



Via e-mail: jenifer.beskid1@maryland.gov

Jennifer Beskid, Director of Legislation and Policy
Maryland Lottery and Gaming Control Agency

January 20, 2026

Re: Public Comments to the MLGCA's 12/26 Notice of Proposed Action¹

Dear Director Beskid:

We are providing comments on three of the MLGCA's recently proposed regulation changes. First, we recommend that the Commission remove the proposed "in the continental US" limitation to system access as it is unnecessary in light of other controls, is impractical given operators' businesses, and would result in costly updates. Second, we request clarifications on the new responsible gaming (RG) disclaimer section. Third, the surveillance additions create expense without resulting benefits and we request that the Commission reconsider those. We do not object to the remainder of the Commission's requested changes.

I. The new restriction that operators' computer systems be accessed only "within the continental U.S." is unnecessary, impractical, and costly.

The MLGCA's existing regulations require comprehensive system security. Specifically, COMAR already requires that casino operators' systems be "designed to prevent unauthorized access to confidential records." COMAR 36.03.06.01(C)(2). Moreover, casinos' IT security controls must be audited annually by a third-party who provides recommendations "as to how to eliminate each material weakness or significant deficiency identified." COMAR 36.03.10.06(F)(2).

Despite those rules, the MLGCA now seeks to add that casino operators' systems must also be accessible "only from within the continental United States." *Id.* at proposed (C)(3). The agency has not discussed that change with its regulated community, and it is unclear how removing access from users in Alaska, Hawaii, Puerto Rico, or other locations outside the continental US advances system security. Tellingly, that "continental US" restriction on systems does not exist anywhere else in COMAR. Further, MGM is unaware of any other jurisdiction that imposes a "continental US" restriction.

Under the existing law, MGM's system controls are robust with practices to manage, among other things, appropriate user access and confidentiality. Those controls apply no matter

¹ Maryland Register: https://dspd.maryland.gov/MDRIssues/5226/Assembled.aspx#_Toc217022679.

where an employee is located. And when employees need remote access from outside the continental US, MGM provides the same secure connections that its remote employees in the US use daily. None of those processes would be improved with the agency's new "continental US" limitation.

Instead, adding the "continental US" limitation would result in MGM's existing player management system (Patron Management) and BetMGM's race and sports system (PLEE) to be non-compliant because both have users and needs outside of the continental US. For example, PLEE's infrastructure is based in an Austrian data center, and BetMGM offers wagers in Canada, Brazil, among other countries. Imposing the "continental US" requirement would require investigation on multiple layers, and more context and detail to determine whether it is possible to limit the systems' access. And, of course, that additional work would require significant expense for no benefit gained.

Last, the "continental US" limitation on system access would undercut the MLGCA's responsible gaming efforts. MGM encourages play in Maryland from around the world. If our foreign hosts and employees working outside the US cannot access the Maryland information pertaining to excluded patrons, then we would eliminate the marketing efforts to avoid marketing to banned guests. Maryland has other operators with operations outside the continental US, and we suspect that they too will have similar concerns.

For those reasons, we recommend striking the unnecessary and impractical "continental US" language.

II. The MLGCA's new gambling assistance requirements need clarification.

The MLGCA seeks to add measurable standards to its current requirement that gambling assistance messages be "conspicuous." COMAR 36.03.06.03(B)(9). We do not disagree with the intent, but the proposed wording requires editing. Particularly, the MLGCA:

- Created a new definition for an "online advertisement" but does not use that definition in any of the subsequent provisions. *Id.* at (A)(2)(e). We question why the new definition was added but not used?
- Created a font height requirement for "printed ads" being "three percent of the height or width of advertisement" but does not identify whether that measurement is based on being from the paper's edge, internal margins, or something else? *Id.* at (B)(10)(a)(ii).
- Created requirements on "the face of the billboard," but does not identify if "the face" is something different than "the billboard" itself. *Id.* at (B)(10)(b).

