

## MARYLAND ONLINE GAMING SUMMARY OF FINDINGS

## January 18, 2024

Prepared For:

Maryland State Lottery & Gaming Control Agency

## **PROJECT TASKS**

The Innovation Group was retained by the Maryland Lottery and Gaming Control Agency ("MLGCA") to develop a report on iGaming for the Maryland General Assembly's Budget Committees as legislation relating to iGaming is contemplated. The Innovation Group submitted to the MLGCA a proposal to complete the tasks listed below, with task numbers corresponding to those in the Maryland General Assembly budget bill from which the report was commissioned. We present our findings for each task in the slides that follow.

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## TASK I: Maryland iGaming Market Estimate

### Goals:

Estimate the size and revenue potential of a legal iGaming market in Maryland 

### Approach:

- Build a spend-per-capita model based on iGaming performance in other states
- Scale per capita spend to reflect levels of market maturation in other states
- Multiply per capita spend by projected gambling-age population in Maryland
- Project gross iGaming revenue by year in Maryland

Year	Ramp	Population 21+	Spend per Capita	iGaming Gross Revenue (\$MM)
2026	60%	4,751,213	\$112.26	\$533.4
2027	75%	4,772,985	\$140.51	\$670.7
2028	90%	4,794,856	\$168.84	\$809.6
2029	100%	4,816,828	\$187.86	\$904.9
2030	100%	4,838,900	\$188.11	\$910.2
2031	100%	4,861,073	\$188.36	\$915.6
2032	100%	4,883,349	\$188.62	\$921.1

## TASK II: iGaming Market Size, Other States

### Goals:

• Report the size of and revenue generated by iGaming in other states

Year	New Jersey	Delaware	Pennsylvania	West Virginia	Michigan	Connecticut	Total
2013	\$8.4	\$0.3					\$8.6
2014	\$123.1	\$2.1					\$125.2
2015	\$149.0	\$1.8					\$150.8
2016	\$196.9	\$2.9					\$199.8
2017	\$246.0	\$2.4					\$248.4
2018	\$299.1	\$2.6					\$301.7
2019	\$483.1	\$3.6	\$33.6				\$520.3
2020	\$971.6	\$8.4	\$565.2	\$8.5			\$1,553.7
2021	\$1,366.6	\$10.6	\$1,112.9	\$60.0	\$1,114.0	\$16.3	\$3,680.3
2022	\$1,619.4	\$13.6	\$1,364.4	\$114.0	\$1,582.5	\$225.0	\$4,918.8

## **TASK III:** iGaming Impact on Maryland Gaming Revenue

## Goals:

Estimate the impact of iGaming on revenue generated by Maryland's brick-and-mortar casinos, other gaming venues, and the State lottery

### Approach:

Consider GGR growth rates in other states (net of population & GDP growth), and compare growth in iGaming states vs non-iGaming states

### Findings:

- Impact on Brick & Mortar GGR of -10%
- Net increase in Maryland gaming revenue of approximately \$690 million
- De minimis estimated impact of iGaming on the State Lottery, racing, OTBs

(\$millions)	Forecast B&M GGR without	Forecast B&M GGR with	Forecast B&M GGR Loss Due to	Forecast
Year	iGaming	iGaming	iGaming	iGaming GGR
2029	\$2,137.6	\$1,919.0	\$218.5	\$904.9
2030	\$2,150.2	\$1,930.4	\$219.8	\$910.2
2031	\$2,163.0	\$1,941.9	\$221.1	\$915.6
2032	\$2,175.8	\$1,953.4	\$222.5	\$921.1

**Net Increase** in GGR (All Channels) \$686.3 \$690.4 \$694.5 \$698.6

## **TASK III:** iGaming Impact on Maryland Gaming Revenue

### Addendum: Anticipated Labor Impact

- Casinos have both fixed and variable labor
  - Variable labor can be added or removed depending on business volumes (e.g., the number of restaurant servers varies with the number of diners)
  - Fixed labor is required regardless of business volumes (e.g., the casino will require a general manager whether the business grows or declines)
- Different departments will be impacted differently by gaming declines • The casino can offer additional complimentary rooms to its gaming database or increase group sales/meetings efforts to bolster hotel occupancy levels when gaming demand is lower

