



House Ways and Means Committee  
Testimony in Opposition to HB 484  
February 6, 2025

Chairwoman Atterbeary and Members of the Committee,

DraftKings Inc. (“DraftKings”) wants to thank the House Ways and Means Committee for the opportunity to provide testimony on House Bill 484. It is our position that House Bill 484 would create an opportunity for bets already being placed in Maryland currently under the state’s sports wagering statute to instead be offered under the state’s fantasy competition statute. The specific language would authorize contests in which a *“single participant competes against a statistical measurement established by the fantasy contest operator.”* From our perspective, that is indistinguishable from a proposition bet, a very common wager in sports betting, where a sports wagering operator sets a line, oftentimes a statistical measurement on individual player performance, and a bettor places a wager where they are essentially competing against the operator, with either the bettor or operator winning the wager.

For example, whether or not a certain player scores X number of points in a basketball game is a proposition bet that sportsbooks offer in Maryland today. This change to the definition of “fantasy competition” would give fantasy game operators in Maryland the ability to offer that exact scenario, by setting a statistical measurement for points and letting a single participant play the game directly against the operator.<sup>1</sup>

There could be an argument made that it is not sports wagering because you would have to select at least two of these statistical measurements, but that is also a common sports wager – a proposition parlay, which is a bet that has higher payouts for the bettor because the bet only wins if all the individual bets, referred to as legs, making up the parlay win.

As a result, we respectfully request of the committee to not advance this bill, as it could harm revenue to the state, as sports wagering operators pay taxes on sports wagering revenues, and sports wagering operators also restrict wagering to persons twenty-one years of age or older.

If the legislature is looking to clarify the language of Maryland’s fantasy contest statute, we would recommend clarifying that fantasy contests are those contests played between two or more participants, where the operator may not serve as a participant. We believe this to be consistent

---

<sup>1</sup> See Exhibit 1 below, which shows the similarities of the two product offerings – sports wagering at the top, fantasy sports at the bottom.



with Maryland’s current law that defines a “fantasy competition” as being reflective of the “relative skill of the game participants” – a term we believe means that there are two or more participants competing in a game of skill because of the statute’s use of the word “relative.” MD State Govt Code § 9-1D-01.

In Maryland, in March 2022, the Maryland Lottery and Gaming Control Agency sent a letter to all registered fantasy sports operators in the state explaining that fantasy competitions in which players compete against the fantasy competition operator instead of other players are not compliant with Maryland law. Other states around the country have also looked at this question in relation to fantasy sports, and as a result fantasy contests where a participant plays directly against the fantasy competition operator have been prohibited in many states.

Thank you for the opportunity to provide written testimony and we would be happy to follow up in writing to provide additional information on what other states have done in relation to clarifying their fantasy sports operations over the past few years if the committee would like more information.

Respectfully,

DraftKings Inc.