- Created a requirement on video or television ads that the gambling assistance message be “visible for the entire duration of the advertisement, with a font size that is at least 3 percent of the image height or width, whichever is greater; or [] *From the first instance video lottery terminal, table game play or a facility operator is displayed*, appear on the final screen for at least the final three seconds of the advertisement with a font height that is at least 8 percent of the image height or width, whichever is greater.” *Id.* at B(10)(c)(i) and (i) (italics added). The line “from the first instance video terminal, table game play or a facility operator is displayed” appears to be surplusage? If not then we are unsure how it works.
- Created a requirement on websites and social media that "Meet the font height shall comply with the requirements in sec. *Id.* at B(10(a)." We again suspect that some of the wording is surplusage and appreciate some clarification.

For those reasons, we request that the MLGCA clarify its new requirements on RG disclaimers.

III. The surveillance additions create expenses without resulting benefits.

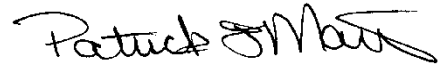
The MLGCA seeks to impose additional surveillance camera requirements that are not needed, will increase our labor and equipment prices, and will unnecessarily limit operators’ ability to adjust their floor layouts as customer demand shifts. We believe these additional requirements should be stricken.

In particular, the MLGCA looks to create a new requirement for two fixed cameras on each Baccarat table over 72 inches long and two fixed cameras on each roulette table. COMAR 36.03.11.04(A)(2)(c) and (d). MGM’s existing system provides the requisite coverage to ensure that our games and finances are protected. We are unsure what is driving the Commission to impose those requirements as our existing cameras have been in place and approved for more than eight years. And we request to demonstrate our coverage to the MLGCA leadership to show that our existing coverage is high quality.

If the new requirements are imposed, the additional cameras, network switches, recording servers, licensing fees, and cabling to operate that hardware would be around \$107,000. And we expect that prices will continue to increase on these technology products. That additional expense would not provide materially different views of the tables that would justify the spend.

For those reasons, we request that the MLGCA suspend this change until it assesses the operators' existing coverage.

Respectfully,

A handwritten signature in black ink, appearing to read "Patrick D. Martin". The signature is fluid and cursive, with a prominent initial "P" and "M".

Patrick D. Martin
MGM VP of Compliance



PROPOSED REGULATION OF THE MARYLAND STATE LOTTERY AND GAMING CONTROL AGENCY PUBLISHED IN THE MARYLAND REGISTER DECEMBER 29, 2025

THE LOTTERY'S PROPOSED REGULATION WOULD PROHIBIT CASINOS AND SPORTS BETTING LICENSEES FROM ACCESSING VOLUNTARY EXCLUSION PROGRAM DATA FROM OUTSIDE THE CONTINENTAL UNITED STATES. SEE PROPOSED CHANGES TO COMAR 36.03.06.01C(3) AND COMAR 36.10.10.01D(3).

THIS REGULATION IS PROBLEMATIC AND SHOULD BE HELD BY THE AELR COMMITTEE FOR FURTHER REVIEW.

Operation Impact of a “continental US” restriction on casino systems

- MGM currently utilizes several platforms to serve our world-wide customers.
- Our existing player management system (Patron Management), and BetMGM's race and sports system (PLEE) would immediately be rendered non-compliant as both can be accessed almost anywhere through existing and approved system securities.
- The MLGCA's existing regulations require MGM's comprehensive security system be designed to prevent unauthorized access to confidential records. Our IT security controls are audited annually by a third-party who provides recommendations “as to how to eliminate each material weakness or significant deficiency identified.”
- These systems have users inside and outside of the continental US. For example, PLEE's infrastructure is based in an Austrian data center, and BetMGM offers wagers in Canada and other countries.

Furthermore, the MLGCA directive that systems should only be accessible within the continental United States oddly removes access to users in Alaska, Hawaii, Puerto Rico, Guam or other locations outside the continental US and does not advance system security. That limitation is not from the CISO's Emergency Directive, and we are unsure why the MLGCA imposed it.

- Additionally, these changes will also undercut the MLGCA's responsible gaming efforts.



- MGM encourages play in Maryland from around the world. If our foreign hosts and employees working outside the US cannot access the Maryland information pertaining to excluded patrons, then we would eliminate the marketing efforts to avoid marketing to banned guests. This will have fiscal impact to the business, the state, and potentially excluded patrons.
- MGM is unaware of any other jurisdiction that imposes a “continental US” restriction.

