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*Testimony of Rep. Marc Malon introducing*

**LD 2080, An Act to Protect Consumers by Prohibiting the Use of Credit  
Cards in Sports Wagering**

*Before the Joint Standing Committee on Veterans and Legal Affairs*

Senator Hickman, Representative Supica and honorable colleagues with the Joint Standing Committee on Veterans and Legal Affairs, my name is Marc Malon, and I am proud to represent House District 133, part of the great city of Biddeford. I am here today to introduce **LD 2080, An Act to Protect Consumers by Prohibiting the Use of Credit Cards in Sports Wagering**.

Like many of the activities we oversee in this committee, gambling is one which requires a constant balancing act. On the one hand, sports wagering and our brick-and-mortar casinos have brought significant revenue into our state and provided jobs which boost local economies. On the other hand, rates of gambling addiction are on the rise and the addictive nature of modern mobile devices increases gaming participants' risk of sliding into dangerous patterns. It's a concern we must take seriously with sports wagering and with the new iGaming law, which will take effect later this year. It's fair to say that these concerns are why supporting the iGaming bill was the most difficult vote I have cast so far in my tenure as a legislator. I supported that bill not because I like online gambling but 1.) to place regulations on activity already occurring, and 2.) to have Maine and, particularly, the Wabanaki Nations benefit from its revenue.

While sports wagering continues to grow and as iGaming comes online, it is appropriate for the Legislature to consider guardrails which can protect consumers from falling into dangerous habits and into debt. This is why the National Council of Legal Gambling States recommends prohibiting the use of credit cards for placing online bets. Studies confirm that allowing credit cards for online gambling and sports betting leads to increased wagering, higher rates of gambling addiction, and significant financial risk, as credit cards provide easy access to debt.<sup>1</sup>

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<sup>1</sup> [https://www.greco.ca/Modules/EvidenceCentre/files/GREO\\_04\\_2020\\_CreditCardRER.pdf](https://www.greco.ca/Modules/EvidenceCentre/files/GREO_04_2020_CreditCardRER.pdf)

It makes sense. If you use a debit card or link the gaming app to your bank account, you still run the risk of wiping out your account, but there is at least a natural limit. With credit cards, the risk is exponentially larger.

It is important to note that the most widely used sports wagering app in the state, DraftKings, currently does not allow the use of credit cards. I tested this myself and give them credit for this responsible business practice. But we should not have to rely on corporate practices to protect Maine consumers. There is a role for state regulation.

LD 2080 specifies the methods of payment that may be used to make a sports wager and prohibits the use of a credit card to pay for a sports wager. The draft before you only applies to sports wagering because the disposition of iGaming was unclear at cloture, but I strongly recommend that the committee amend the bill to apply its provisions to the new iGaming statute.

I consulted with our analyst, and after a quick review, it would mean the the following changes would be made to 8 MRSA Chapter 39 (Regulation of Internet Gaming):

- 8 MRSA section 1402, subsection 4-A to be enacted to add the same definition as in Sec. 1 of LD 2080.
- Amend 8 MRSA section 1403, subsection 2, paragraph A and paragraph C to match Sec. 2 and Sec. 4 of LD 2080, respectively.
- Enact new 8 MRSA section 1418 to include language in Sec. 5 of LD 2080 establishing a method of payment for wagers.

I will work with our analyst to develop a sponsor's amendment to make these changes in advance of the work session.

In closing, I believe this is a reasonable regulation which will add a modest guardrail to protect consumers while not harming the financial and economic benefits which have come from sports wagering and will come from iGaming. Maine would not be alone - other states, including Massachusetts, New Hampshire, and Illinois, also prohibit the use of credit cards for placing gambling wagers. It just makes sense.

I look forward to our continued work on this bill, and I ask for your support.