

## Title 36

### MARYLAND STATE LOTTERY AND GAMING CONTROL AGENCY

#### Subtitle 10 SPORTS WAGERING PROVISIONS

##### **36.10.13 Sports Wagering Licensee Minimum Internal Control Standards**

Authority: Education Article §§10-101 and 26-801; State Government Article, §§9-1A-02, 9-1A-04, 9-1A-33, 9-1E-01—9-1E-15; Annotated Code of Maryland

##### **.41 Consumer Protections**

###### **A. Automated Teller Machines.**

(1) **Withdrawal Limits.** Exclusive of transaction fees or surcharges, the maximum amount that a bettor may withdraw from a bank account by using an automated teller machine at the location is no more than \$2,500 per sports wagering day.

(2) **Temporary Cash Assistance Prohibited.** An automated teller machine or online sports wagering platform may not accept an electronic benefit card, debit card, or similar instrument issued by the Department of Human Services for the purpose of accessing temporary cash assistance.

**B. Promotional Offers.** A sports wagering licensee shall, at least 2 days prior to implementing a promotion, submit terms and conditions of each promotion to the Commission and shall include, at a minimum, all of the following:

- (1) A description of what is being offered as part of the promotion;
- (2) The dates and times that the promotion is being conducted;
- (3) The persons who are eligible to participate in the promotion;
- (4) The required action to receive whatever is being offered as part of the promotion;
- (5) The procedure to claim or redeem the promotional offer, if applicable;
- (6) Registration procedures;
- (7) Limitations on participation;
- (8) Wagering requirements and limitations by type of game;
- (9) The order in which funds are used for wagering;
- (10) Eligible wagers;
- (11) Any restrictions on the withdrawal of funds;
- (12) Rules regarding cancellation;

(13) The statement If you or someone you know has a gambling problem, help is available. Call 1-800-GAMBLER.; and

(14) Any other information the Commission may require.

C. Promotional Offers — Responsibility of Licensee.

(1) A sports wagering licensee is responsible for the terms, conditions, and conduct of promotions it offers, and those that are offered on behalf of the licensee, directly or indirectly, by a sports wagering contractor or marketing affiliate vendor, including:

(a) Ensuring that the terms and conditions of all promotions are communicated to bettors by a link posted on the licensee's home website, and on the home website or any website operated on behalf the licensee by a contractor or vendor;

(b) Stating the terms and conditions clearly and in plain language, and displaying them conspicuously so they are readily accessible and available for bettors' review for the duration of the promotion;

(c) Providing a clear and conspicuous method for a bettor to cancel the bettor's participation in a promotion that utilizes restricted sports wagering credits that a bettor cannot cash out until an applicable wagering requirement, restriction, or condition on using the credits is met;

(d) When a bettor requests cancellation, the sports wagering licensee shall inform the bettor of the amount of unrestricted funds that will be returned to the bettor's sports wagering account upon cancellation, and the value of restricted funds that will be removed from the bettor's sports wagering account; and

(e) If a bettor elects to proceed with cancellation, returning unrestricted funds remaining in the bettor's sports wagering account in accordance with the terms and conditions.

(2) A sports wagering licensee, directly or through a contractor or vendor on behalf of the licensee, may not:

(a) Offer or conduct a promotion which violates any federal, State or local law or regulation;

(b) When a bettor has met the terms of a promotion, cap or limit a bettor's winnings earned while participating in the promotion;

(c) Include in an advertisement language that suggests the outcome is guaranteed or without risk; or

(d) Advertise, market, promote, offer, or conduct sports wagering in a manner that may adversely impact the public or the integrity of sports wagering.

(3) If Agency staff determine that a sports wagering licensee's promotion may or does adversely impact the public or the integrity of sports wagering, staff may direct the licensee to immediately cease some or all activities related to the promotion, and may take other enforcement action against a licensee, contractor, or vendor.

#### D. Sports Wagering Contracts.

(1) Defined Terms. In addition to the terms defined in State Government Article, §9-1E-01, Annotated Code of Maryland, and terms defined in this subtitle, in this section the following terms have the meanings indicated:

(a) "Agent of a regulated gaming entity" includes a marketing firm or other similar entity contracted to perform gaming-related services for a regulated gaming entity.

(b) "Institution of higher education" has the meaning stated in Education Article, §10-101, Annotated Code of Maryland.

(c) "Regulated gaming entity" means:

(i) A mobile sports wagering licensee;

(ii) An online sports wagering operator; or

(iii) A sports wagering licensee.

(d) "Sports marketing entity" means a person that contracts with a sports wagering licensee or regulated entity to provide advertising or marketing services for the sports wagering operations of a regulated entity.

#### (2) Prohibitions.

(a) An institution of higher education may not enter into a contract with a regulated gaming entity or an agent of a regulated gaming entity if, under the terms of the contract, the institution of higher education receives a commission, a bonus, or any other incentive payment based on the success of securing student participation in sports wagering or online sports wagering.

(b) An institution of higher education may not enter into a contract with a sports marketing entity that enters into a contract with a regulated gaming entity or an agent of a regulated gaming entity if, under the terms of the contract, either the sports marketing entity or the institution of higher education receives a commission, a bonus, or any other incentive payment based on the success of securing student participation in sports wagering or online sports wagering.

(3) A regulated gaming entity may not enter into a contract described in §D (2) of this regulation.

(4) The prohibition described in §D (2) of this regulation do not preclude contract formation between an institution of higher education and:

- (a) A regulated gaming entity;
- (b) An agent of a regulated gaming entity; or
- (c) A sports marketing entity.

(5) Notwithstanding any other provision of law, a contract formed in accordance with §D(4) of this regulation is subject to public inspection in accordance with the Maryland Public Information Act, General Provisions Article, §4-101, et seq., Annotated Code of Maryland.

(6) Mobile sports wagering licensees and online sports wagering operator licensees shall submit written notification to the Commission of any contract it has, or plans to enter into, with a public institution of higher education.

**E. Signage.**

**(1) A sports wagering licensee shall clearly and conspicuously display the licensee's branding.**

**(2) A Sports Wagering Facility Operator may not display its branding in a manner that provides greater prominence than the Sports Wagering Facility Licensee's branding.**

**(3) A Sports Wagering Facility Licensee may not advertise in a manner that misleads the public.**

**(4) All signage shall be approved by the Agency**