Implementation:

- Currently, MGM does not have any process or system functionality to implement this rule, and MGM NH would immediately fall out of compliance.
- Implementation would require a multi-level investigation to determine feasibility, currently we have no way to assess potential timeline or costs associated with such a change.

Waiver:

- **If eliminating this regulation as it applies to gaming operators is not feasible, the Lottery should amend the proposed regulation to allow a licensee to request a waiver, consistent with the Department of Information Technology’s directive to Maryland agencies.**



January 26, 2026

Via Electronic Mail

Maryland Lottery and Gaming Control Agency
Attn: Jenifer Beskid, Director of Legislation and Policy
1800 Washington Blvd., Suite 330, Baltimore, MD 21230
Email: jennifer.beskid1@maryland.gov

RE: Sports Wagering Regulations for Comment

Dear Jennifer Beskid, Director of Legislation and Policy,

BetMGM thanks the Maryland Lottery and Gaming Control Agency for offering the opportunity to review and provide comments on the proposed Maryland Sports Wagering regulations. Leveraging its extensive expertise as a sports betting operator and its collaborative efforts with regulators in thirty jurisdictions during the formulation of their regulations, BetMGM aims to provide constructive input to enhance the effectiveness of Maryland operations and align the proposed procedures with the regulations of other states for consistency. The Maryland proposed amendments are listed below with MLGCA's additions in bold font and BetMGM's proposed additions and removals to the regulation in redline.

BetMGM respectfully submits the following comments for consideration.

36.10.10.03 Requirements

Proposed Regulation Update:

A. Definitions.

(1) In this regulation, the following terms have the meaning indicated.

(2) Terms Defined.

(a) "Advertisement" means any material that is:

(i) Disseminated to the public through broadcasting, publication, mail, or any other means; and

(ii) Intended to encourage sports wagering.

(b) "Billboard advertisement" means a roadside sign, aviation banner, or event banner that is intended to encourage sports wagering.

(c) "Branding" means the utilization of a logo. While branding may be included in sports wagering advertising or marketing, branding may be utilized in non-sports wagering contexts (i.e. non-sports wagering business and/or event sponsorships).

~~(d)~~ "Gambling assistance message" means a phrase approved by the Commission to encourage responsible play.

~~(e)~~ "Printed advertisement" means an advertisement that appears in or on a sign, direct mailing,

poster, brochure or other written material and is intended to encourage sports wagering.

(fe) "Online advertisement" means an advertisement that appears on a website, an application, in social media, or otherwise on the internet, that is intended to encourage sports wagering.



B. A sports wagering licensee shall:

(11) Ensure that advertisements for sports wagering includes a gambling assistance message that complies:

(a) For signs, direct mail materials, posters, and other printed advertisements:

(i) The font height of the gambling assistance message shall be the greater of:

- 1. The same size as the majority of the text in the advertisement; or**
- 2. ~~Two~~ ~~Three~~ percent of the height or width, whichever is greater, of the advertisement.**

(b) For billboards:

(i) The font height of the gambling assistance message shall be at least five percent of the height or width, whichever is greater, of the face of the billboard.

(c) For video and television advertisements:

(i) The gambling assistance message shall be visible for the entire duration of the advertisement, with a font size at least ~~two~~~~three~~ percent of the image height or width; or

(ii) The gambling assistance message shall appear from the first instance sports wagering or a licensed operator is displayed or mentioned for not less than three seconds, and again on a final screen for the final three seconds of the advertisement; and

(1) The font height shall be at least ~~two~~~~three~~ percent of the height or width, whichever is greater, of the image during the advertisement; and

(2) The font height shall be at least eight percent of the height or width, whichever is greater, of the image on the final screen.

(d) For websites and social media:

(i) The gambling assistance message shall be posted on each webpage or profile page, and on any gaming-related advertisement posted on those pages. In the event of spatial limitations on gaming-related advertisements, the gambling assistance message shall be posted in close proximity to such gaming-related advertisements.

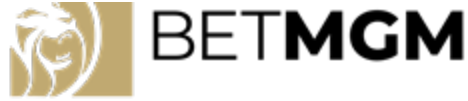
(ii) The font height of the gambling assistance message shall be at least the same size as the majority of the text used on the webpage or profile page.