  - IT, Security, Facilities, and Surveillance needs are largely fixed • F&B staff, dealers, and slot attendants are among the variable labor
- Total estimated labor impact of 4%-8% based on TIG labor models
  - Dependent on property's size, business model, and staffing model
- Mitigation: There is minimal mitigation from the addition of property iGaming resources, but more substantial labor mitigation is possible if live dealer studios are required within state, e.g., at the casino properties

## TASK IV: iGaming Impact on Other State Gaming Revenue

### Goals:

Estimate the impact of iGaming on revenue generated by brick-and-mortar casinos, other gaming venues, and the lottery in other states

### Findings:

				Population and
State	2019 GGR	2022 GGR	GGR Growth	GDP Growth
Connecticut	\$982.3	\$843.0	-14.2%	2.1%
Delaware	\$366.0	\$405.3	10.7%	7.1%
Michigan	\$1,454.3	\$1,257.0	-13.6%	6.9%
New Jersey	\$2,686.6	\$2,775.5	3.3%	9.9%
Pennsylvania	\$2,363.1	\$2,390.8	1.2%	4.4%
West Virginia	\$604.6	\$585.8	-3.1%	-0.7%

(\$millions)

	Growth
Net GGR Growth, iGaming States	-8.2%
Net GGR Growth, Non-iGaming States	2.0%
Impact of iGaming on B&M GGR	-10.2%

### **Net GGR Growth** -16.3% 3.7% -20.5% -6.6% -3.2% -2.4%

Goals:

• Analyze the experience of other states in implementing iGaming

<u>Findings:</u> Key aspects of the bills in most states include but are not limited to:

- licenses tethered to existing brick-and-mortar casino licenses,
- a reasonable tax rate,
- gaming board oversight, and
- reasonable responsible gaming requirements.

State	Skins per License holder	Tax Rate or
Delaware	1	57% slots – 2
New Jersey	5	20%
Pennsylvania	Unlimited	54% slots – ´
West Virginia	3	15%
Michigan	2	20% – 28% (
Connecticut	1	189
Rhode Island	1	61% Slots – 1

\*100% on the first \$3.75m revenue

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### on iGaming

20% tables\* % 16% tables % (graduated) % 15.5% Tables

### Licenses:

While there were competing viewpoints within Maryland about who should be eligible for iGaming licenses, those we spoke with from other states were fairly direct that licenses should be tethered to casinos. Besides this being the only real precedent from other iGaming states, people pointed out:

- That casino gaming is casinos' core business and expertise; they deeply understand slot and table games product, consumers, and the general market;
- The extensive licensure process that key casino employees undergo; they are trusted operators and satisfy the strictest suitability requirements;
- Casino staff experience and mandatory training with Anti Money-laundering ("AML") and Know Your Customer ("KYC") issues;
- The substantial investment that casinos have made in the communities, both in terms of jobs and physical development;
- That host communities are reliant on revenue from revenue share agreements, and the casinos need to be able to fulfill those commitments;

### <u>Skins</u>

- A "skin" is a sublicense of an online betting license. Multiple skins allow gaming licenseholders to operate multiple brands under a single gaming license.
- In a multi-skin market, there are several uses for secondary skins
  - Operators that are permitted to do so often partner with a large brand with their first skin, due to the large brand value (which translates to GGR) that partners provide
  - With the 2<sup>nd</sup> skin, the licenseholder can bring an iGaming platform to market under its own brand, or it may elect to partner with a niche, market-expanding brand.
- Those we spoke with believed that 12 brands, implying two skins each for six operators, would be sufficient for the market while not increasing the supply to a point of diminishing the salability of a skin.
- We see 8-10 companies generating nearly all of the revenue in states with "open" markets (this is particularly evident in sports betting), so having this many allows for a combination of industry powerhouses and a (possibly) rotating array of smaller/local operators that may have niche product or niche audience, ensuring that emerging technology and approaches can be market-tested.

State	Skins per License holder
Delaware	1
New Jersey	5
Pennsylvania	Unlimited
West Virginia	3
Michigan	2
Connecticut	1
Rhode Island	1

### Tax Rate Considerations

Tax rate will impact overall market GGR, but the below table is illustrative and shows the difference in tax receipts assuming a market that does not vary by tax rate

