establishes tax incentives, and State and local purchasing requirements, for unit concrete products that utilize carbon footprint-reducing technology
- S-3253/A-2619 (Singleton, Ruiz/Murphy, Speight, Mukherji)** – Establishes alternate route to expedite certification of teachers at early college high school programs
- S-3318/A-5893 (Sweeney, Pou/Vainieri Huttle, Caputo, Karabinchak)** – Provides for voluntary contributions by taxpayers on gross income tax returns for Special Olympics New Jersey
- S-3590/A-5536 (Diegnan, Turner/Burzichelli, Giblin)** – Allows formation of limited liability companies by real estate salespersons and broker-salespersons to receive commission income and requires certain disclosures on promotions
- S-3811/A-5769 (Sweeney, Scutari/Reynolds-Jackson, Quijano, Carter)** – Establishes Kean University as public urban research university
- S-3948/A-5896 (Addiego, Gopal/Houghtaling, Downey)** – Authorizes supplemental State aid to school districts receiving certain federal Impact Aid; makes appropriation
- SJR-41/AJR-33 (Cruz-Perez, Addiego/Lopez, McKnight)** – Designates June 2 of each year as “Gun Violence Awareness Day”
- SJR-109/AJR-208 (Weinberg, Pou/McKnight, Benson, Vainieri Huttle)** – Condemns hate and violent extremism and commits to defense of safe and just democracy
- A-637/S-2670 (Caputo, Dancer, Houghtaling/Beach)** – Revises permit and license processes for sports pools operators and online sports pool operators; revises definitions of certain sports events; allows for transactional waiver for sports wagering lounge
- A-853/S-797 (Chiaravalloti, Karabinchak, McKnight/Cunningham, Doherty)** – Prohibits municipal licensure of children operating temporary businesses
- A-2311/S-356 (Calabrese, Jasey/Cryan, Codey)** – Establishes study commission to examine development of mutually beneficial relationships between institutions of higher education and municipalities
- A-3027/S-793 (Lampitt, Jasey, Houghtaling/Cunningham, Singleton)** – Commits \$3 million from Supplemental Workforce Fund for Basic Skill to NJ Community College Consortium for Workforce and Economic Development
- ACS for A-3352/S-3504 (Kennedy, Stanley, Calabrese/Smith)** – Requires certain newly constructed warehouses to be solar-ready buildings

A-3897/S-3263 (Armato, Mazzeo, DiMaso/Beach, Gopal) – Increases fee for New Jersey Waterfowl Stamps

A-4138/S-2701 (Vainieri Huttle, Benson, Giblin/Gopal, Codey) – Requires Department of Human Services to develop public emergency response plan for licensed providers of services to individuals with developmental disabilities

A-4367/S-2794 (Mukherji, Sumter, Taliaferro/Pou, Scutari) – Provides that AOC shall administer program for municipal courts allowing defendants to engage in online plea negotiations, entry of guilty plea, and payment of fine or penalty

A-4484/S-3153 (McKnight, Kennedy, Mukherji, Gove/Pou, Vitale) – Requires State Long-Term Care Ombudsman to establish long-term care advocacy and educational training program

A-4538/S-3131 (Lampitt, Quijano/Pou, A.M. Bucco) – Requires dental insurers to provide credits for reduced usage during coronavirus disease 2019 pandemic

A-4544/S-3150 (Caputo, Jasey, Murphy/Pou, Codey) – Permits school nurse who is retired from TPAF to return to employment for up to two years without reenrollment in TPAF

A-4633/S-2856 (Giblin, DeCroce/Pou) – Permits certain nonresident Certified Public Accountants to provide attest services

A-4831/S-3953 (Chaparro, Kennedy, Murphy/Scutari) – Clarifies classification in this State of criminal offenses committed in other states or under federal law

A-4836/S-3313 (Giblin, Benson, Downey/Pou, Turner) – Establishes task force to evaluate quality, efficacy, costs, and educational outcomes of online courses offered by public and independent institutions of higher education and degree-granting proprietary institutions during COVID-19 pandemic

A-4861/S-3041 (Vainieri Huttle, Armato, Verrelli/Vitale, Gopal) – Requires DOH to publish total number of COVID-19 deaths and cases in long-term care facilities

A-4869/S-2414 (Wirths, Verrelli, Space/Singleton, Madden) – Requires certain bidders for prevailing wage public work to provide proof that prevailing wage will be paid

