

118TH CONGRESS
2D SESSION

H. R. 9590

To establish minimum Federal standards for sports betting, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 12, 2024

Mr. TONKO introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish minimum Federal standards for sports betting,
and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Supporting Affordability and Fairness with Every Bet
6 Act of 2024” or the “SAFE Bet Act”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE II—PUBLIC HEALTH IN SPORTS BETTING

TITLE III—GENERAL PROVISIONS

1 SEC. 2. DEFINITIONS.

(1) AMATEUR ATHLETIC COMPETITION.—The term “amateur athletic competition” has the meaning given the term in section 220501 of title 36, United States Code.

(2) ANONYMIZED SPORTS WAGERING DATA.—

With respect to a sports wager accepted by a sports wagering operator, the term “anonymized sports wagering data” means—

(A) a unique identifier for the transaction and, if available, the individual who placed the sports wager, except that such identifier shall not include any personally identifiable information of such individual;

16 (B) the amount and type of sports wager;

1 (C) the date and time at which the sports
2 wager was accepted;

3 (D) the location at which the sports wager
4 was placed, including the internet protocol ad-
5 dress, if applicable; and

6 (E) the outcome of the sports wager.

7 (3) GAMBLING DISORDER.—The term “gam-
8 bling disorder” means—

9 (A) gambling disorder, as the term is used
10 by the American Psychiatric Association in the
11 publication entitled “Diagnostic and Statistical
12 Manual of Mental Disorders, 5th Edition” (or
13 a successor edition);

14 (B) pathological gambling;

15 (C) gambling addiction; and

16 (D) compulsive gambling.

17 (4) GOVERNMENTAL ENTITY.—The term “gov-
18 ernmental entity” means—

19 (A) a State;

20 (B) a political subdivision of a State; and

21 (C) an entity or organization, including an
22 Indian Tribe, that has governmental authority
23 within the territorial boundaries of the United
24 States, including Indian lands.

1 (5) INDIAN LANDS.—The term “Indian lands”
2 has the meaning given the term in section 4 of the
3 Indian Gaming Regulatory Act (25 U.S.C. 2703)).

4 (5) INDIAN TRIBE.—The term “Indian Tribe”
5 has the meaning given the term “Indian tribe” in
6 section 4 of the Indian Gaming Regulatory Act (25
7 U.S.C. 2703).

8 (6) INTERACTIVE SPORTS WAGERING PLAT-
9 FORM.—The term “interactive sports wagering plat-
10 form” means a person or entity that offers licensed
11 sports wagering over the internet, including through
12 an internet website and mobile devices, on behalf of
13 a licensed gaming facility.

14 (7) INTERSTATE SPORTS WAGERING COM-
15 PACT.—The term “interstate sports wagering com-
16 pact” means a compact to offer sports wagering in
17 accordance with this Act between—

18 (A) 2 or more States with a State sports
19 wagering program;

20 (B) 1 or more States with a State sports
21 wagering program and 1 or more Indian Tribes;
22 or

23 (C) 2 or more Indian Tribes.

24 (8) LICENSED GAMING FACILITY.—The term
25 “licensed gaming facility” means a person licensed

1 by a State regulatory entity or an Indian Tribe li-
2 censed by a State regulatory agency for the conduct
3 of gaming.

4 (9) MICROBET.—The term “microbet” means a
5 wager placed on an outcome or occurrence within a
6 sporting event which may or may not be related to
7 the ultimate result of the sporting event.

8 (10) NATIONAL SELF-EXCLUSION LIST.—The
9 term “national self-exclusion list” means the list
10 maintained under section 553A of the Public Health
11 Service Act, as added by section 202 of this Act, in
12 cooperation with State regulatory entities, under sec-
13 tions 103(b)(6)(A)(ii) of this Act.

14 (11) OFFICIAL.—The term “official” means a
15 referee, umpire, judge, reviewer, or any other indi-
16 vidual authorized to administer the rules of a sport-
17 ing event.

18 (12) PROPOSITION BET.—The term “propo-
19 sition bet” means a side wager on a part of a sport-
20 ing event that does not concern the final outcome of
21 the sporting event.

22 (13) REASONABLE LENDER STANDARD.—The
23 term “reasonable lender standard” means applica-
24 tion of underwriting criteria that would be applied
25 by a lender that is an insured depository institution

(as defined under section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813)) for an unsecured loan extended to a consumer.

(14) SPORTING EVENT.—The term “sporting event” means any athletic competition.

(15) SPORTS ORGANIZATION.—The term “sports organization” means—

(A) a person or governmental entity that—

(i) sponsors, organizes, schedules, or conducts a sporting event; and

(ii) with respect to the sporting event and the participants in the sporting event—

(I) prescribes final rules; and

(II) enforces a code of conduct;

and

(B) a league or association of 1 or more persons or governmental entities described in subparagraph (A).

(16) SPORTS WAGER.—

(A) IN GENERAL.—Except as provided in subparagraph (C), the term “sports wager” means the staking or risking by any person of something of value upon the outcome of a sporting event, including the outcome of any

1 portion or aspect thereof, upon an agreement or
2 understanding that the person or another per-
3 son will receive something of value in the event
4 of a certain outcome.

5 (B) INCLUSION.—With respect to an ama-
6 teur or professional sporting event, the term
7 “sports wager” includes—

- 8 (i) a straight bet;
- 9 (ii) a teaser;
- 10 (iii) a variation of a teaser;
- 11 (iv) a parlay;
- 12 (v) a total or over-under;
- 13 (vi) a moneyline;
- 14 (vii) a betting pool;
- 15 (viii) exchange wagering;
- 16 (ix) in-game wagering, including in-
17 game wagering on—

- 18 (I) a final or interim game score;
- 19 (II) statistics; or
- 20 (III) a discrete in-game event;
- 21 (x) a sports lottery; and
- 22 (xi) a proposition bet.