(iii) For advertisements posted on the webpage or profile page, the font height shall comply with the requirements in §B(11)(a).

Reason for Revisions:

BetMGM respectfully requests that a definition for “Branding” be included as means to better clarify logo-based marketing without advertised sports wagering. This additional definition is beneficial to sports wagering operators as its inclusion minimizes potential regulatory misinterpretation around logo-based branding.

Regarding subpart B (11)(a)-(c), BetMGM respectfully requests that the regulation be amended to reduce the font size for gambling assistance messaging from three percent to two percent. Currently, BetMGM’s national gambling assistance messaging is set at two percent of the greater of the height



or width, depending on which is larger. States such as New York, Pennsylvania, and Massachusetts have a two percent requirement specifically for responsible gaming messaging. This standard benefits viewers, as two percent of the height or width has been shown to be clear and legible. Since Maryland uses the national helpline number, 1-800-GAMBLER, BetMGM's assets prominently display the helpline at two percent of the height or width, whichever is greater. Adopting the two percent size requirement used in other jurisdictions helps sports wagering licensees comply with a consistent standard across all states, avoiding multiple versions of marketing and advertising. Furthermore, increasing the size to three percent could cause spatial issues in advertising, making it difficult to include all necessary language while keeping the message visible.

BetMGM requests the inclusion of the additional language in subpart B(11)(d)(i). This language clarifies that the gambling assistance message may still accompany an advertisement in situations of spatial limitations or reduced readability, without being confined directly within the advertisement.

We again want to express our appreciation for your thoughtful consideration of BetMGM's feedback on the Maryland Lottery and Gaming Control Agency's proposed regulations. Should you have any questions about our submission or wish to discuss it further, please feel free to contact us.

Sincerely,

BetMGM



January 26, 2026

Via Email to jennifer.beskid1@maryland.gov
Jennifer Beskid, Director of Legislation and Policy
Maryland Lottery and Gaming Control Agency
1800 Washington Boulevard, Suite 330
Baltimore, MD 21230

RE: Proposed Regulations related to Sports Wagering

Director Beskid:

In response to the regulations related to Sports Wagering proposed by the Maryland Lottery and Gaming Control Agency ("MLGCA"), which were published in the December 26, 2025 Issue of the Maryland Register, DraftKings Inc. ("DraftKings") submits the following comments for consideration. As a leading sports wagering operator in the United States, DraftKings has first-hand experience with regulatory frameworks that address this vertical and submits this comment based on its operational knowledge in multiple regulated jurisdictions.

36.03.06.01 Enforcement

Comment: DraftKings respectfully requests the MLGCA consider amending the proposed changes to COMAR 36.03.06.01(C), as the proposed regulation language can be interpreted in a manner that is impossible for sports wagering operators to achieve. Specific to (C)(2), DraftKings recommends the MLGCA amend the provision to include a qualifier that the technology utilized by operators is "*designed to prevent unauthorized access to confidential records*" since the proposed regulation language is not practically feasible in all circumstances. With respect to (C)(3), the prohibition on data being accessed by sports wagering licensees outside of the continental United States is problematic for sports wagering operators, including DraftKings, given it is common to utilize engineers who are located outside of the country. For example, DraftKings has engineers located in the United Kingdom, Ireland, Bulgaria and other countries outside of the United States that may have access to U.S. player data. For this reason, please consider the following suggested amendment to the proposed regulation.

MLGCA-Proposed Language:

C. If a sports wagering licensee uses technology for the purpose of complying with this regulation, the sports wagering licensee shall ensure that ~~the technology~~:

(1) ~~Complies~~ The technology complies with all applicable State legal requirements; and

(2) ~~Is designed to~~ The technology prevents unauthorized access to confidential records ; and



(3) The data may be accessed by the sports wagering licensee only from within the continental United States.

