

§1403. Powers and duties of director

1. Powers and duties. In administering and enforcing this chapter, the director:

A. Has the power to regulate the conduct of Internet gaming; [PL 2025, c. 538, §4 (NEW).]

B. Shall determine the eligibility of a person to hold or continue to hold a license, shall issue all licenses and shall maintain a record of all licenses issued under this chapter; [PL 2025, c. 538, §4 (NEW).]

C. Shall levy and collect all fees, civil penalties and tax on adjusted gross Internet gaming receipts imposed by this chapter, except as otherwise provided under this chapter; [PL 2025, c. 538, §4 (NEW).]

D. May sue to enforce any provision of this chapter or any rule of the director by civil action or petition for injunctive relief; [PL 2025, c. 538, §4 (NEW).]

E. May hold hearings, administer oaths and issue subpoenas or subpoenas duces tecum in the manner provided by applicable law; and [PL 2025, c. 538, §4 (NEW).]

F. May exercise any other powers necessary to effectuate the provisions of this chapter and the rules of the director. [PL 2025, c. 538, §4 (NEW).]

[PL 2025, c. 538, §4 (NEW).]

2. Rules. The director shall adopt rules governing the conduct of Internet gaming in the State, which must, at a minimum, include the following:

A. The methods of operation of Internet gaming, including but not limited to the permitted systems and methods of wagers; the use of credit and checks by persons making wagers, which must prohibit a person from making a wager using a credit card; the types of wagering receipts that may be used; the method of issuing receipts; the protection of patrons placing wagers; and the promotion of social responsibility and responsible gaming and display of information on resources for problem gambling; [PL 2025, c. 628, §5 (AMD).]

B. Standards for the adoption of comprehensive house rules governing Internet gaming by operators and the approval of house rules by the director as required under section 1410; [PL 2025, c. 538, §4 (NEW).]

C. Minimum design and security requirements for applications and digital platforms for the acceptance of wagers by operators, including required methods for verifying the age and identity of a person who places a wager with an operator, for verifying that the person making the wager is physically located in the State and is not prohibited from making a wager under section 1412, for ensuring that a person does not use a credit card to make a wager and for requiring the refund of any wager determined to have been placed by a person prohibited from making a wager under section 1412; [PL 2025, c. 628, §6 (AMD).]

D. The types of interested parties from whom operators are prohibited from accepting wagers under section 1412, subsection 3; [PL 2025, c. 538, §4 (NEW).]

E. Minimum design, security, testing and approval requirements for Internet gaming equipment, systems or services sold by suppliers licensed under section 1407; [PL 2025, c. 538, §4 (NEW).]

F. Minimum requirements for a contract between a management services licensee under section 1408 and an operator on whose behalf the management services licensee conducts Internet gaming, including but not limited to requirements that the person providing management services be licensed prior to entering a contract; that the contract be approved by the director prior to the conduct of Internet gaming; that, if the management services licensee contracts with more than one operator, the contract include a condition requiring the management services licensee to employ a method approved by the director for separately accounting for each operator's gross receipts from

Internet gaming and adjusted gross Internet gaming receipts; and that the contract not authorize the person providing management services to receive more than 30% of the operator's adjusted gross Internet gaming receipts, except that the director may approve a contract authorizing the management services licensee to receive up to 40% of the operator's adjusted gross Internet gaming receipts if the director determines that the management services licensee has demonstrated that the fee is commercially reasonable given the management services licensee's capital investments and the operator's projected adjusted gross Internet gaming receipts; [PL 2025, c. 538, §4 (NEW).]

G. Provisions allowing individuals to restrict themselves from Internet gaming upon request by placing themselves on the list pursuant to section 1003, subsection 3, paragraph I. The rules adopted under this paragraph must define the standards for involuntary placement on the list and for removal from the list; [PL 2025, c. 538, §4 (NEW).]

H. Minimum internal control standards for operators and management services licensees, including but not limited to procedures for safeguarding assets and revenues; the recording of cash and evidence of indebtedness; the maintenance of reliable records, accounts and reports of transactions, operations and events; required audits; and the content and frequency of reports of Internet gaming activities and revenues that must be made to the director; and [PL 2025, c. 538, §4 (NEW).]

I. Restrictions on the advertisement and marketing of Internet gaming, including but not limited to prohibiting misleading, deceptive or false advertisements; requiring an operator to disclose its status as a federally recognized Indian nation, tribe or band in this State or a business entity wholly owned by a federally recognized Indian nation, tribe or band in this State; and restricting, to the extent permissible, advertising that has a high probability of reaching persons under 21 years of age or that is specifically designed to appeal particularly to persons under 21 years of age. [PL 2025, c. 538, §4 (NEW).]

[PL 2025, c. 628, §§5, 6 (AMD).]

3. Rulemaking. Rules adopted by the director pursuant to this chapter are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2025, c. 538, §4 (NEW).]

SECTION HISTORY

PL 2025, c. 538, §4 (NEW). PL 2025, c. 628, §§5, 6 (AMD).

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