23 (C) EXCEPTIONS.—The term “sports
24 wager” does not include—

1 (i) any activity excluded from the defi-
2 nition of the term “bet or wager” under
3 section 5362 of title 31, United States
4 Code; or

5 (ii) any activity that does not violate
6 a provision of the Interstate Horseracing
7 Act of 1978 (15 U.S.C. 3001 et seq.).

8 (17) SPORTS WAGERING.—The term “sports
9 wagering” means the acceptance of a sports wager
10 by a sports wagering operator.

11 (18) SPORTS WAGERING OPERATOR.—The term
12 “sports wagering operator” means—

13 (A) a licensed gaming facility that offers
14 sports wagering; and

15 (B) an interactive sports wagering plat-
16 form.

17 (19) SPORTS WAGERING OPT-IN STATE.—The
18 term “sports wagering opt-in State” means a State
19 that administers a State sports wagering program.

20 (20) STATE.—The term “State” means—

21 (A) a State;

22 (B) the District of Columbia; and

23 (C) any commonwealth, territory, or pos-
24 session of the United States.

1 (21) STATE REGULATORY ENTITY.—The term
2 “State regulatory entity” means the governmental
3 entity—

4 (A) established or designated by a sports
5 wagering opt-in State under section
6 102(a)(2)(A)(ii); and

7 (B) responsible, solely or in coordination
8 with 1 or more other governmental entities, for
9 the regulation of sports wagering in the applica-
10 ble sports wagering opt-in State.

11 (22) STATE SOCIAL GAMBLING LAW.—The term
12 “State social gambling law” means a State law that
13 allows sports wagering that—

14 (A) is not conducted as a business;

15 (B) involves 2 or more players who com-
16 pete on equal terms; and

17 (C) does not provide a benefit to—

18 (i) a player, other than the winnings
19 of the player; or

20 (ii) a person who is not involved in a
21 sports wager.

22 (23) STATE SPORTS WAGERING PROGRAM.—
23 The term “State sports wagering program” means a
24 program administered and overseen by a State pur-

1 suant to an application approved by the Attorney
2 General under subsection (b) or (e) of section 102.

3 (24) SUSPICIOUS TRANSACTION.—The term
4 “suspicious transaction” means a transaction or an
5 arrangement that a sports wagering operator knows
6 or has reason to know, as determined by a director,
7 officer, employee, or agent of the sports wagering
8 operator is or would be if completed—

9 (A) a violation of, or part of a plan to vio-
10 late or evade, any Federal, State, or local law
11 (including regulations); or

12 (B) sports wagering by or on behalf of an
13 individual described in subparagraph (C), (D),
14 or (E) of section 103(b)(4).

15 (25) SUSPICIOUS TRANSACTION REPORT.—The
16 term “suspicious transaction report” means a report
17 submitted to a State regulatory entity or a sports
18 organization under section 103(b)(13).

19 (26) TRIBAL-STATE COMPACT.—The term
20 “Tribal-State compact” means a compact entered
21 into between a State and an Indian Tribe pursuant
22 to section 11(d)(3) of the Indian Gaming Regulatory
23 Act (25 U.S.C. 2710(d)(3)).

1 **TITLE I—MINIMUM FEDERAL**
2 **STANDARDS FOR SPORTS**
3 **BETTING**

4 **SEC. 101. GENERAL PROHIBITION ON SPORTS WAGERING.**

5 (a) IN GENERAL.—Except as provided in subsection
6 (b), it shall be unlawful for any person to knowingly accept
7 a sports wager.

8 (b) EXCEPTIONS.—It shall not be a violation of sub-
9 section (a) for—

10 (1) a sports wagering operator located in a
11 sports wagering opt-in State to accept a sports
12 wager in accordance with State law; or

13 (2) a person to accept a sports wager in accord-
14 ance with an applicable State social gambling law.

15 (c) INJUNCTIONS.—

16 (1) IN GENERAL.—If the Attorney General be-
17 lieves a person has violated, is violating, or will vio-
18 late subsection (a), the Attorney General may bring
19 a civil action in the appropriate district court of the
20 United States or the appropriate United States
21 court of a territory or possession of the United
22 States, which shall have jurisdiction in proceedings
23 in accordance with the Federal Rules of Civil Proce-
24 dure to enjoin a violation of subsection (a).

1 (2) JURY TRIAL.—In the case of an alleged vio-
2 lation of an injunction or restraining order issued
3 under paragraph (1), trial shall be, on demand of
4 the accused, by a jury in accordance with the Fed-
5 eral Rules of Civil Procedure.

6 (d) CIVIL PENALTIES.—

7 (1) IN GENERAL.—Any person who violates
8 subsection (a) shall be, with respect to any such vio-
9 lation, subject to a civil penalty of not more than the
10 greater of \$10,000 or 3 times the amount of the ap-
11 plicable sports wager.

12 (2) SEPARATE VIOLATIONS.—A separate viola-
13 tion occurs for each sports wager accepted in viola-
14 tion of subsection (a).

15 (3) JURISDICTION.—The district courts of the
16 United States and appropriate United States courts
17 of the territories and possessions of the United
18 States shall have jurisdiction to enforce this sub-
19 section in accordance with section 1355 of title 28,
20 United States Code.

21 (4) EFFECT OF LAW.—A violation of subsection
22 (a) shall not constitute a crime, and a judgment for
23 the United States and imposition of a civil penalty
24 pursuant to paragraph (1) shall not give rise to any

1 disability or legal disadvantage based on conviction
2 for a criminal offense.

3 (e) CIVIL PENALTY NOT EXCLUSIVE OF CRIMINAL
4 PENALTY.—A civil penalty, injunction, or temporary re-
5 straining order imposed under this section shall be inde-
6 pendent of, and not in lieu of, criminal prosecutions or
7 any other proceedings under any other law of the United
8 States, including sections 1084 and 1955 of title 18,
9 United States Code.

10 (f) EFFECTIVE DATE.—Subsection (a) shall take ef-
11 fect on the date that is 18 months after the date of enact-
12 ment of this Act.

