General Assembly

Amendment

January Session, 2025

LCO No. **10607**

Offered by:
REP. LEMAR, 96th Dist.
SEN. MARONEY, 14th Dist.
REP. TURCO, 27th Dist.
REP. RUTIGLIANO, 123rd Dist.

To: Subst. House Bill No. **5271** File No. 298 Cal. No. 200

"AN ACT PROHIBITING GAMING-RELATED ADVERTISING, MARKETING AND PROMOTIONAL ACTIVITIES AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION."

Strike everything after the enacting clause and substitute the following in lieu thereof:

"Section 1. Section 12-850 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

For the purposes of this section and sections 12-851 to 12-871, inclusive, and section 2 of this act:

(1) "Business entity" means any partnership, limited liability company, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee or any other legal entity and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination thereof;

(2) "Commissioner" means the Commissioner of Consumer Protection or the commissioner's designee;

(3) "Connecticut intercollegiate team" means any team associated with an intercollegiate program of a university or college of the state system of public higher education, as described in section 10a-1, an independent institution of higher education, as defined in section 10a-173, or a for-profit college or university physically located in the state that offers in-person classes within the state;

(4) "Consumables" means nondurable items, including, but not limited to, dice, playing cards and roulette balls used in live online casino gaming;

(5) "Department" means the Department of Consumer Protection;

(6) "Electronic wagering platform" means the combination of hardware, software and data networks used to manage, administer, offer or control Internet games or retail sports wagering at a facility in this state;

(7) "E-bingo machine" means an electronic device categorized as a class II machine under the federal Indian Gaming Regulatory Act, P.L. 100-497, 25 USC 2701 et seq. used to play bingo that is confined to a game cabinet and is substantially similar in appearance and play to a class III slot machine. "E-bingo machine" does not include any other electronic device, aid, instrument, tool or other technological aid used in the play of any in-person class II bingo game;

(8) "Entry fee" means the amount of cash or cash equivalent that is required to be paid by an individual to a master wagering licensee in order for such individual to participate in a fantasy contest;

(9) "E-sports" means electronic sports and competitive video games played as a game of skill;

(10) "Fantasy contest" means any fantasy or simulated game or

contest with an entry fee, conducted over the Internet, including through an Internet web site or a mobile device, in which: (A) The value of all prizes and awards offered to a winning fantasy contest player is established and made known to the players in advance of the game or contest; (B) all winning outcomes reflect the knowledge and skill of the players and are determined predominantly by accumulated statistical results of the performance of participants in events; and (C) no winning outcome is based on the score, point spread or any performance of any single team or combination of teams or solely on any single performance of a contestant or player in any single event. "Fantasy contest" does not include lottery games;

(11) "Gaming entity licensee" means a master wagering licensee, a licensed online gaming operator, a licensed online gaming service provider or a licensed sports wagering retailer;

(12) "Handling consumables" means physical contact with, or supervisory oversight over the acceptance, inventory, storage or destruction of, consumables, as well as being responsible for card inspection, counting and shuffling;

(13) "Internet games" means (A) online casino gaming; (B) online sports wagering; (C) fantasy contests; (D) keno through the Internet, an online service or a mobile application; and (E) the sale of tickets for lottery draw games through the Internet, an online service or a mobile application;

(14) "Keno" has the same meaning as provided in section 12-801;