DraftKings-Proposed Language:

C. If a sports wagering licensee uses technology for the purpose of complying with this regulation, the sports wagering licensee shall ensure ~~that the technology:~~

(1) ~~Complies~~ The technology complies with all applicable State legal requirements; ~~and~~

(2) ~~Is designed to~~ The technology ~~is designed to prevent~~s unauthorized access to confidential records ~~;~~ ~~and~~

~~(3) The data may be accessed by the sports wagering licensee only from within the continental United States.~~

36.10.10.01 Enforcement of Voluntary Exclusion Program

Comment: DraftKings respectfully requests clarification regarding the proposed regulations in COMAR 36.10.10.01(G)(1) and the use of the term "unredeemed item that has monetary value". As currently proposed, the term "unredeemed item that has monetary value" could be interpreted in a broad manner that includes promotional funds. Is it the position of the MLGCA that sports wagering operators remove all promotional funds from a voluntarily excluded individual's account? There are instances when promotional funds are offered by sports wagering operators that do not otherwise expire. As such, sports wagering operators will need to include specific language within their terms of use that make clear that promotional funds - if the MLGCA deems they constitute an "unredeemed item that has monetary value" - expire subject to an individual being placed on the state's voluntary exclusion list.

MLGCA-Proposed Language:

(1) Ensure that an individual on the voluntary exclusion list surrenders an unredeemed item that has monetary value, that the individual won, obtained, or otherwise received; or

36.10.10.03 Enforcement of Voluntary Exclusion Program

Comment: DraftKings respectfully requests the MLGCA consider amending the proposed changes to COMAR 36.10.10.03(B)(11)(c), as the proposed regulation language goes beyond industry standards that have been created by other gaming regulators across the country. Should the MLGCA move forward with the regulation language as proposed, it would require DraftKings and every other operator in the state to reconfigure every single national marketing asset that is currently active in the marketplace. Instead of the percentages proposed,



DraftKings respectfully requests the MLGCA consider aligning their font size percentages with other gaming states that require similar marketing regulations of their sports wagering operators. For example, Massachusetts, New York, Pennsylvania, and Louisiana all require 2% of the image height or width, as opposed to the 3% proposed by the MLGCA. The four states listed above are the only other states that have officially promulgated regulations directly on this issue, and each of them settled on the 2% font size for video and television advertisements, meaning Maryland would stand alone as the only state in the country that is seeking a larger percentage of font size. So as to maintain marketing regulation consistency across regulated jurisdictions, it would be most beneficial for Maryland's sports wagering operators for the MLGCA to consider amending these proposed regulations to align with Pennsylvania's [58 PA. Code § 501a.7](#), as reflected in the suggested amendment to the proposed regulation below.

MLGCA-Proposed Language:

(c) For video and television advertisements:

(i) The gambling assistance message shall be visible for the entire duration of the advertisement, with a font size at least 3 percent of the image height or width;

(ii) The gambling assistance message shall appear from the first instance sports wagering or a licensed operator is displayed or mentioned for not less than 3 seconds, and again on a final screen for the final 3 seconds of the advertisement;

(iii) The font height shall be at least 3 percent of the height or width, whichever is greater, of the image during the advertisement; or

(iv) The font height shall be at least 8 percent of the height or width, whichever is greater, of the image on the final screen; and

DraftKings-Proposed Language:

(c) For video and television advertisements:

(i) The gambling assistance message shall be visible for the entire duration of the advertisement, with a font size at least ~~3~~ 2 percent of the image height or width;

(ii) The gambling assistance message shall appear from the first instance sports wagering or a licensed operator is displayed or mentioned for not less than 3 seconds, and again on a final screen for the final 3 seconds of the advertisement;

(iii) The font height shall be at least ~~3~~ 2 percent of the height or width, whichever is greater, of the image during the advertisement; or

(iv) The font height shall be at least 8 percent of the height or width, whichever is greater, of the image on the final screen; and



36.10.10.03 Enforcement of Voluntary Exclusion Program

Comment: DraftKings respectfully requests clarification regarding the proposed regulations in COMAR 36.10.10.03(B)(11) and the use of the term “gambling assistance message”. COMAR 36.10.10.03 defines “gambling assistance message” as, “a phrase approved by the Commission to encourage responsible play.” The open-ended tailoring of that definition, based on the Commission’s ability to approve *any* message, creates difficulties for operators designing marketing assets that require responsible gaming disclosures. As such, operators would benefit from the certainty of having one specific gambling assistance message the MLGCA is comfortable with operators utilizing for their marketing assets. DraftKings’ preference would be a succinct, clean message, like “*Gambling problem? Call 1-800-GAMBLER.*” For operators, this type of express certainty is ideal because it provides clear guidance for design of marketing assets, and is direct, limiting the ability to confuse customers with different messaging required across national ads.