13 **SEC. 102. STATE SPORTS WAGERING PROGRAM.**

14 (a) INITIAL APPLICATION.—

15 (1) IN GENERAL.—To request approval to ad-
16 minister a State sports wagering program, a State
17 shall submit an application to the Attorney General
18 at such time, in such manner, and accompanied by
19 such information as the Attorney General may re-
20 quire.

21 (2) CONTENTS.—An application under para-
22 graph (1) shall include—

23 (A) a full and complete description of the
24 State sports wagering program the State pro-

poses to administer under State law, including—

(i) each applicable State law relating to sports wagering; and

(ii) an identification of the State regulatory entity; and

(B) an assurance from the attorney general or chief legal officer of the State that the laws of the State provide adequate authority to carry out the proposed State sports wagering program.

(b) APPROVAL BY ATTORNEY GENERAL.—

(1) IN GENERAL.—Not later than 180 days after the date on which the Attorney General receives a complete application under this section, the Attorney General shall approve the application unless the Attorney General determines that the proposed State sports wagering program does not meet the standards set forth in section 103.

(2) DENIAL OF APPLICATION.—A decision of the Attorney General to deny an application submitted under this section shall—

(A) be made in writing; and

1 (B) specify the 1 or more standards under
2 section 103 that are not satisfied by the pro-
3 posed State sports wagering program.

4 (c) NOTICE OF MATERIAL CHANGES.—In the case of
5 a material change to a State law relating to sports wager-
6 ing, the State regulatory entity, or other information in-
7 cluded in an application submitted pursuant to subsection
8 (a) or (e), not later than 30 days after the date on which
9 the change is made, the State shall submit to the Attorney
10 General a notice of such change.

11 (d) DURATION.—A State sports wagering program
12 shall be valid for a fixed 3-year period beginning on the
13 date on which the Attorney General approves the applica-
14 tion of the applicable State under subsection (a) or (e).

15 (e) RENEWAL APPLICATION AND APPROVAL.—Not
16 later than the date on which the 3-year period referred
17 to in subsection (d) ends, a State seeking to renew the
18 approval of the State sports wagering program may sub-
19 mit to the Attorney General a renewal application that—

20 (1) includes the information described in sub-
21 section (a); and

22 (2) shall be subject to the approval process
23 under subsection (b).

24 (f) REVOCATION AND REVIEW.—

1 (1) EMERGENCY REVOCATION OF APPROVAL.—

2 The Attorney General shall promulgate regulations
3 that provide procedures by which the Attorney Gen-
4 eral may revoke the approval of a State to admin-
5 ister a State sports wagering program before the
6 date on which the 3-year term described in sub-
7 section (d) expires if the Attorney General finds that
8 the sports wagering program does not meet 1 or
9 more standards set forth in section 103.

10 (2) ADMINISTRATIVE REVIEW.—The Attorney
11 General shall promulgate regulations that provide
12 procedures by which a State may seek administra-
13 tive review of any decision by the Attorney Gen-
14 eral—

15 (A) to deny an application under sub-
16 section (b);

17 (B) to deny a renewal application under
18 subsection (e); or

19 (C) to revoke an approval under paragraph
20 (1) of this subsection.

21 **SEC. 103. STATE SPORTS WAGERING PROGRAM STAND-**
22 **ARDS.**

23 (a) IN GENERAL.—The Attorney General shall ap-
24 prove an application under section 102 unless the Attor-
25 ney General determines that the proposed State sports wa-

1 gering program does not meet the standards set forth in
2 subsection (b).

3 (b) STANDARDS FOR STATE SPORTS WAGERING PRO-
4 GRAMS.—A State sports wagering program shall meet
5 each of the following standards:

6 (1) STATE REGULATORY ENTITY.—Establish or
7 designate a public entity in the applicable State as
8 the State regulatory entity for the purposes of regu-
9 lating sports wagering operators and enforcing
10 sports wagering laws in the State.

11 (2) PERMISSIBLE SPORTS WAGERING.—

12 (A) IN-PERSON SPORTS WAGERING.—Pro-
13 vide that in-person sports wagering may be of-
14 fered only by a sports wagering operator.

15 (B) INTERNET SPORTS WAGERING.—

16 (i) IN GENERAL.—With respect to any
17 authorization of sports wagering on an
18 interactive sports wagering platform, pro-
19 vide that such sports wagering, as avail-
20 able, is available only to—

21 (I) individuals located in the
22 State; or

23 (II) in the case of an interstate
24 sports wagering compact approved by
25 the Attorney General, individuals lo-

1 cated in States and on Indian lands of
2 Indian Tribes that are party to the
3 compact.

4 (ii) LOCATION VERIFICATION.—In-
5 clude location verification requirements
6 reasonably designed to prevent an indi-
7 vidual from placing a sports wager on an
8 interactive sports wagering platform from
9 a location other than a location described
10 in clause (i).

11 (C) SPORTS WAGER APPROVAL.—

12 (i) IN GENERAL.—Provide that a
13 sports wagering operator shall not accept a
14 sports wager unless such sports wager or
15 class of sports wagers is expressly ap-
16 proved by the State regulatory entity.

17 (ii) APPROVAL CRITERIA.—Direct the
18 State regulatory entity to establish criteria
19 for decisions with respect to the approval
20 of a sports wager or a class of sports wa-
21 gers, such as whether the outcome of the
22 event or contingency on which the sports
23 wager is placed is—

24 (I) verifiable;

1 (II) generated by a reliable and
 2 independent process; and
 3 (III) unlikely to be affected by
 4 any sports wager placed.

5 (D) PROHIBITION ON AMATEUR OR INTER-
 6 COLLEGIATE PROPOSITION BETS.—Prohibit the
 7 State regulatory entity from approving, or a
 8 sports wagering operator from accepting, a
 9 proposition bet on—

10 (i) any amateur athletic competition;

11 or

12 (ii) any intercollegiate sport (as de-
 13 fined in the Sports Agent Responsibility
 14 and Trust Act (15 U.S.C. 7801)).