A-5059/S-3031 (Conaway, Vainieri Huttle, Benson/Sweeney, Vitale) – Requires DOH to establish certain nursing education and professional advancement programs

A-5212/S-3638 (Conaway, Verrelli, Karabinchak/Turner, Diegnan) – Permits dentists to administer vaccines under certain circumstances

A-5751/S-3823 (Swain, Timberlake, Carter, Johnson/Weinberg, Gopal) – Expands State corrections officers training to include topics contributing to their core mission of treating inmates with dignity, fairness, and respect

A-5817/S-3852 (Tully, Swain, Benson/Lagana, Diegnan) – Revises violation and fines for approving or assigning unauthorized individuals as school bus drivers

A-5818/S-3849 (Tully, Swain, Benson/Lagana, Diegnan) – Provides for debarment of school bus contractors for certain violations; requires certain information in pupil transportation contract bid

AJR-204/SJR-105 (Jasey, Benson, Reynolds-Jackson/Cunningham, T. Kean) – Designates April of each year as “Educational Opportunity Fund (EOF) Month” in New Jersey

AJR-238/SJR-123 (Burzichelli/Sweeney, Singleton) – Urges U.S. President and EPA to take appropriate action, through waivers and other reforms, to allow blending of renewable fuels under the federal “Clean Air Act”

Governor Murphy conditionally vetoed the following bills:

S-108/A-169 (Gill, Turner/Caputo, Wirths) – **CONDITIONAL** - Concerns speech rights of student journalists at public schools and public institutions of higher education

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S-2078/A-5008 (Weinberg, Addiego/Lampitt, Benson, Vainieri Huttie) – CONDITIONAL - Establishes “Stillbirth Resource Center” and regional Fetal and Infant Mortality Review Committee, and programs for the prevention and reduction of incidences of stillbirth; expands list of professionals authorized to provide stillbirth-related care

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S-2160/A-5701 (Sweeney, Oroho, Singer/Carter, Lampitt, Jasey) – CONDITIONAL - Creates special education unit within the Office of Administrative Law; requires annual report

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S-2525/A-4274 (Rice, Singleton, Turner/Conaway, Sumter, Stanley) – CONDITIONAL - Expands powers and duties of State Chief Diversity Officer to promote diversity in State government and public contracting

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S-2559/ACS for A-4179 and 4200 (Gopal, Gill/Downey, Conaway, Benson, Houghtaling, Karabinchak) – CONDITIONAL - Revises requirements for health insurance providers and Medicaid to cover services provided using telemedicine and telehealth; appropriates \$5 million

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S-2834/A-5312 (Ruiz, Cunningham/Quijano, Lampitt, McKnight) – CONDITIONAL - Mandates training on culturally responsive teaching for all candidates for teaching certification

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S-2953/A-4785 (Sweeney, Cunningham/Quijano, Verrelli, Mukherji) – CONDITIONAL - Expands scope of inmate reentry assistance and benefits

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S-3238/A-5213 (Ruiz, Pou/Verrelli, McKnight, McKeon) – CONDITIONAL - Establishes New Jersey Easy Enrollment Health Insurance Program

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S-3488/A-5537 (Sweeney, Gopal, O'Scanlon/Burzichelli, Dancer, Spearman) – CONDITIONAL - Modifies certain procedures pertaining to school district regionalization; establishes grant program for cost reimbursement of conducting regionalization feasibility studies; and provides financial incentives for regionalization

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S-3867/A-5868 (Addiego, Singleton/Benson, Verrelli, Vainieri Huttie) – CONDITIONAL - Establishes Opioid Recovery and Remediation Fund and Opioid Recovery and Remediation Fund Advisory Council; provides for funds received from opioid settlements to support substance use disorder prevention and treatment programs

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S-3955/A-5905 (Ruiz/Timberlake, Speight, Spearman) – CONDITIONAL - Establishes “Rental Assistance Navigation Program” in DCA; makes appropriation

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A-1533/S-3321 (Spearman, Reynolds-Jackson, Schaer/Stack, Turner) – CONDITIONAL - Requires reservation of portion of tenant-based vouchers under State rental assistance program for persons displaced due to redevelopment of an affordable housing development; provides displaced persons with affordable housing priority status

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A-2455/S-2204 (Benson, Vainieri Huttie, DeAngelo/Greenstein, Oroho) – CONDITIONAL - Establishes pilot program in DOE to support FIRST Robotics Programs in school districts

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A-3062/S-1196 (Pintor Marin, Moen, Reynolds-Jackson/Pou, Cruz-Perez) – CONDITIONAL - Establishes three year Financial Empowerment Pilot Program