(15) "Key employee" means an individual with the following position or an equivalent title associated with a master wagering licensee or a licensed online gaming service provider, online gaming operator or sports wagering retailer: (A) President or chief officer, who is the top ranking individual of the licensee and is responsible for all staff and the overall direction of business operations; (B) financial manager, who is the individual who reports to the president or chief officer who is

generally responsible for oversight of the financial operations of the licensee, including, but not limited to, revenue generation, distributions, tax compliance and budget implementation; (C) compliance manager, who is the individual that reports to the president or chief officer and who is generally responsible for ensuring the licensee complies with all laws, regulations and requirements related to the operation of the licensee; (D) chief information officer, who is the individual generally responsible for establishing policies or procedures on, or making management decisions related to, information systems; or (E) chief data security officer, who is the individual generally responsible for establishing policies or procedures on, or making management decisions related to, technical systems. "Key employee" includes an individual (i) who is responsible for establishing the policies or procedures on, or making management decisions related to, wagering structures or outcomes for a licensee; or (ii) who has an ownership interest that is five per cent or more of the total ownership or interest rights in the licensee. Tribal membership in and of itself shall not constitute ownership for purposes of this subdivision;

(16) "Live game employee" means an employee of a master wagering licensee or a licensed online gaming operator or online gaming service provider that is operating live online casino gaming who is (A) responsible for handling consumables in a live online casino authorized under this chapter; **[**,**]** (B) responsible for presenting live online casino gaming in a live online casino authorized under this chapter; **[**,**]** or (C) a direct manager of an individual who is a live game employee under subparagraph (A) or (B) of this subdivision;

(17) "Lottery draw game" means any game in which one or more numbers, letters or symbols are randomly drawn at predetermined times, but not more frequently than once every four minutes, from a range of numbers, letters or symbols, and prizes are paid to players possessing winning plays, as set forth in each game's official game rules. "Lottery draw game" does not include keno, any game for which lottery draw tickets are not available through a lottery sales agent or any game

that simulates online casino gaming;

(18) "Lottery sales agent" means a person that contracts with the Connecticut Lottery Corporation to sell lottery tickets or offer keno at a retail facility in the state and not over the Internet, and is licensed in accordance with chapters 226 and 229a;

(19) "Mashantucket Pequot memorandum of understanding" means the memorandum of understanding entered into by and between the state and the Mashantucket Pequot Tribe on January 13, 1993, as amended from time to time;

(20) "Mashantucket Pequot procedures" means the Final Mashantucket Pequot Gaming Procedures prescribed by the Secretary of the United States Department of the Interior pursuant to 25 USC 2710(d)(7)(B)(vii) and published in 56 Federal Register 24996 (May 31, 1991), as amended from time to time;

(21) "Master wagering licensee" means (A) the Mashantucket Pequot Tribe, or an instrumentality of or an affiliate wholly-owned by said tribe, if licensed to operate online sports wagering, online casino gaming and fantasy contests pursuant to section 12-852; (B) the Mohegan Tribe of Indians of Connecticut, or an instrumentality of or an affiliate wholly-owned by said tribe, if licensed to operate online sports wagering, online casino gaming and fantasy contests pursuant to section 12-852; or (C) the Connecticut Lottery Corporation, if licensed pursuant to section 12-853 to operate retail sports wagering, online sports wagering, fantasy contests and keno and to sell tickets for lottery draw games through the Internet, an online service or a mobile application;

(22) "Mohegan compact" means the Tribal-State Compact entered into by and between the state and the Mohegan Tribe of Indians of Connecticut on May 17, 1994, as amended from time to time;

(23) "Mohegan memorandum of understanding" means the memorandum of understanding entered into by and between the state and the Mohegan Tribe of Indians of Connecticut on May 17, 1994, as

amended from time to time;

(24) "Occupational employee" means an employee of a master wagering licensee or a licensed online gaming operator, online gaming service provider or sports wagering retailer;

(25) "Off-track betting system licensee" means the person or business organization licensed to operate the off-track betting system pursuant to chapter 226;

(26) "Online casino gaming" or "online casino games" means (A) slots, blackjack, craps, roulette, baccarat, poker and video poker, bingo, live dealer and other peer-to-peer games and any variations of such games; **[**,**]** and (B) any games authorized by the department, conducted over the Internet, including through an Internet web site or a mobile device, through an electronic wagering platform that does not require a bettor to be physically present at a facility;