15 (E) PROHIBITION OF SPORTS WAGERING
 16 ON SPORTING EVENTS THAT HAVE COM-
 17 MENCED.—Prohibit the State regulatory entity
 18 from approving, or a sports wagering operator
 19 from accepting, a sports wager on any sporting
 20 event, once such event has commenced.

21 (3) RESTRICTIONS ON SPORTS WAGERING TO
 22 PROTECT CONTEST INTEGRITY.—

23 (A) DEFINITION OF NECESSARY TO MAIN-
 24 TAIN CONTEST INTEGRITY.—In this paragraph,
 25 the term “necessary to maintain contest integ-

1 rity” means that, in the absence of a restric-
2 tion, there is a reasonably foreseeable risk that
3 the outcome of the sporting event or contin-
4 gency on which the wager is placed would be af-
5 fected by the wager.

6 (B) CONTEST INTEGRITY.—Prohibit a
7 sports wagering operator from accepting a
8 sports wager in violation of a notice of restric-
9 tion received by the sports wagering operator
10 under subparagraph (E)(i).

11 (C) REQUEST TO RESTRICT SPORTS WA-
12 GERING.—

13 (i) IN GENERAL.—With respect to a
14 sporting events sponsored, organized, or
15 conducted by a sports organization, permit
16 the sports organization to submit to the
17 State regulatory entity a request to re-
18 strict, limit, or exclude wagers on 1 or
19 more sporting events, including by restrict-
20 ing, limiting, and excluding sports wagers
21 on 1 or more performances of an athlete in
22 1 or more sporting events in which such
23 athlete participates, if the applicable sports
24 organization determines that such restric-

tion is necessary to maintain contest integrity.

(ii) DEADLINES FOR SUBMISSION.—

Provide that the State regulatory entity shall establish reasonable deadlines for the submission of a request under clause (i) in advance of the applicable sporting event.

(D) DETERMINATION BY THE STATE REGULATORY ENTITY.—Provide that the State regulatory entity shall promptly—

(i) approve a request described in subparagraph (C)(i) unless the State regulatory entity determines, considering any information provided by the sports organization and any other relevant information, that a restriction is not necessary to maintain contest integrity;

(ii) provide a written explanation of a determination under clause (i) to approve or deny a request;

(iii) make such written explanation available to the public; and

(iv) provide a process by which the sports organization that submitted the re-

1 quest may seek review of such determina-
2 tion.

3 (E) NOTICE OF RESTRICTION.—Provide
4 that the State regulatory entity shall establish
5 a process—

6 (i) to provide to sports wagering oper-
7 ators prompt notice of any restriction ap-
8 proved by the State regulatory entity; and

9 (ii) to make such notice publicly avail-
10 able.

11 (4) PREVENTION OF SPORTS WAGERING BY
12 PROHIBITED INDIVIDUALS.—Prohibit a sports wa-
13 gering operator from accepting sports wagers from
14 any—

15 (A) individual younger than 21 years of
16 age;

17 (B) individual on the national self-exclu-
18 sion list;

19 (C) athlete, coach, official, or employee of
20 a sports organization or any club or team of a
21 sports organization, with respect to a sporting
22 event sponsored, organized, or conducted by the
23 sports organization;

24 (D) employee of a player or an official
25 union of a sports organization, with respect to

1 a sporting event sponsored, organized, or con-
2 ducted by the sports organization;

3 (E) individual who, with respect to a sport-
4 ing event sponsored, organized, or conducted by
5 a sports organization, is—

6 (i) credentialed or accredited by the
7 sports organization; and

8 (ii) prohibited from placing a sports
9 wager by the terms of such credential or
10 accreditation; or

11 (F) individual convicted of an offense
12 under subsection (a) or (b) of section 224 of
13 title 18, United States Code.

14 (5) AUTHORIZED DATA.—

15 (A) RESULT OF A SPORTS WAGER.—

16 (i) MARKET TRANSITION PERIOD.—

17 With respect to any sports wager accepted
18 on or before December 31, 2024, provide
19 that a sports wagering operator shall de-
20 termine the result of a sports wager only
21 with data that is licensed and provided
22 by—

23 (I) the applicable sports organi-
24 zation; or

1 (II) an entity expressly author-
2 ized by the applicable sports organiza-
3 tion to provide such information.

4 (ii) POST-TRANSITION PERIOD.—With
5 respect to any sports wager accepted after
6 December 31, 2024, provide that a sports
7 wagering operator shall determine the re-
8 sult of a sports wager only with data that
9 is obtained from a source that the State
10 regulatory entity has—

11 (I) found to provide—

12 (aa) data of substantially
13 similar speed, accuracy, and con-
14 sistency to the data available
15 under clause (i); and

16 (bb) only data that is—

17 (AA) legally obtained;
18 and

19 (BB) in full compliance
20 with the terms of any appli-
21 cable contract or license;

22 (II) expressly authorized to pro-
23 vide such data to sports wagering op-
24 erators; and

1 (III) identified in the application
2 of the State regulatory entity under
3 section 102.

4 (B) OTHER PURPOSES.—Provide that the
5 statistics, result, outcome, or other data used
6 by a sports wagering operator for a purpose
7 other than to determine the result of a sports
8 wager shall be in the public domain or other-
9 wise legally obtained.

10 (6) CONSUMER PROTECTIONS.—

11 (A) SELF-EXCLUSION.—

12 (i) STATE SELF-EXCLUSION LIST.—
13 Provide a process by which an individual
14 may restrict himself or herself from plac-
15 ing a sports wager with a sports wagering
16 operator located in the State, including by
17 imposing sports wager limits.

18 (ii) NATIONAL SELF-EXCLUSION
19 LIST.—Provide, through the State regu-
20 latory entity acting in cooperation with the
21 Assistant Secretary for Mental Health and
22 Substance Use, a process by which an indi-
23 vidual may restrict himself or herself from
24 placing a sports wager with a sports wa-
25 gering operator located in any sports wa-

gering opt-in State, including by imposing sports wager limits, and placing himself or herself on the national self-exclusion list.