	10%	15%	20%	25%	30%	35%	40%	45%
iGaming GGR (Total)	\$904.9	\$904.9	\$904.9	\$904.9	\$904.9	\$904.9	\$904.9	\$904.9
iGaming Tax	\$90.5	\$135.7	\$181.0	\$226.2	\$271.5	\$316.7	\$362.0	\$407.2
Brick & Mortar GGR (w/o								
iGaming)	\$2,137.6	\$2,137.6	\$2,137.6	\$2,137.6	\$2,137.6	\$2,137.6	\$2,137.6	\$2,137.6
Brick & Mortar Cannibalization	\$218.5	\$218.5	\$218.5	\$218.5	\$218.5	\$218.5	\$218.5	\$218.5
Lost Brick & Mortar Tax (at								
45%)	\$98.3	\$98.3	\$98.3	\$98.3	\$98.3	\$98.3	\$98.3	\$98.3
Net Gaming Taxes	-\$7.8	\$37.4	\$82.7	\$127.9	\$173.1	\$218.4	\$263.6	\$308.9

## **TASK VI:** Partnerships With Casinos

Goals:

Review the potential impacts on brick-and-mortar casinos and gaming venues through partnerships with iGaming operators

- Partnering with national iGaming brands instantly grants access to a vast audience
- Established iGaming brands are more efficient and tech-forward than an in-house brand in most cases
- National brands often bring with them cutting-edge technology and a user-friendly interface
- National iGaming brands often have technology for advanced data analytics and player profiling

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Review the potential impacts on brick-and-mortar casinos and gaming venues through partnerships with iGaming operators

- Collaboration with major brands can open doors to media partnerships and sponsorships
- Large iGaming companies may have preferred (lower) pricing for content, data, advertising, etc.
- A significant drawback of these partnerships is that not all economic benefits stay within the casino or the state
- Partnering with national brands means ceding some control over the iGaming operation
- Reliance on third party comes with risks have seen some operators shutter

# TASK VII: Multi-jurisdictional Gaming Agreements

Goals:

Review the potential usage of multi-jurisdictional gaming agreements 

- The Multi-State Internet Gaming Agreement (MSIGA) is the primary multijurisdictional agreement of relevance to a legal iGaming market in Maryland
- The MSIGA was established to allow states in the U.S. to pool their online poker players, which sustains games and makes them more attractive for players
- The initial states to sign onto the MSIGA were Delaware and Nevada, joined later by New Jersey, Michigan, and recently, West Virginia
- MSIGA allows for other iGaming formats to be added to the agreement and offered by Licensees in member states where such iGaming formats are permitted
- Each state continues to regulate and oversee its operators
- Each state taxes its operators based on its own tax laws and rates
- The framework ensures states receive appropriate tax revenue based on the location of the player

## **TASK VIII:** Maryland Illegal Market

Goals:

- Estimate size of the existing illegal iGaming market in Maryland
- Review methods to transition individuals from the illegal market to a legal market

### Findings:

To capture the black market, operators need to be taxed at a reasonable level to allow them the latitude for substantial marketing and technology/product improvement to compete with illegallyoperating, untaxed, and unregulated operators that can reinvest heavily in players with marketing and bonusing programs. There needs to be alignment between the state officials, including the Attorneys General from these states, to make a priority of bringing enforcement actions against illegally operating gambling sites.

Additionally, in 2022, TIG performed quantitative survey research to estimate the size of the illegal iGaming market in each state and arrived at an estimated \$197 million annually in Maryland.

Maryland Estimated Illegal iGaming Revenue (2022)	\$1
Maryland 2022 Population 21+	4
Northeast Region Estimated Illegal iGaming Revenue per Capita	
Northeast Region Estimated Illegal iGaming Revenue	\$1
Northeast Region Population 21+	43

3.8 million 1.85 billion \$42 4.7 million 97 million

## **TASK IX:** Consumer Protections

### Goals:

 In partnership with the Maryland Center of Excellence on Problem Gambling, review the consumer protections available for users of legal iGaming, including the verification process for transactions and the ability to limit and monitor those transactions to ensure responsible gaming

### Center of Excellence Selected Findings:

- Advertising and Promotion
  - Commitment to non-misleading, responsible advertising
  - Prohibition of advertising on responsible gambling pages
- Game and Site Features
  - Display of bets, wins, losses, and balances as cash
  - Restrictions on autoplay and multiple accounts
  - Prohibition on encouraging continuous play or chasing losses
- Payments
  - Options for players to set financial transaction limits
  - Public availability of payment data for research and individual access
- Self-Exclusion
  - Player-initiated exclusion with variable ban lengths
  - Integration of iGaming into existing voluntary exclusion programs

## **TASK X:** Responsible Gaming

### Goals:

- Review the impact of iGaming on problem gambling
- Review methods to encourage responsible gaming and combat the growth of problem gambling