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A-4002/S-2257 (Caputo, Dancer, Murphy/Gopal, Sarlo) – CONDITIONAL - Allows deduction of promotional gaming credit from gross revenue on sports wagering

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A-4433/S-2715 (Greenwald, Mukherji, Lampitt/Beach, Corrado) – CONDITIONAL - Creates grant program to encourage school districts to partner with institutions of higher education in training school-based mental health services providers

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A-4435/S-2717 (Verrelli, Greenwald, Speight, Lampitt/Beach, Corrado) – CONDITIONAL - Requires DCF to give priority to certain school districts with student mental health counseling centers in awarding grants under School Based Youth Services Program

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A-4630/S-577 (Burzichelli/Madden, Singleton) – CONDITIONAL - Concerns labor harmony agreements in retail and distribution center projects

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A-4746/S-3947 (Mosquera, Lopez, Chaparro, Dunn/Vitale, Turner) – CONDITIONAL - Requires that certain provider subsidy payments for child care services be based on enrollment

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A-4834/S-3474 (Mazzeo, Quijano, Downey/Pou, Turner) – CONDITIONAL - Requires disclosure letter be included with mail falsely implying State government connection

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A-4850/S-3095 (Karabinchak, Freiman, Calabrese, Greenwald/Diegnan) – CONDITIONAL - Establishes expedited construction inspection program

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A-5033/S-3279 (Benson, Dancer, Verrelli/Gopal) – CONDITIONAL - Authorizes motor vehicle dealers to sell motor vehicles online and obtain electronic signatures for motor vehicle transactions

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A-5353/S-3421 (Conaway, Vainieri Huttie, Benson/Madden, Turner) – CONDITIONAL - Provides for certification of temporary nurse aides

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A-5599/S-3916 (Chiaravalloti, Vainieri Huttie, McKnight/Scutari, Gill) – CONDITIONAL - Establishes order of protection for current or former judge; upgrades and clarifies harassment against current or former judge; bars firearms possession by persons against whom current or former judge order of protection is entered

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A-5864/S-3939 (Speight, Pintor Marin, Chaparro, McKnight, DeAngelo, Bergen/Gopal, Cryan) – CONDITIONAL - Allows law enforcement officers to review body worn camera recordings prior to creating initial report

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Governor Murphy absolute vetoed the following bills:

S-415/A-4685 (Turner/Quijano, Verrelli) – ABSOLUTE - Requires reentry assistance to be provided to certain inmates who have served their maximum sentence

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S-969/ACS for A-2687 (Ruiz, Turner/Mazzeo, Lampitt, Moen) – CONDITIONAL - Establishes loan redemption program for teachers in certain fields to redeem loan amounts received under New Jersey College Loans to Assist State Students Loan Program through employment in certain low performing schools

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S-2261/A-4265 (Singleton/Conaway) – ABSOLUTE - Revises law relating to common interest communities

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S-2347/A-4030 (Sweeney, Greenstein, T. Kean/Mukherji, Benson, Murphy) – ABSOLUTE - Establishes Employment and Business-Related Tax Deferral Assistance Program in EDA to allow small businesses to defer the payment and remittance of certain employment and business-related taxes during COVID-19 public health emergency

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S-3093/A-4910 (Gopal, Sweeney, Singleton/Burzichelli, Johnson, Danielsen) – ABSOLUTE - Establishes county-based mitigation plan to allow businesses to operate during pandemic

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S-3505/A-5371 (Scutari, Weinberg/Mukherji, Johnson, Quijano) – ABSOLUTE - Requires assignment of unemployment claims handlers to legislative districts and partisan offices during COVID-19 pandemic state of emergency; appropriates \$1.8 million

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S-3868/A-5895 (Sarlo/Giblin) – ABSOLUTE - Concerns construction code enforcing agency fee revenue

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A-2722/S-1862 (Mukherji/Gopal, Oroho) – ABSOLUTE - Requires Commissioner of Corrections to institute 30-minute shift overlap in State correctional facilities

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A-4297/S-2631 (Houghtaling, Downey, Space/Gopal, Oroho) – ABSOLUTE - Permits conduct of bingos and raffles remotely; permits online sale of tickets for all bingos and raffles

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A-5231/S-3806 (Lopez, Coughlin, Freiman/Vitale) – ABSOLUTE - Allows county or municipal governing body to enter into revenue sharing agreement for alcoholic beverage sales by concessionaire permit holder

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