

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## SECOND REGULAR SESSION-2024

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Legislative Document

No. 2080

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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**

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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.

A handwritten signature in black ink that reads "R B. Hunt".

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.