State	Total Annual Funding	Per Capita Funding
Pennsylvania	\$ 6,369,000	\$ 0.65
Michigan	\$ 5,515,300	\$ 0.73
New Jersey	\$ 3,150,000	\$ 0.47
Connecticut	\$ 2,609,799	\$ 0.96
West Virginia	\$ 1,453,840	\$ 1.00
Delaware	\$ 1,389,842	\$ 1.84
iGaming State Average		
(pop-weighted)		\$ 0.70
iGaming State Average		
(unweighted)		\$ 0.94
Maryland	\$ 4,132,375	\$ 0.91



## **TASK X:** Responsible Gaming

Goals:

- Review the impact of iGaming on problem gambling
- Review methods to encourage responsible gaming and combat the growth of problem gambling

- Self-Exclusion
  - Various models for self-exclusion program management
  - Range of exclusion periods with different enforcement challenges
  - Transition from punitive to supportive model, linking to counseling services
  - Effectiveness hindered by individual compliance and facility accessibility
- Advertising and Promotions
  - Importance of informed decision-making for gambling patrons
  - State requirements for risk-awareness advertisements in gambling facilities
  - Different messaging approaches effective for various gambler types
  - Need for balance in advertising regulations to avoid hindering normal casino operations

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- Payments Data and Public Domain
  - Advocacy for public access to aggregated, anonymized gambling payments data
  - Importance of protecting sensitive player-level data
  - Utilization of anonymized data by researchers to study gambling behaviors

## Addendum: iGaming License Fees

## **Delaware**

- No licensing fee, state racetracks can operate iGaming
- Technology Service Vendors pay \$4k for the first 2 years, then renew at \$4k every 3 years

### West Virginia

- An applicant for an interactive gaming operator license must pay an initial license fee of \$250,000. Licenses must be renewed for a fee of \$100,000 every five years
- An applicant for a management services provider license must pay an initial license fee of \$100,000. Licenses must be renewed annually for a fee of \$100,000

## Michigan

- An Internet gaming operator license carries a \$50,000 application fee and initial license fee of \$100,000, valid for five years. A renewal fee of \$50,000 is then required each year thereafter
- Online gambling platform providers are required to obtain an internet gambling supplier license. The application and initial license fee are each \$5,000. The renewal fee every year thereafter is \$2,500

## Addendum: iGaming License Fees

## Pennsylvania

- Interactive gaming operators must pay a license fee of \$10m (or \$4m per 'vertical' (Slots, Tables, Poker)) with a renewal fee of \$250,000 after five years.
- A company contracted with a casino license or an entity qualified to operate interactive gaming on the certificate holder's behalf, must apply for an interactive gaming operator license and pay a one-time \$1m license fee.

### Connecticut

- The Mohegan Tribe & the Mashantucket Pequot Tribe are both eligible to apply for a "master wagering license" for the right to offer online casino games. The tribes are not required to pay any initial licensing fees or renewal fees
- Online operators who contract with 'Master' license holders pay \$250,000 initially, then renew annually at \$100,000

### **New Jersey**

- Initial license cost of \$400,000, and renews annually based on the cost of enforcement, but at least \$250,000. An additional \$250,000 initial and for each renewal directly for RG
- Providers of internet gaming pay a \$5k "casino service industry enterprise' fee

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# THE INNOVATION GROUP

## FIRM PROFILE

### **VOLUME & DIVERSITY OF INDUSTRY EXPERIENCE**

The Innovation Group's gaming and tourism industry knowledge is second to none. We are the "go to" firm for the *Who's Who* of leading gaming operators, as we have been for nearly 30 years.

### **APPROACH & RESOURCES**

From finance and management to marketing and facility build-out, our assessments and reports address the entire array of considerations most important to our clients. With every project, we provide value-added services that are only made possible by the diverse structure and capabilities of our organization.

### THE MOST TRUSTED FINANCIAL FORECASTING IN THE INDUSTRY

Our financial analysis and forecasting have been trusted and relied upon by the industry's most successful operators, as well as gaming analysts, investment houses, financial institutions, private equity investors and more.

### **SPORTS BETTING & OPERATIONS**

Sports betting has been a focus of The Innovation Group since well before PASPA was repealed in May 2018. Our primary research enabled us to create some of the first models of sports betting market potential in the US, and our operations team has supported.