(27) "Online gaming operator" means a person or business entity that operates an electronic wagering platform and contracts directly with a master wagering licensee to offer (A) one or more Internet games on behalf of such licensee; **[**,**]** or (B) retail sports wagering on behalf of such licensee at a facility in this state;

(28) "Online gaming service provider" means a person or business entity, other than an online gaming operator, that provides goods or services to, or otherwise transacts business related to Internet games or retail sports wagering with, a master wagering licensee or a licensed online gaming operator, online gaming service provider or sports wagering retailer;

(29) "Online sports wagering" means sports wagering conducted over the Internet, including through an Internet web site or a mobile device, through an electronic wagering platform that does not require a sports bettor to be physically present at a facility that conducts retail sports wagering;

(30) "Retail sports wagering" means in-person sports wagering requiring a sports bettor to be physically present at one of the up to fifteen facility locations of the Connecticut Lottery Corporation or a licensed sports wagering retailer in this state;

(31) "Skin" means the branded or cobranded name and logo on the interface of an Internet web site or a mobile application that bettors use to access an electronic wagering platform for Internet games;

(32) "Sporting event" means any (A) sporting or athletic event at which two or more persons participate, individually or on a team, and may be eligible to receive compensation in excess of actual expenses for such participation in such sporting or athletic event; (B) sporting or athletic event sponsored by an intercollegiate athletic program of an institution of higher education or an association of such programs; **[**, except for those in which one of the participants is a Connecticut intercollegiate team and the event is not in connection with a permitted intercollegiate tournament;**]** (C) Olympic or international sports competition event; or (D) e-sports event. **[**, except for those in which one of the participants is a Connecticut intercollegiate team and the event is not in connection with a permitted intercollegiate tournament. As used in this subdivision, "permitted intercollegiate tournament" means an intercollegiate e-sports, sporting or athletic event involving four or more intercollegiate teams that involves one or more Connecticut intercollegiate teams and the wager on the tournament is based on the outcome of all games within the tournament.**]** "Sporting event" does not include horse racing, jai alai or greyhound racing;

(33) "Sports governing body" means the organization that prescribes final rules and enforces codes of conduct with respect to a sporting event and participants in the sporting event;

(34) "Sports wagering" means risking or accepting any money, credit, deposit or other thing of value for gain contingent in whole or in part, (A) by any system or method of wagering, including, but not limited to, in person or through an electronic wagering platform; **[**,**]** and (B) based

on (i) a live sporting event or a portion or portions of a live sporting event, including future or propositional events during such an event, or (ii) the individual performance statistics of an athlete or athletes in a sporting event or a combination of sporting events. "Sports wagering" does not include the payment of an entry fee to play a fantasy contest or a fee to participate in e-sports; and

(35) "Sports wagering retailer" means a person or business entity that contracts with the Connecticut Lottery Corporation to facilitate retail sports wagering operated by said corporation through an electronic wagering platform at up to fifteen facilities in this state.

Sec. 2. (NEW) (*Effective from passage*) (a) Except as provided in subsection (b) of this section, no person licensed to operate online sports wagering or retail sports wagering pursuant to chapter 229b of the general statutes may accept a wager on a sporting event in which a Connecticut intercollegiate team, or a player on a Connecticut intercollegiate team, is participating, unless:

(1) The sporting event is (A) a tournament in which at least four teams are participating, or (B) a subset of a tournament described in subparagraph (A) of this subdivision; and

(2) (A) If the sporting event is a tournament described in subparagraph (A) of subdivision (1) of this subsection, the wager is (i) based on the outcome of all games comprising the tournament described in subparagraph (A) of subdivision (1) of this subsection, and (ii) accepted (I) at any time prior to the start of such tournament, or (II) during such tournament, provided no game is in progress that would reduce the number of teams participating in such tournament below four; or

(B) If the sporting event is a subset of a tournament described in subparagraph (A) of subdivision (1) of this subsection, the wager is (i) accepted based on such subset of such tournament, and (ii) not placed on the individual performance of a player on a Connecticut

intercollegiate team.