(iii) REASONABLE STEPS REQUIRED.—Provide that a sports wagering operator may not accept a sports wager by an individual who is—

(I) described in clause (i); or

(II) included on the national self-exclusion list.

(B) WITHDRAWAL RESTRICTIONS.—Prohibit a sports wagering operator from—

(i) requiring an individual engaged in sports wagering to participate in a publicity or an advertising activity of the sports wagering operator as a condition of withdrawal of the winnings of the individual; and

(ii) imposing on any individual engaged in sports wagering—

(I) a minimum or maximum withdrawal limit for the account of the individual;

(II) any restriction on the right of the individual to make a with-

1 drawal from the account of the indi-
2 vidual based on the extent of the
3 sports wagering by the individual;

4 (III) an unreasonable deadline
5 for the provision of information relat-
6 ing to the identity of the individual as
7 a condition of withdrawal from the ac-
8 count of the individual; or

9 (IV) a dormancy charge for an
10 account of the individual that is not
11 used to place a sports wager.

12 (C) DISCLOSURE.—

13 (i) RESTRICTIONS OR CONDITIONS.—
14 Provide that a sports wagering operator
15 shall provide an individual with adequate
16 and clear information relating to any appli-
17 cable restriction or condition before the in-
18 dividual opens an account with the sports
19 wagering operator.

20 (ii) BONUSES OFFERED.—Provide
21 that a sports wagering operator shall pro-
22 vide to an individual engaged in sports wa-
23 gering clear information relating to any
24 bonus offered, including the terms of with-
25 drawal of the bonus.

1 (iii) PUBLIC AVAILABILITY.—Provide
2 that the information described in clauses
3 (i) and (ii) be available to the public.

4 (D) TREATMENT AND EDUCATION FUND-
5 ING.—Provide that a sports wagering operator
6 shall allocate an appropriate percentage of the
7 revenue from sports wagering to—

8 (i) treatment for gambling disorder;
9 and

10 (ii) education on responsible gaming.

11 (E) RESERVE REQUIREMENT.—Provide
12 that a sports wagering operator shall maintain
13 a reserve in an amount not less than the sum
14 of—

15 (i) the amounts held by the sports wa-
16 gering operator for the account of patrons;

17 (ii) the amounts accepted by the
18 sports wagering operator as sports wagers
19 on contingencies the outcomes of which
20 have not been determined; and

21 (iii) the amounts owed but unpaid by
22 the sports wagering operator on winning
23 wagers during the period for honoring win-
24 ning wagers established by State law or
25 the sports wagering operator.

1 (F) AFFORDABILITY PROTECTIONS.—Pro-
2 vide that a sports wagering operator—

3 (i) may not accept more than 5 depos-
4 its from an individual during a 24-hour pe-
5 riod;

6 (ii) may not accept deposits made
7 using a credit card; and

8 (iii) shall be required, before accepting
9 sport wagers from an individual in an
10 amount that is more than \$1,000 during a
11 24-hour period or \$10,000 during a 30-day
12 period, to conduct an affordability check
13 which shall be satisfied by 1 or both of the
14 following ways:

15 (I) Verification that the proposed
16 deposit is not greater than 30 percent
17 of the monthly income of the indi-
18 vidual.

19 (II) Verification through a rea-
20 sonable lender standard based on
21 issuance of an unsecured loan for the
22 proposed deposit through methods
23 normally used by consumer lenders.

1 (G) ARTIFICIAL INTELLIGENCE RESTRIC-
2 TION.—Provide that a sports wagering operator
3 may not use artificial intelligence to—

4 (i) track the sports wagers of an indi-
5 vidual;

6 (ii) create an offer or promotion tar-
7 geting a specific individual; or

8 (iii) create a gambling product, such
9 as a microbet.

10 (7) ADVERTISING.—Provide that advertise-
11 ments for a sports wagering operator—

12 (A) shall—

13 (i) disclose the identity of the sports
14 wagering operator; and

15 (ii) provide information about how to
16 access resources relating to gambling ad-
17 diction;

18 (B) shall not recklessly or purposefully tar-
19 get—

20 (i) problem gamblers;

21 (ii) individuals suffering from gam-
22 bling disorder; or

23 (iii) individuals who are ineligible to
24 place a sports wager, including individuals
25 younger than 21 years of age;

1 (C) may not be broadcasted—

2 (i) between the hours of 8:00am and
3 10:00pm local time; or

4 (ii) during a live broadcast of a sport-
5 ing event; and

6 (D) may not include—

7 (i) odds boosts or similar offers, in-
8 cluding advertising that contains the
9 phrase “bonus”, “no sweat”, “bonus bet”,
10 or any other similar term; or

11 (ii) any information on how to place a
12 sports wager or how sports wagers work.

13 (8) LICENSING REQUIREMENT.—

14 (A) IN GENERAL.—Provide that a sports
15 wagering operator located in the State shall be
16 licensed by the State regulatory entity.

17 (B) SUITABILITY FOR LICENSING.—

18 (i) IN GENERAL.—Provide that before
19 granting a license to a prospective sports
20 wagering operator, the State regulatory en-
21 tity shall make a determination, based on
22 a completed background check and inves-
23 tigation, with respect to whether the pro-
24 spective sports wagering operator and any
25 person considered to be in control of the

prospective sports wagering operator is suitable for license in accordance with suitability standards established by the State regulatory entity.

(ii) ASSOCIATES OF APPLICANTS.—

Provide that if a prospective sports wagering operator is a corporation, partnership, or other business entity, a background check and investigation shall occur with respect to—

(I) the president or other chief executive of the corporation, partnership, or other business entity; and

(II) any other partner or senior executive and director of the corporation, partnership, or other business entity, as determined by the State regulatory entity.

(iii) BACKGROUND CHECK AND INVESTIGATION.—Establish standards and procedures for conducting the background checks and investigations described in this subparagraph.