### AREAS OF PRACTICE





Strategic Business Planning

Economic, Social & Community Impact

Legislative & Legal Services

Site Analysis & Project Development

Finance & Investment Banking



Briefing of the Ways and Means Committee January 18, 2024

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# What is Gambling

- Gambling is any activity that involves risking something of value, including but not limited to money or property, on an event whose outcome is uncertain.
- Common forms of gambling:
  - Lottery
  - Instant games like scratch cards
  - Bingo
  - Sports betting
  - Dice games
  - Casino games like slot machines and table games
  - Card games
  - Horseracing
  - Off-track betting

# Forms of Legal Gambling in Maryland

- Lottery
- Number games (Keno)
- Sports betting
- Horse racing and racinos
- Off-track betting
- Bingo
- Slot machines
- Casinos
  - Blackjack, WAR, Craps, Roulette, No Commission Baccarat, Face Up Pai Gow Poker, Midi Baccarat, Three Card Poker, Four Card Poker, Crapless Craps, Pontoon 21, Ultimate Texas Hold 'em, Mini Baccarat, Ez Baccarat, High Card Flush, Sic Bo, Spanish 21, Fortune Pai Gow Progressive, Mississippi Stud, Big Six Wheel, Criss Cross Poker, Heads up Hold 'Em, Lucky Ladies Blackjack, Double Deck Pitch Blackjack, Bonus Craps

## When Does Gambling Become a Problem

- Anyone who gambles can be at-risk for developing a gambling problem
- Problem gambling is gambling behavior that is damaging to a person or their family, often disrupting their daily life and career
- The amount of money lost or won does not determine when gambling becomes problematic
- A gambling problem generally has 2 key features:
  - Impaired control
  - Negative life consequences
- Originally seen as an impulse control disorder but has been reclassified as an addiction in the DSM-5

# **National Problem Gambling Data**

- 2 million U.S. adults are estimated to meet the criteria for a severe gambling problem in a given year
- Another 4-6 million would be considered to have mild or moderate gambling problems
- About 85% of U.S. adults have gambled at least once in their lives, with 60% having gambled within the past year
- The National Council on Problem Gambling estimates that the annual national social cost of problem gambling is \$7 billion

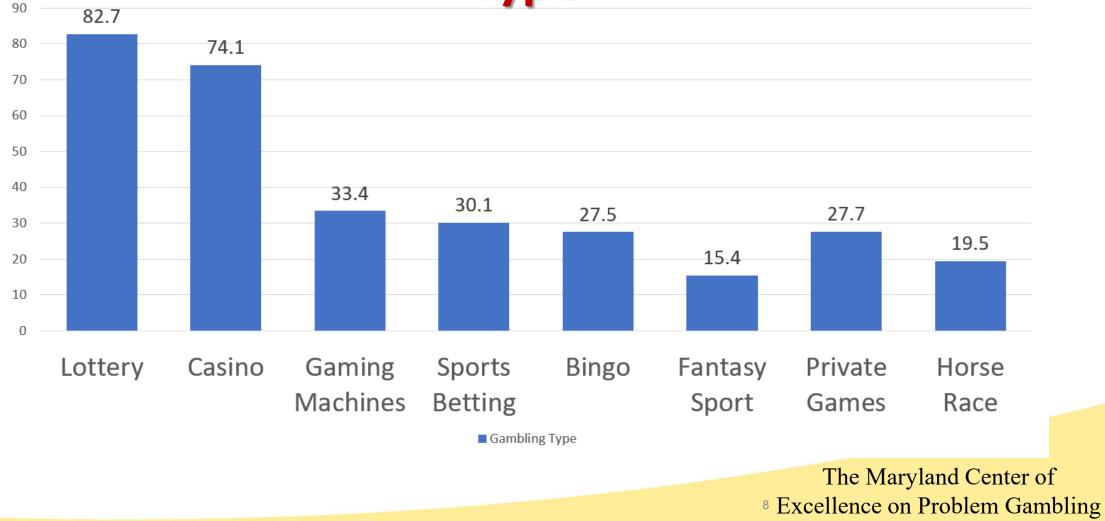
# **Maryland Gambling Prevalence Study**

- Data collection occurred from April-July 2022 during the period of transition from remaining COVID-19 pandemic restrictions to minimal or no restrictions.
- Restrictions on gathering indoors or the need to continue wearing a face covering may have impacted gambling behaviors in the 12 months prior to this study.
- In addition, the sample size was smaller than the previous surveys, so it is possible that the respondents were not fully representative of the state's population.
- Young adults (18-24 years old) were particularly underrepresented. Relevant to sports gambling, this survey was conducted after in-person sports gambling became available in Maryland (December 2021) but before mobile/on-line sports gambling was available (November 2022).