36.10.18.06 Information Security

Comment: DraftKings respectfully requests the MLGCA consider amending the proposed changes to COMAR 36.10.18.06(B)(4), as the proposed regulation language creates an undue regulatory burden on all sports wagering operators due to the already busy system audit reporting schedule during the first quarter of the year. Currently, operators are required to submit their Internal Audits, platform ISO 27001 and SOC2 submissions to the MLGCA in the first quarter of each year, and the Geolocation testing audit is proposed to be due at the same time as well. By requiring another annual system audit to be submitted during the same window, it risks operators not having the ability to properly procure the necessary auditors who have the time and resources to accomplish this specific system audit on schedule. As such, DraftKings suggests the MLGCA consider shifting the Information Security system audit reporting requirement to the third quarter of the year to allow for operators to more easily procure audits during a time of the year that is less busy for regulatory submissions. By staggering the various audit reporting timelines across the year it reduces any concentrated regulatory submission requirements on operators without compromising the regulatory utility of the various annual audit requirements. For this reason, please consider the following suggested amendment to the proposed regulation.

MLGCA-Proposed Language:

(4) Ensure that the annual reporting requirement required in B(1) (3) of this regulation is submitted to the Commission no later than 120 days after the end of the licensee s fiscal year;

DraftKings-Proposed Language:

*(4) Ensure that the annual reporting requirement required in B(1) (3) of this regulation is submitted to the Commission no later than **September 30th** 120 days after the end of the licensee s fiscal year;*



* * * * *

Thank you for your consideration of DraftKings' comment regarding the MLGCA's proposed regulations for Sports Wagering. Please feel free to reach out should you or anyone else at the MLGCA have any questions about our submission or our experience in other regulated jurisdictions.

Sincerely,

DraftKings Inc.



Cory Fox
Cory.Fox@fanduel.com

January 26, 2026

Via Email to jennifer.beskid1@maryland.gov
Jennifer Beskid – Director, Legislation and Policy
Maryland Lottery and Gaming Control Agency
1800 Washington Blvd., Suite 330
Baltimore, MD 21230

Re: FanDuel comments on proposed amendments to Maryland’s Sports Wagering regulations.

Dear Director Beskid:

I write to provide comments on behalf of FanDuel Group, Inc. (“FanDuel”) regarding the Maryland Lottery and Gaming Control Agency’s (the “Agency”) proposed regulations to Maryland’s Sports Wagering regulations (“Proposed Rules”). Based on our extensive experience as an operator in the sports betting industry and a collaborator with sports wagering regulators in many states in the development of their regulations, we offer the following recommendations for the Agency’s consideration on the Proposed Rules.

FanDuel thanks the Agency for taking the time to review our comments and consider the impacts the Proposed Rules may have. We also thank the Agency for engaging with the industry and public during its annual regulatory review process and giving serious consideration to the recommendations offered during that process. FanDuel has recommendations to the Proposed Rules, along with a comment in support of the Proposed Rules. For the sake of clarity, proposed additions will be shown in **bold and underlined** text and proposed deletions will be shown in [~~bracketed, and struck through~~] text.

36.10.10.03: Requirements

FanDuel appreciates the Agency’s commitment to providing clear responsible gaming advertising requirements in 36.10.10.03 for the various mediums operators use to advertise. We also commend the Agency’s due diligence in reviewing the applicable regulations in neighboring jurisdictions, such as Massachusetts, Pennsylvania, and New York, when developing these proposals. Consistent requirements across jurisdictions ease the administrative and technical burdens of licensees that operate in multiple jurisdictions.

FanDuel is committed to educating the public about both responsible gaming best practices and the risks of problem gambling. This is done through in-product resources and external facing advocacy and marketing campaigns. FanDuel users can access information on state-specific and national support resources within the RG center of the application.



