



131st MAINE LEGISLATURE

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Legislative Document

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H.P. 1339

House of Representatives, December 22, 2023

An Act to Create a Universal Exclusion List for All Forms of Gambling in the State

Submitted by the Department of Public Safety pursuant to Joint Rule 203.

Received by the Clerk of the House on December 20, 2023. Referred to the Committee on Veterans and Legal Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Handwritten signature of Robert B. Hunt in cursive.

ROBERT B. HUNT
Clerk

Presented by Representative MALON of Biddeford.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 8 MRSA §1001, sub-§13-B** is enacted to read:

3 **13-B. Fantasy contest.** "Fantasy contest" has the same meaning as in section 1101,
4 subsection 4.

5 **Sec. 2. 8 MRSA §1001, sub-§42-A** is enacted to read:

6 **42-A. Sports wagering.** "Sports wagering" has the same meaning as in section 1202,
7 subsection 14.

8 **Sec. 3. 8 MRSA §1003, sub-§3, ¶I,** as amended by PL 2021, c. 398, Pt. VV, §3, is
9 further amended to read:

10 I. Establishment of a universal list of persons who have been or are requested to be
11 excluded or removed from any slot machine facility or casino, advance deposit
12 wagering, fantasy contest or sports wagering in this State including those persons who
13 voluntarily request that their names be included on the universal list of excluded
14 persons and those persons who voluntarily requested that their names be included on a
15 list of persons to be excluded or removed that existed before the establishment of the
16 universal list. These rules must:

17 (1) Define the standards for exclusion and removal and include standards
18 regarding persons who are career or professional offenders, as defined by rules of
19 the board, whose presence in a slot machine facility or casino or participation in
20 advance deposit wagering, a fantasy contest or sports wagering would, in the
21 opinion of the board, be inimical to the interest of the State; and

22 (2) Provide that, before making a payout of winnings in an amount equal to or
23 greater than the amount for which the licensee is required to file a Form W-2G or
24 substantially equivalent form with the United States Internal Revenue Service, the
25 licensee, after any interception of winnings required by law to pay child support
26 debt or other obligations, shall intercept money or anything of value that an
27 excluded person is seeking to redeem as a result of wagers made by the person after
28 that person has been excluded. The rules must offer the excluded person the right
29 to an administrative hearing with reasonable notice to contest the interception of
30 winnings. Winnings intercepted must be remitted by the licensee to the board or
31 its designee for deposit in an Other Special Revenue Funds account within the
32 Office of Behavioral Health within the Department of Health and Human Services
33 to address gambling addiction;

34 **Sec. 4. 8 MRSA §1006, sub-§8,** as enacted by PL 2013, c. 212, §12, is amended to
35 read:

36 **8. Voluntary exclusion.** Notwithstanding Title 1, section 401, records and
37 information obtained or developed by the board as part of establishing and administering
38 the list of persons who voluntarily request exclusion from any slot machine facility or
39 casino, advance deposit wagering, fantasy contest or sports wagering under section 1003,
40 subsection 3, paragraph I are confidential except that information may be released with the
41 written consent of the person requesting voluntary exclusion and as is necessary to inform
42 the slot machine facility or casino, advance deposit wagering, fantasy contest or sports
43 wagering licensee and enforce the voluntary exclusion. Statistical data and general

1 information that do not allow for a person on the voluntary exclusion list to be personally
2 identified are not confidential.

3 **Sec. 5. 8 MRSA §1104, sub-§1, ¶J**, as enacted by PL 2017, c. 303, §2, is amended
4 to read:

5 J. Allow individuals to restrict themselves from entering fantasy contests upon request
6 pursuant to section 1003, subsection 3, paragraph I and provide reasonable steps to
7 prevent the individuals from entering fantasy contests offered by the fantasy contest
8 operator;

9 **Sec. 6. 8 MRSA §1203, sub-§2, ¶K**, as enacted by PL 2021, c. 681, Pt. J, §6, is
10 amended to read:

11 ~~K. Establishment of a list of persons who are not authorized to place a wager on a~~
12 ~~sports event, including but not limited to those persons who voluntarily request that~~
13 ~~their names be included on the list of unauthorized persons. Provisions allowing~~
14 ~~individuals to restrict themselves from sports wagering upon request by placing~~
15 ~~themselves on the universal list pursuant to section 1003, subsection 3, paragraph I.~~
16 The rules adopted under this paragraph must define the standards for involuntary
17 placement on the universal list and for removal from the list;

18 **Sec. 7. 8 MRSA §1213, sub-§5**, as enacted by PL 2021, c. 681, Pt. J, §6, is amended
19 to read:

20 **5. Unauthorized persons.** A person on a the universal list established by rule ~~by the~~
21 ~~director~~ under section ~~1203~~ 1003, subsection ~~2~~ 3, paragraph ~~K~~ I of persons who are ~~not~~
22 ~~authorized to make~~ restricted from making wagers on sports events;

23 SUMMARY

24 This bill allows individuals to voluntarily exclude themselves from a slot machine
25 facility, casino, advance deposit wagering, a fantasy contest or sports wagering collectively
26 or separately and also allows the Department of Public Safety, Gambling Control Unit and
27 licensees to work with a universal list and not a list for each separate area of regulation.
28 The bill also includes provisions for the inclusion on the universal list of individuals who
29 are involuntarily excluded from a slot machine facility, casino, advance deposit wagering,
30 a fantasy contest or sports wagering.