## Populations at Greater Risk of Disordered Gambling in Maryland

- Males
- Ages 35-44 years old
- African Americans
- Non-Hispanics
- Lower education level
- Household income below \$25,000
- Veterans

## Percentage of Marylanders Reported Gambling by Type



## **Gamblers Who Wagered on Sports**

- Of the Maryland residents who had gambled on sports:
  - 50.1% had done so in the past 12 months
  - 12.0% had done so online or on a mobile platform
  - 48.7% had wagered on yearly fantasy sports
  - 28.3% had wagered on daily fantasy sports
- Sports gamblers appeared to suffer from gambling disorder at higher rates than other Marylanders
- At least 10% of sports gamblers were experiencing gambling disorder, including 11.3% of traditional sports gamblers
- The group with the highest proportion of disordered gamblers were those who had placed traditional sports bets online, of whom 20.8% had gambling disorder

# Who is Seeking Help

- 3% of Marylanders with a history of "disordered gambling" reported that they had ever sought help for their gambling
- The majority (61%) of respondents were aware of the toll-free problem gambling hotline
- About half were aware of Gamblers Anonymous (49.8%) and outpatient gambling-specific treatment/counseling (48.4%)
- The highest proportion of respondents said that they had seen information about problem gambling on television (59%) followed by billboards (43.4%), radio (42.3%), posters/flyers (30.7), online (22.4%)

The Center promotes healthy and informed choices regarding gambling and problem gambling to all Maryland residents.

Prevention **Programs across** all ages and diverse populations. **The Center promotes** healthy and informed choices regarding gambling and problem gambling to all Maryland residents.

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> Public Awareness activities through a variety of means.

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The Center promotes healthy and informed choices regarding gambling and problem gambling to all Maryland residents.

Peer Recovery Support to assist those to stop, limit, or control their gambling.

Public Awareness activities through a variety of means.

Prevention Programs across all ages and diverse populations.

No Cost Treatment for problem gambling.

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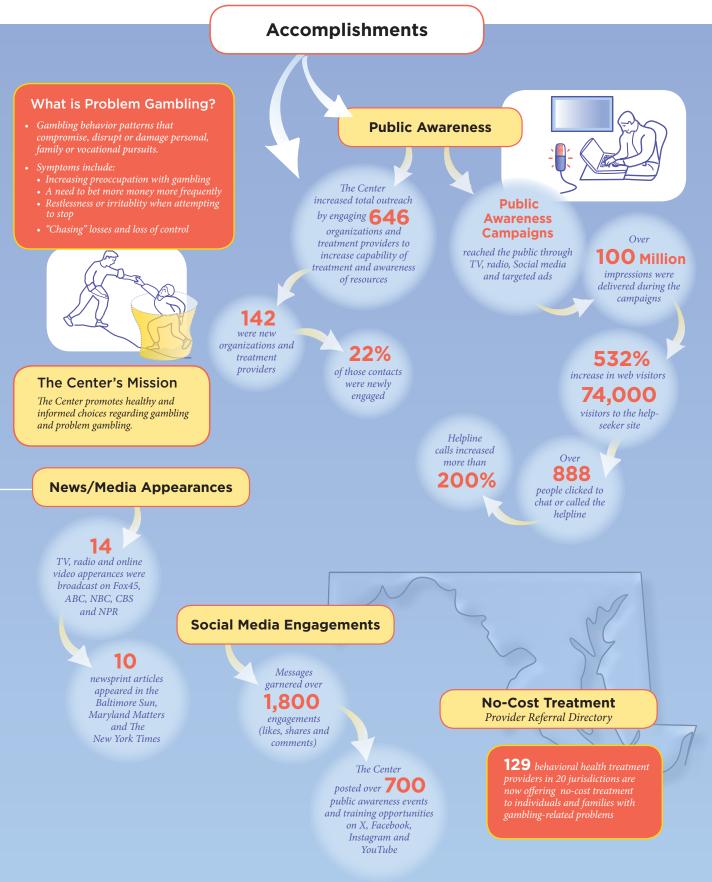


## **Thank You**

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### FY 2023 The Center Impact Report



### **Impact Report** *The Maryland Center of Excellence on Problem Gambling*