In March of 2025, FanDuel launched the Comeback with Craig Carton – a video series on problem gambling recovery aired and promoted through FanDuel media channels. Episodes include calls to action promoting support resources or responsible gaming tools. Earlier this month, FanDuel introduced its “Play with a Plan” campaign – a research-backed platform empowering customers to make informed decisions and utilize tools. As part of this campaign, FanDuel launched a new RG television commercial, airing nationally. The commercial encourages individuals to pause and consider their play, and references tools including loss and wager limits. These initiatives represent the additional channels used for providing responsible gaming education and resources, in addition to our marketing disclaimers.

The Proposed Rules require licensees to include a gambling assistance message for print, video, and television advertisements that is three percent of the height or width of the advertisement as a whole. This contrasts with similar requirements in the neighboring jurisdictions referenced above, which generally require gambling assistance messages at two percent the height or width of the advertisement. Accordingly, FanDuel respectfully recommends the Agency revise the gambling assistance messaging sizing requirements for print, video, and television advertisements to align with the existing requirements in neighboring jurisdictions.

Further, we recommend the Agency revise the gambling assistance messaging sizing requirements for billboards from the proposed “*five percent of the height or width, whichever is greater, of the face of the billboard*” to “*five percent of the shorter side of the face of the billboard*” to ensure the message is legible and fits completely on the billboard. The current language requires the messaging to be five percent of the greater side of the billboard, which creates formatting issues when including the gambling assistance message with the rest of the advertisement. In many cases, this would lead to a partial, incomplete, and unreadable display of the gambling assistance message due to the enlarged text. If the requirement is five percent of the shorter side of the face of the billboard, it allows for the gambling assistance message to be conspicuously included on the billboard in its entirety.

Finally, FanDuel respectfully recommends the Agency revise the gambling assistance message requirements for video and television advertisements to account for national advertisements. To ensure customers can locate problem gambling assistance resources, it is critical to prominently include a single helpline for customers to access. Licensees include the 1-800-GAMBLER helpline number, as it reaches the greatest number of people, has the most resources, and is synonymous with problem gambling. At the end of national advertisements, licensees generally include the state-specific helplines for customers to reach out to. Requiring the Maryland-specific helpline during the entirety of a national advertisement may cause confusion for those seeking assistance outside of Maryland, which would represent the vast majority of viewers on a national broadcast, and could potentially overwhelm the Maryland helpline or cause callers to not receive localized assistance. Accordingly, we recommend removing the requirement for licensees to include the Maryland-specific message during the entirety of national advertisements.



For convenience, FanDuel has collated our requested changes to 36.10.10.03(B)(11) outlined above into the section below.

36.10.10.03 Requirements

(B) A sports wagering licensee shall:

(11) Ensure that advertisements for sports wagering includes a gambling assistance message that complies:

(a) For signs, direct mail materials, posters, and other printed advertisements:

(i) The font height of the gambling assistance message shall be the greater of:

1. The same size as the majority of the text in the advertisement; or
2. ~~Three~~ **Two** percent of the height or width, whichever is greater, of the advertisement.

(b) For billboards:

(i) The font height of the gambling assistance message shall be at least five percent of the ~~height or width, whichever is greater,~~ **shorter side** of the face of the billboard.

(c) For video and television advertisements:

(i) ~~The~~ **For local advertisements, the** gambling assistance message shall be visible for the entire duration of the advertisement, with a font size at least ~~three~~ **two** percent of the image height or width; or

(ii) **For national advertisements, the gambling assistance message shall be visible for not less than three seconds of the advertisement. Comparable national gambling assistance language approved by the Commission shall be used for the entire duration of the advertisement and the font size shall comply with the above requirements.**

~~The gambling assistance message shall appear from the first instance sports wagering or a licensed operator is displayed or mentioned for not less than three seconds, and again on a final screen for the final three seconds of the advertisement; and~~

~~(1) The font height shall be at least three percent of the height or width, whichever is greater, of the image during the advertisement; and~~

~~(2) The font height shall be at least eight percent of the height or width, whichever is greater, of the image on the final screen.]~~

(d) For websites and social media:

(i) The gambling assistance message shall be posted on each webpage or profile page, and on any gaming-related advertisement posted on those pages.