(C) UNSUITABILITY FOR LICENSING.—

With respect to the suitability standards under

1 subparagraph (B)(i), provide that a prospective
2 sports wagering operator shall not be deter-
3 mined to be suitable for licensing as a sports
4 wagering operator if the prospective sports wa-
5 gering operator—

6 (i) has failed to provide information
7 and documentary material for a determina-
8 tion of suitability for licensing as a sports
9 wagering operator;

10 (ii) has supplied information which is
11 untrue or misleading as to a material fact
12 pertaining to any such determination;

13 (iii) has been convicted of an offense
14 punishable by imprisonment of more than
15 1 year;

16 (iv) is delinquent in—

17 (I) filing any applicable Federal
18 or State tax returns; or

19 (II) the payment of any taxes,
20 penalties, additions to tax, or interest
21 owed to the United States or a State;

22 (v) on or after October 13, 2006—

23 (I) has knowingly participated in,
24 or should have known the prospective
25 sports wagering operator was partici-

1 pating in, an illegal internet gambling
2 activity, including—

3 (aa) taking an illegal inter-
4 net wager;

5 (bb) payment of winnings on
6 an illegal internet wager;

7 (cc) promotion through ad-
8 vertising of an illegal internet
9 gambling website or service; or

10 (dd) collection of any pay-
11 ment on behalf of an entity oper-
12 ating an illegal internet gambling
13 website; or

14 (II) has knowingly been owned,
15 operated, managed, or employed by,
16 or should have known the prospective
17 sports wagering operator was owned,
18 operated, managed, or employed by,
19 any person who was knowingly par-
20 ticipating in, or should have known
21 the person was participating in, an il-
22 legal internet gambling activity, in-
23 cluding an activity described in items
24 (aa) through (dd) of subclause (I);
25 (vi) has—

1 (I) received any assistance, finan-
2 cial or otherwise, from a person who
3 has, before the date of enactment of
4 this Act, knowingly accepted bets or
5 wagers from any other person who is
6 physically present in the United
7 States in violation of Federal or State
8 law; or

9 (II) provided any assistance, fi-
10 nancial or otherwise, to a person who
11 has, before the date of enactment of
12 this Act, knowingly accepted bets or
13 wagers from any other person who is
14 physically present in the United
15 States in violation of Federal or State
16 law;

17 (vii) with respect to any other entity
18 that has accepted a bet or wager from any
19 individual in violation of United States
20 law, has purchased or otherwise obtained—

21 (I) such entity;

22 (II) a list of the customers of
23 such entity; or

24 (III) any other part of the equip-
25 ment or operations of such entity; or

1 (viii) fails to certify in writing, under
2 penalty of perjury, that the applicant or
3 other such person, and all affiliated busi-
4 ness entities (including all entities under
5 common control), during the entire history
6 of such applicant or other such person and
7 all affiliated business entities—

8 (I) have not committed an inten-
9 tional felony violation of Federal or
10 State sports wagering law; and

11 (II) have used diligence to pre-
12 vent any United States person from
13 placing a sports wager on an internet
14 site in violation of Federal or State
15 sports wagering laws.

16 (D) REVOCATION AND SUSPENSION.—Es-
17 tablish standards and procedures for sus-
18 pending or revoking the license of a sports wa-
19 gering operator.

20 (9) EMPLOYEE BACKGROUND CHECKS.—Pro-
21 vide that a sports wagering operator—

22 (A) shall ensure that each existing and
23 newly hired employee or contractor of the
24 sports wagering operator undergo an annual
25 criminal history background check; and

1 (B) shall not employ or enter into a con-
2 tract with any individual who has been con-
3 victed of a Federal or State crime relating to
4 sports wagering.

5 (10) RECORDKEEPING REQUIREMENTS.—

6 (A) IN GENERAL.—Except as provided in
7 subparagraph (B), with respect to each sports
8 wager accepted by a sports wagering operator
9 or attempted to be placed by an individual with
10 a sports wagering operator, provide that the
11 sports wagering operator shall secure and main-
12 tain a record of the following:

13 (i) The name, permanent address,
14 date of birth, and social security number
15 or passport number of the individual who
16 placed, or attempted to place, the sports
17 wager, which the sports wagering operator
18 shall verify in accordance with the require-
19 ments for verification of identity in parts
20 1010.312 and 1021.312 of title 31, Code
21 of Federal Regulations (or any successor
22 regulation).

23 (ii) The amount and type of the
24 sports wager.

1 (iii) The date and time at which the
2 sports wager was placed or attempted to
3 be placed.

4 (iv) The location at which the sports
5 wager was placed or attempted to be
6 placed, including the internet protocol ad-
7 dress, if applicable.

8 (v) The outcome of the sports wager.

9 (B) EXCEPTION.—Provide that a sports
10 wagering operator shall not be required to
11 maintain a record of the information described
12 in subparagraph (A) if—

13 (i) the sports wager is not placed by
14 an individual through an account with the
15 sports wagering operator;

16 (ii) the amount of the sports wager
17 does not exceed \$10,000;

18 (iii) the sports wagering operator and
19 any officer, employee, or agent of the
20 sports wagering operator does not have
21 knowledge, or would not in the ordinary
22 course of business have reason to have
23 knowledge, that the sports wager is 1 of
24 multiple sports wagers placed by an indi-
25 vidual or on behalf of an individual during

1 1 day that are, in the aggregate, in excess
2 of \$10,000; and

3 (iv) the sports wagering operator is
4 not required, pursuant to section
5 31.3402(q)–1 of title 26, Code of Federal
6 Regulations (or a successor regulation), to
7 furnish a Form W–2G to the individual
8 who placed the sports wager with respect
9 to winnings from the sports wager.

10 (C) RECORDS RELATING TO SUSPICIOUS
11 TRANSACTIONS.—Provide that, in addition to
12 the records required to be maintained pursuant
13 paragraph (A), a sports wagering operator shall
14 be required to maintain any other records relat-
15 ing to a suspicious transaction, including video
16 recordings, in the possession, custody, or con-
17 trol of the sports wagering operator.

18 (D) DURATION OF RECORDKEEPING OBLI-
19 GATION.—Provide that a sports wagering oper-
20 ator shall be required to maintain each record
21 required under this paragraph for not fewer
22 than 5 years after the date on which the record
23 is created.

