

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FOUR

H.P. 1339 - L.D. 2080

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

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

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

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

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

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

Sec. 3. 8 MRSA §1003, sub-§2, ¶U, as enacted by PL 2015, c. 499, §7, is amended by amending subparagraph (7) to read:

(7) Prescribing methods by which deposits are made to advance deposit wagering accounts. The methods prescribed must prohibit the use of the electronic benefits transfer system administered by the Department of Health and Human Services under Title 22, chapter 1, subchapter 1-A; ~~and~~

Sec. 4. 8 MRSA §1003, sub-§2, ¶U, as enacted by PL 2015, c. 499, §7, is amended by amending subparagraph (8) to read:

(8) Prohibiting the assignment or transfer of an advance deposit wagering account from an authorized account holder to another person; ~~and~~

Sec. 5. 8 MRSA §1003, sub-§2, ¶U, as enacted by PL 2015, c. 499, §7, is amended by enacting a new subparagraph (9) to read:

(9) Provisions allowing persons to restrict themselves from advance deposit wagering upon request by placing themselves on the universal list pursuant to subsection 3, paragraph I. The rules adopted under this subparagraph must define the standards for involuntary placement on the universal list and for removal from the list.

Sec. 6. 8 MRSA §1003, sub-§3, ¶I, as amended by PL 2021, c. 398, Pt. VV, §3, is further amended to read:

I. Establishment of a universal list of persons who have been or are requested to be excluded or removed from any slot machine facility or, casino, advance deposit wagering, fantasy contest or sports wagering in this State including those persons who voluntarily request that their names be included on the universal list of excluded persons and those persons who voluntarily requested that their names be included on a list of persons to be excluded or removed that existed before the establishment of the universal list. Rules adopted under this paragraph must be consistent, to the extent possible, for all forms of gambling included on the universal list. These rules must:

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

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

Sec. 7. 8 MRSA §1006, sub-§8, as enacted by PL 2013, c. 212, §12, is amended to read:

8. Voluntary exclusion. Notwithstanding Title 1, section 401, records and information obtained or developed by the board as part of establishing and administering the list of persons who voluntarily request exclusion from any slot machine facility or, casino, advance deposit wagering, fantasy contest or sports wagering under section 1003, subsection 3, paragraph I are confidential except that information may be released with the written consent of the person requesting voluntary exclusion and as is necessary to inform the slot machine facility or, casino, advance deposit wagering, fantasy contest or sports wagering licensee and enforce the voluntary exclusion. Statistical data and general information that do not allow for a person on the voluntary exclusion list to be personally identified are not confidential.

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

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

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

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

Sec. 10. 8 MRSA §1213, sub-§5, as enacted by PL 2021, c. 681, Pt. J, §6, is amended to read:

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