(ii) The font height of the gambling assistance message shall be at least the same size as the majority of the text used on the webpage or profile page.



(iii) For advertisements posted on the webpage or profile page, the font height shall comply with the requirements in §B(11)(a).

36.10.14.06: Reserve

FanDuel offers its full support to the proposed revisions to 36.10.14.06. FanDuel is committed to always maintaining a cash reserve in an amount necessary to ensure the ability to cover the outstanding liability for our online sports wagering obligations, as required by Maryland regulations. We agree with the Agency's determination that licensees can satisfy their reserve obligations without needing explicit approval from the Agency to remove funds that exceed the amount of funds required by regulation. This flexibility will reduce the regulatory and administrative burdens of dealing with excess funds, without undermining the regulatory goal of ensuring that sufficient funds to protect our customers are included in the reserve account.

We appreciate your time and consideration of our comments and would be happy to discuss at your convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Cory Fox', written in a cursive style.

Cory Fox
Public Policy and Sustainability Senior Vice President



Michael Eaton -MLGCA- <michael.eaton@maryland.gov>

Proposed Regulatory Changes - COMAR 36.03.06.01 & COMAR 36.10.10.01 Comments

1 message

Theodore Gaffney IV <tgaffneyiv@caesars.com>

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Good After noon,

Thank you for the opportunity to comment on the proposed amendments to COMAR 36.03.06.01 and COMAR 36.10.10.01. On behalf of Horseshoe Baltimore and Caesars Entertainment, we would like to express our concerns regarding the proposed limitation that would restrict the applicability of Maryland's Voluntary Exclusion Program (VEP) to the continental United States.

Caesars Entertainment maintains a robust Responsible Gaming Policy, publicly distributed and attached to this comment, which makes clear that the company enforces universal, network-wide exclusion across all Caesars gambling facilities and platforms. This includes Caesars Windsor Hotel and Casino that operates in Ontario, Canada. Key provisions of the policy include:

- Caesars has offered a nationwide self-exclusion program since 1999 and expanded this to a universal self-exclusion policy in 2023 that applies to every gaming platform the company offers.
- Customers who self-exclude "are not only excluded from their local property or a state sponsored exclusion program, but they are excluded from every gaming platform Caesars offers."
- Caesars' RG2 technology system enforces exclusion and suppression decisions across all jurisdictions where it operates, ensuring all excluded patrons cannot access gaming privileges and/or casino privileges anywhere in the Caesars network.

Given that our company already maintains systems capable of enforcing exclusion globally, limiting Maryland's VEP to the continental U.S. would create an unnecessary gap in responsible gaming protections for consumers. A Maryland resident who self-excludes should not be placed at risk simply because affiliated gaming operators and casinos also operate outside the United States. The data maintained within our Responsible Gaming application-is highly secured through Caesars Entertainment Information Security policies, and the Maryland-specific VEP database is only accessible to Horseshoe Baltimore personnel.

The intent of COMAR 36.10.10.01 is to ensure that licensees meaningfully enforce exclusion decisions. Restricting Maryland VEP data within our internal RG database would hinder our ability to universally exclude Maryland VEP participants that request Responsible Gaming assistance across our casino portfolio.

For these reasons, we respectfully ask the MLGCA to revise the proposed amendments to provide an exception permitting licensees to apply Maryland VEP exclusions across their entire corporate network—including international properties. This approach would better align with Caesars' robust Responsible Gaming standards and enhance responsible gaming protections for Maryland residents.

We suggest the regulation in paragraph (c)3 in both the Facility operator and sports wagering regulations, COMAR 36.03.06.01 and COMAR 36.10.10.01, are amended to reflect the following exceptions-

Data may be accessed by facility operators only from within the continental United States **except that a facility operator with an established, secure, enterprise-wide Responsible Gaming system may access Maryland VEP data outside the continental United States solely for the purpose of enforcing universal exclusion across its corporate network.**

Thank you for your consideration and for your continued commitment to responsible gaming policy.



Theodore Gaffney IV | *MGR REGULATORY COMPLIANCE*
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