(b) The provisions of subsection (a) of this section shall not be construed to prohibit placing a wager during a tournament described in subparagraph (A) of subdivision (1) of subsection (a) of this section, provided:

(1) Such wager is placed on a subset of such tournament and no Connecticut intercollegiate team is participating in such subset; or

(2) All Connecticut intercollegiate teams have been eliminated from such tournament.

Sec. 3. Subsection (e) of section 12-863 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(e) Advertising, marketing and other promotional materials published, aired, displayed or disseminated by or on behalf of any gaming entity licensee shall:

(1) Not depict an individual who is, or appears to be, under twenty-one years of age, unless such individual is a professional athlete or a collegiate athlete who, if permitted by applicable law, is able to profit from the use of his or her name and likeness;

(2) Not be aimed exclusively or primarily at individuals under twenty-one years of age, or at individuals under eighteen years of age if pertaining exclusively to keno, online lottery ticket sales or fantasy contests, or any combination thereof;

(3) Not directly advertise, target or promote Internet games or retail sports wagering to specific individuals, rather than a general audience, who are excluded pursuant to a self-exclusion process as described in subdivision (5) of subsection (c) of this section, through methods, including, but not limited to, electronic mail, telephone calls, text messages, direct messaging applications, mail and social media;

(4) State that individuals shall be eighteen or twenty-one years of age or older, as applicable, to participate in the type of gaming advertised, marketed or promoted;

(5) Not contain images, symbols, celebrity or entertainer endorsements or language designed to appeal specifically to those under twenty-one years of age, or, if pertaining exclusively to keno, online lottery ticket sales or fantasy contests, or any combination thereof, to those under eighteen years of age;

(6) Not contain inaccurate or misleading information that would reasonably be expected to confuse and mislead patrons in order to induce them to engage in gaming;

(7) Not be published, aired, displayed or disseminated to a media outlet or on social media, that appeal primarily to individuals under twenty-one years or age, or, if pertaining exclusively to keno, online lottery ticket sales or fantasy contests, or any combination thereof, to those under eighteen years of age;

(8) Not be published, aired, displayed or disseminated in any athletic facility located on the campus of any public or private institution of higher education in this state, or on any Internet web site, social media platform, online service or mobile application established or maintained by or on behalf of any public or private institution of higher education in this state, unless such materials exclusively consist of an announcement, signage or display that is (A) directed to a general audience, and (B) comprised of one or more of the following: (i) Trademarks, symbols or logos; or (ii) a statement disclosing any relationship that may exist between the gaming entity licensee and such institution of higher education;

[(8)**]** (9) Not be placed before any audience where the majority of the viewers or participants is presumed to be under twenty-one years of age, or, if pertaining exclusively to keno, online lottery ticket sales or fantasy contests, or any combination thereof, to those under eighteen

years of age;

[(9)**]** (10) Not imply greater chances of winning compared to other licensees;

[(10)**]** (11) Not imply greater chances of winning based on wagering in greater quantity or amount, except for a lottery draw game that was approved prior to January 1, 2024, is available for patron wagering as of June 6, 2024, includes features approved by the department that increase the chances of winning and is not exclusively sold by lottery sales agents;

[(11)**]** (12) Not contain claims or representations that gaming will guarantee an individual's social, financial or personal success;

[(12)**]** (13) Not use any type, size, location, lighting, illustration, graphic, depiction or color resulting in the obscuring of any material fact; and

[(13)**]** (14) If a direct or targeted advertisement or promotion sent to an individual, including, but not limited to, electronic mail or text message, include a clear and conspicuous Internet link that allows the recipient to unsubscribe by clicking on one link."

This act shall take effect as follows and shall amend the following sections:		
Section 1	*from passage*	12-850
Sec. 2	*from passage*	New section
Sec. 3	*October 1, 2025*	12-863(e)