24 (11) DATA SECURITY.—Provide that a sports
25 wagering operator and the State regulatory entity

1 shall take reasonable steps to prevent unauthorized
2 access to, or dissemination of, sports wagering and
3 customer data.

4 (12) REAL-TIME INFORMATION SHARING.—Pro-
5 vide that a sports wagering operator shall provide to
6 the State regulatory entity anonymized sports wa-
7 gering data in real-time or as soon as practicable,
8 but not later than 24 hours, after the time at which
9 a sports wager is accepted by the sports wagering
10 operator.

11 (13) SUSPICIOUS TRANSACTION REPORTING.—

12 (A) REPORTING TO STATE REGULATORY
13 ENTITY.—Provide that each sports wagering
14 operator located in the State shall promptly re-
15 port the information described in paragraph
16 (10)(A) for any suspicious transaction to the
17 State regulatory entity, in such manner and ac-
18 companied by such additional information as
19 the State regulatory entity may require.

20 (B) REPORTING TO SPORTS ORGANIZA-
21 TIONS.—

22 (i) IN GENERAL.—Subject to clause
23 (ii), provide that a sports wagering oper-
24 ator shall simultaneously transmit to the
25 applicable sports organization, and any

1 component of the Department of Justice or
2 other Federal law enforcement entity des-
3 ignated by the Attorney General to receive
4 such reports, any suspicious transaction
5 report submitted to a State regulatory en-
6 tity under subparagraph (A).

7 (ii) PERSONALLY IDENTIFIABLE IN-
8 FORMATION.—

9 (I) IN GENERAL.—Except as pro-
10 vided in subclause (II), a suspicious
11 transaction report submitted to a
12 sports organization shall not contain
13 any personally identifiable information
14 relating to any individual who placed,
15 or attempted to place, a sports wager.

16 (II) EXCEPTION.—A suspicious
17 transaction report submitted to a
18 sports organization shall include any
19 available personally identifiable infor-
20 mation relating to an individual de-
21 scribed in subparagraph (C), (D), or
22 (E) of paragraph (4).

23 (14) MONITORING AND ENFORCEMENT.—

24 (A) IN GENERAL.—Provide that the State
25 regulatory entity, in consultation with law en-

1 enforcement, shall develop and implement a strat-
2 egy to enforce the sports wagering laws of the
3 State.

4 (B) AUTHORITY TO MONITOR AND EN-
5 FORCEMENT.—Provide adequate authority to
6 the State regulatory entity and law enforce-
7 ment, as appropriate, to monitor compliance
8 with and enforce the sports wagering laws of
9 the State, including—

10 (i) the authority and responsibility to
11 conduct periodic audits and inspect the
12 books and records of each sports wagering
13 operator located or operating in the State;
14 and

15 (ii) a requirement that the State regu-
16 latory entity shall refer evidence of poten-
17 tial criminal violations to the appropriate
18 law enforcement entity.

19 (15) COOPERATION WITH INVESTIGATIONS.—

20 (A) SPORTS WAGERING OPERATORS.—Pro-
21 vide that any sports wagering operator located
22 or operating in the State shall cooperate with
23 any lawful investigation conducted by—

24 (i) the State regulatory entity;

1 (ii) Federal or State law enforcement;

2 or

3 (iii) a sports organization, with re-
4 spect to a sports wager—

5 (I) on a sporting event spon-
6 sored, organized, or conducted by the
7 sports organization;

8 (II) placed by or on behalf of an
9 individual described in subparagraph
10 (C), (D), or (E) of paragraph (4); and

11 (III) accepted by the sports wa-
12 gering operator.

13 (B) STATE REGULATORY ENTITY.—Pro-
14 vide that the State regulatory entity shall co-
15 operate with any lawful investigation conducted
16 by—

17 (i) Federal or State law enforcement;

18 or

19 (ii) a sports organization, with respect
20 to a sports wager—

21 (I) on a sporting event spon-
22 sored, organized, or conducted by the
23 sports organization; and

1 (II) accepted by a sports wager-
2 ing operator located or operating in
3 the State.

4 (16) INTERNAL CONTROLS.—

5 (A) IN GENERAL.—Provide that each
6 sports wagering operator shall devise and main-
7 tain a system of internal controls sufficient to
8 provide reasonable assurances that sports wa-
9 gers are accepted in accordance with all appli-
10 cable laws, regulations, and policies.

11 (B) MINIMUM STANDARDS.—Provide that
12 the State regulatory entity shall adopt and pub-
13 lish minimum standards for internal control
14 procedures.

15 (C) REPORT.—Provide that each sports
16 wagering operator shall submit to the State reg-
17 ulatory entity not less frequently than annually
18 the written system of internal controls of the
19 sports wagering operator.

20 (D) AUDIT.—Provide that system of inter-
21 nal controls of a sports wagering operator shall
22 be evaluated on a periodic basis, but not less
23 frequently than every 3 years, by the State reg-
24 ulatory entity or an independent third-party
25 auditor.

1 **TITLE II—PUBLIC HEALTH IN**
2 **SPORTS BETTING**

3 **SEC. 201. ANNUAL NATIONWIDE SURVEY ON ONLINE**
4 **SPORTS BETTING.**

5 Part D of title V of the Public Health Service Act
6 (42 U.S.C. 290dd et seq.) is amended by adding at the
7 end the following:

8 **“SEC. 553. ANNUAL NATIONWIDE SURVEY ON ONLINE**
9 **SPORTS BETTING.**

10 “(a) IN GENERAL.—Not later than 1 year after the
11 date of enactment of this section, and annually thereafter,
12 the Secretary shall—

13 “(1) conduct a nationwide survey designed to
14 provide quantitative data regarding the scope of
15 problem gambling and gambling-related harm experi-
16 enced by individuals using online sports betting;
17 and

18 “(2) make available to the public summaries
19 and analyses of the data collected pursuant to sur-
20 veys under paragraph (1).

