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CF HB 802

By: Senators Hettleman and Zucker

Introduced and read first time: February 6, 2023 Assigned to: Education, Energy, and the Environment

### A BILL ENTITLED

1 AN ACT concerning

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# Institutions of Higher Education - Sports Wagering Contracts - Prohibition

- FOR the purpose of prohibiting institutions of higher education from entering into a contract with a certain regulated gaming entity or a certain agent of a regulated gaming entity if the institution of higher education receives certain compensation for student participation in certain sports wagering; providing that a certain contract formed by a public institution of higher education is subject to public inspection in accordance with the Maryland Public Information Act; and generally relating to institutions of higher education and sports wagering.
- 10 BY repealing and reenacting, without amendments,
- 11 Article Education
- 12 Section 10–101(a) and (h)
- 13 Annotated Code of Maryland
- 14 (2022 Replacement Volume)
- 15 BY adding to
- 16 Article Education
- 17 Section 26–801 to be under the new subtitle "Subtitle 8. Sports Wagering Contracts"
- 18 Annotated Code of Maryland
- 19 (2022 Replacement Volume)
- 20 BY repealing and reenacting, without amendments,
- 21 Article State Government
- 22 Section 9–1E–01(a), (e), (f), (g), (j), and (m)
- 23 Annotated Code of Maryland
- 24 (2021 Replacement Volume and 2022 Supplement)
- 25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND.
- 26 That the Laws of Maryland read as follows:



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(II)

## Article - Education 1 2 10-101. 3 (a) In this division the following words have the meanings indicated. "Institution of higher education" means an institution of postsecondary 4 (h) education that generally limits enrollment to graduates of secondary schools, and awards 5 6 degrees at either the associate, baccalaureate, or graduate level. 7 "Institution of higher education" includes public, private nonprofit, and 8 for-profit institutions of higher education. 9 SUBTITLE 8. SPORTS WAGERING CONTRACTS. 10 26-801. 11 (A) **(1)** IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS 12 INDICATED. "AGENT OF A REGULATED GAMING ENTITY" INCLUDES A 13 14 MARKETING FIRM OR OTHER SIMILAR ENTITY CONTRACTED TO PERFORM 15 GAMING-RELATED SERVICES FOR A REGULATED GAMING ENTITY. "INSTITUTION OF HIGHER EDUCATION" HAS THE MEANING 16 **(3)** 17 STATED IN § 10–101 OF THIS ARTICLE. 18 "MOBILE SPORTS WAGERING LICENSEE" HAS THE MEANING STATED IN § 9-1E-01 OF THE STATE GOVERNMENT ARTICLE. 19 "Online sports wagering" has the meaning stated in § 20**(5)** 9-1E-01 OF THE STATE GOVERNMENT ARTICLE. 2122 "Online sports wagering operator" has the meaning 23STATED IN § 9-1E-01 OF THE STATE GOVERNMENT ARTICLE. "REGULATED GAMING ENTITY" MEANS: 24**(7)** 25 **(I)** A MOBILE SPORTS WAGERING LICENSEE;

AN ONLINE SPORTS WAGERING OPERATOR; OR

(III) A SPORTS WAGERING LICENSEE.

- 1 (8) "SPORTS WAGERING" HAS THE MEANING STATED IN § 9–1E–01 OF 2 THE STATE GOVERNMENT ARTICLE.
- 3 (9) "SPORTS WAGERING LICENSEE" HAS THE MEANING STATED IN § 4 9–1E–01 OF THE STATE GOVERNMENT ARTICLE.
- 5 (B) AN INSTITUTION OF HIGHER EDUCATION MAY NOT ENTER INTO A 6 CONTRACT WITH A REGULATED GAMING ENTITY OR AN AGENT OF A REGULATED 7 GAMING ENTITY IF, UNDER THE TERMS OF THE CONTRACT, THE INSTITUTION OF 8 HIGHER EDUCATION RECEIVES A COMMISSION, A BONUS, OR ANY OTHER INCENTIVE 9 PAYMENT BASED ON THE SUCCESS OF SECURING STUDENT PARTICIPATION IN 10 SPORTS WAGERING OR ONLINE SPORTS WAGERING.
- 11 (C) (1) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THIS
  12 SECTION DOES NOT PRECLUDE CONTRACT FORMATION BETWEEN AN INSTITUTION
  13 OF HIGHER EDUCATION AND A REGULATED GAMING ENTITY OR AN AGENT OF A
  14 REGULATED GAMING ENTITY.
- 15 (2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A CONTRACT
  16 FORMED IN ACCORDANCE WITH THIS SUBSECTION BY A PUBLIC INSTITUTION OF
  17 HIGHER EDUCATION IS SUBJECT TO PUBLIC INSPECTION IN ACCORDANCE WITH THE
  18 MARYLAND PUBLIC INFORMATION ACT.

# 19 Article – State Government

- 20 9–1E–01.
- 21 (a) In this subtitle the following words have the meanings indicated.
- 22 (e) "Mobile sports wagering licensee" means a sports wagering licensee who is 23 authorized to conduct and operate online sports wagering.
- 24 (f) "Online sports wagering" means sports wagering through an online gaming 25 system:
- 26 (1) on a computer, a mobile device, or any other interactive device; and
- 27 (2) that is accepted by a sports wagering licensee or an online sports 28 wagering operator.
- 29 (g) "Online sports wagering operator" means an entity registered with a state to do business within a jurisdiction of the United States that holds a license issued by the Commission under this subtitle to operate online sports wagering on behalf of a sports wagering licensee.

#### **SENATE BILL 620**

- 1 (j) "Sports wagering" means the business of accepting wagers on any sporting 2 event by any system or method of wagering, including single-game bets, teaser bets, 3 parlays, over-under, moneyline, pools, exchange wagering, in-game wagering, in-play 4 bets, proposition bets, and straight bets.
- 5 (m) "Sports wagering licensee" means the holder of a sports wagering license.
- 6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 7 1, 2023.