

# MAINE STATE LEGISLATURE

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L.D. 2007

Date: 3/5/26

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MAJORITY

VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE

SENATE

132ND LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 825, L.D. 2007, "An Act Regarding the Prohibition of Online Sweepstakes Games"

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 5 MRSA §20006-B, sub-§1, as amended by PL 2011, c. 657, Pt. AA, §24, is further amended to read:

1. **Fund established.** The Gambling Addiction Prevention and Treatment Fund, referred to in this section as "the fund," is established for the purpose of supporting gambling addiction analysis, prevention and treatment to be administered by the department. The fund is a dedicated, nonlapsing fund into which payments are received in accordance with Title 8, section 1036, subsection 2 and Title 8, section 1352, subsection 1.

Sec. 2. 8 MRSA c. 38 is enacted to read:

CHAPTER 38

ONLINE SWEEPSTAKES GAMES PROHIBITED

§1351. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. **Board.** "Board" means the Gambling Control Board established under section 1002.

2. **Direct consideration.** "Direct consideration" means a coin, token or other representation of value that may be purchased by a person or received through a bonus or promotion and that is used for playing or participating in an online sweepstakes game.

**COMMITTEE AMENDMENT**

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**3. Dual-currency system of payment.** "Dual-currency system of payment" means a system of payment that allows a person to play or participate with direct consideration or indirect consideration or that is otherwise designed in a manner that:

A. Prevents a person from directly purchasing coins, tokens or other representations of value that are redeemable for any cash prize, cash award or cash equivalents or the chance to win any cash prize, cash award or cash equivalents; and

B. Encourages a person to purchase services, products, coins, tokens or other representations of value that are not exchangeable for a prize, award, cash or cash equivalents or a chance to win a prize, award, cash or cash equivalents in order for that person to obtain the coins, tokens or other representations of value that are exchangeable for prizes, awards, cash or cash equivalents or a chance to win a prize, award, cash or cash equivalents.

The unit may adopt rules to further define what constitutes a dual-currency system of payment. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

**4. Indirect consideration.** "Indirect consideration" means a coin, token or other representation of value that:

A. Is provided for free through a promotion or bonus or with the purchase of a related product, service or activity; and

B. May be exchanged for a prize, award, cash or cash equivalents or a chance to win a prize, award, cash or cash equivalents.

As used in this subsection, "related product, service or activity" includes a coin, token or other representation of value that may be used for direct consideration.

**5. Licensee.** "Licensee" means a person that holds any one of the following licenses:

A. A license issued under chapter 31;

B. A license issued under chapter 33;

C. A license issued under chapter 35;

D. A license issued under chapter 39; or

E. A license issued under Title 17, chapter 62.

**6. Online sweepstakes game.** "Online sweepstakes game" means any game, contest or promotion that:

A. Is available on the Internet and accessible on a mobile telephone, computer terminal or similar access device;

B. Uses a dual-currency system of payment; and

C. Simulates casino-style gaming, including, but not limited to, slot machines, poker and other table games, lottery games, bingo or sports wagering.

**7. Unit.** "Unit" means the Gambling Control Unit established as a bureau within the Department of Public Safety under Title 25, section 2902, subsection 12.

**§1352. Online sweepstakes games prohibited; fines; other penalties**

# COMMITTEE AMENDMENT

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A person that operates or promotes an online sweepstakes game or supports the operation or promotion of an online sweepstakes game commits a civil violation.

1. Fine. A person that violates this section is subject to a fine of not less than \$10,000 and not more than \$100,000. All fines adjudged pursuant to this section must be collected by the unit and distributed to the Gambling Addiction Prevention and Treatment Fund established in Title 5, section 20006-B.

2. Revocation of license. If a licensee is convicted of unlawful gambling under Title 17-A, section 954, subsection 1-B or is otherwise found to be in violation of this section through the administrative process applicable to the license held by the licensee, the unit or board, whichever is responsible for administering the license, shall revoke the licensee's license.

3. Ineligible for license. A person that is found to be in violation of this section is ineligible to receive a license described in section 1351, subsection 5.

**Sec. 3. 17-A MRSA §954, sub-§1-B is enacted to read:**

1-B. A person is guilty of unlawful gambling if the person operates or promotes an online sweepstakes game or supports the operation or promotion of an online sweepstakes game. For the purposes of this subsection, "online sweepstakes game" has the same meaning as in Title 8, section 1351, subsection 6.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment replaces the bill. The amendment provides the same language as the bill in a new chapter and new sections of the Maine Revised Statutes to avoid creating a conflict with the recently enacted Public Law 2025, chapter 538. The amendment also adds an Internet gaming license, established in Public Law 2025, chapter 538, to the definition of "licensee" and corrects cross-references in the bill.

**FISCAL NOTE REQUIRED**

(See attached)



# 132nd MAINE LEGISLATURE

LD 2007

LR 2873(02)

**An Act Regarding the Prohibition of Online Sweepstakes Games**

**Fiscal Note for Bill as Amended by Committee Amendment "A"(S-529)**  
**Committee: Veterans and Legal Affairs**  
**Fiscal Note Required: Yes**

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## Fiscal Note

Potential current biennium revenue increase - Other Special Revenue Funds

### Correctional and Judicial Impact Statements

The additional workload associated with the minimal number of new cases filed in the court system does not require additional funding at this time. The collection of additional fines will increase General Fund or other dedicated revenue by minor amounts.

### Fiscal Detail and Notes

This bill prohibits the operation or promotion of certain online sweepstakes games that utilize a dual-currency payment system and simulate casino-style gaming. The bill establishes both civil and criminal penalties for violations. The bill establishes new fines of \$10,000 to \$100,000 for civil violations and directs that fines collected be deposited into the Gambling Addiction Prevention and Treatment Fund.

Any additional costs to the Gambling Control Unit within the Department of Public Safety to implement the provisions of this bill are expected to be minor and can be absorbed within existing budgeted resources.