21 “(b) ISSUES TO BE SURVEYED.—Each survey under
22 subsection (a) shall include—

23 “(1) a survey of the rates and outcomes of on-
24 line sports betting; and

1 “(2) examination of the rates of potential prob-
 2 lem gambling and gambling-related harm by admin-
 3 istering the Problem Gambling Severity Index (Fer-
 4 ris and Wynne, 2001) to a select sample of individ-
 5 uals engaged in online sports betting over the 12-
 6 month period covered by the survey.

7 “(c) REQUIREMENTS.—The Secretary shall ensure
 8 that each survey under subsection (a) is—

9 “(1) conducted by qualified researchers; and

10 “(2) not conducted, funded, or instructed by
 11 the gambling industry.”.

12 **SEC. 202. NATIONAL SELF-EXCLUSION LIST.**

13 Part D of title V of the Public Health Service Act
 14 (42 U.S.C. 290dd et seq.), as amended by section 201,
 15 is further amended by adding at the end the following:

16 **“SEC. 553A. NATIONAL SELF-EXCLUSION LIST.**

17 “(a) IN GENERAL.—In cooperation with State regu-
 18 latory entities, the Secretary shall maintain and admin-
 19 ister—

20 “(1) a list (to be known as the ‘national self-
 21 exclusion list’) of individuals who, by placing them-
 22 selves on the list, restrict themselves from placing a
 23 sports wager with a sports wagering operator located
 24 in any sports wagering opt-in State, including by im-
 25 posing sports wager limits; and

1 “(2) a process by which an individual may add
2 or remove himself or herself from the national self-
3 exclusion list.

4 “(b) DEFINITIONS.—In this section, the terms
5 ‘sports wager’, ‘sports wagering operator’ and ‘sports wa-
6 gering opt-in State’ have the meanings given to such terms
7 in section 2 of the Supporting Affordability and Fairness
8 with Every Bet Act of 2024.”.

9 **SEC. 203. SURGEON GENERAL’S REPORT ON PUBLIC**
10 **HEALTH CHALLENGES ASSOCIATED WITH**
11 **SPORTS BETTING.**

12 Not later than 1 year after the date of enactment
13 of this Act, the Surgeon General shall submit a report to
14 Congress on the public health challenges associated with
15 widespread sports betting.

16 **SEC. 204. SURVEILLANCE OF GAMBLING DISORDER.**

17 Title III of the Public Health Service Act is amended
18 by inserting after section 317V (42 U.S.C. 247b–24) the
19 following:

20 **“SEC. 317W. SURVEILLANCE OF GAMBLING ADDICTION.**

21 “(a) IN GENERAL.—The Secretary, acting through
22 the Director of the Centers for Disease Control and Pre-
23 vention and in coordination with other appropriate agen-
24 cies, shall, as appropriate—

1 “(1) enhance and expand infrastructure and ac-
2 tivities to track the epidemiology of gambling addic-
3 tion; and

4 “(2) incorporate information obtained through
5 such infrastructure and activities into an integrated
6 surveillance system, which may consist of or include
7 a registry, to be known as the ‘National Gambling
8 Addiction Surveillance System’.

9 “(b) RESEARCH.—The Secretary shall ensure that
10 the National Gambling Addiction Surveillance System, if
11 established, is designed in a manner that facilitates fur-
12 ther research on gambling addiction.

13 “(c) PUBLIC ACCESS.—Subject to subsection (d), the
14 Secretary shall ensure that information and analysis in the
15 National Gambling Addiction Surveillance System, if es-
16 tablished, are available, as appropriate, to the public, in-
17 cluding researchers.

18 “(d) PRIVACY.—The Secretary shall ensure that in-
19 formation and analysis in the National Gambling Addic-
20 tion Surveillance System, if established, are made avail-
21 able only to the extent permitted by applicable Federal
22 and State law, and in a manner that protects personal
23 privacy, to the extent required by applicable Federal and
24 State privacy law, at a minimum.”.

TITLE III—GENERAL PROVISIONS

3 SEC. 301. STATE AND TRIBAL AUTHORITY.

4 (a) RELATION TO INDIAN GAMING REGULATORY
5 ACT.—

6 (1) IN GENERAL.—For purposes of the Indian
7 Gaming Regulatory Act (25 U.S.C. 2701 et seq.), a
8 sports wager made through an interactive sports wa-
9 gering platform shall be deemed to be made at the
10 physical location of the server or other equipment
11 used to accept the sports wager.

12 (2) SERVER ON INDIAN LANDS.—With respect
13 to a sports wager described in paragraph (1) accept-
14 ed through a server or other equipment located on
15 Indian lands, the sports wager shall be considered to
16 be exclusively occurring on Indian lands if—

17 (A) the sports wager and the server are in
18 the same State; and

19 (B) the applicable State and Indian Tribe
20 have entered into a Tribal-State compact au-
21 thorizing the placing of sports wagers through
22 interactive sports wagering platforms.

23 (b) NO PREEMPTION.—Nothing in this Act preempts
24 or limits the authority of a State or an Indian Tribe to
25 enact, adopt, promulgate, or enforce any law, rule, regula-

1 tion, or other measure with respect to sports wagering
2 that is in addition to, or more stringent than, the require-
3 ments of this Act.

4 (c) TAXATION OF SPORTS WAGERING.—Nothing in
5 this Act limits or otherwise affects the taxation of sports
6 wagering by a State, an Indian Tribe, or a locality.

7 **SEC. 302. SEVERABILITY.**

8 If a provision of this Act, an amendment made by
9 this Act, a regulation promulgated under this Act or under
10 an amendment made by this Act, or the application of any
11 such provision, amendment, or regulation to any person
12 or circumstance, is held to be invalid, the remaining provi-
13 sions of this Act, amendments made by this Act, regula-
14 tions promulgated under this Act or under an amendment
15 made by this Act, or the application of such provisions,
16 amendments, and regulations to any person or cir-
17 cumstance—

18 (1) shall not be affected by the invalidity; and

19 (2) shall continue to be enforced to the max-
20 imum extent practicable.

○