

SENATE BILL 621

C7

3lr1930
CF 3lr3106

By: **Senators Zucker and Hettleman**

Introduced and read first time: February 6, 2023

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 12, 2023

CHAPTER _____

1 AN ACT concerning

2 **Gaming – Sports Wagering – Independent Evaluation of Sports Wagering**
3 **Content and Sports Wagering Facility Application Amendments**

4 FOR the purpose of requiring the Maryland Lottery and Gaming Control Commission to
5 identify and ~~accredit~~ license certain independent evaluators to evaluate and rate
6 certain sports wagering content provided by certain sports wagering experts, sports
7 wagering influencers, and content partners; requiring the Commission to establish
8 standards of practice governing sports wagering content; ~~requiring~~ authorizing
9 certain sports wagering licensees and sports wagering operators to contract with
10 certain independent evaluators for certain purposes under certain circumstances;
11 authorizing the Maryland Lottery and Gaming Control Commission and the Sports
12 Wagering Application Review Commission to consider certain requests for certain
13 application amendments received on or before a certain date; and generally relating
14 to sports wagering and the evaluation of sports wagering content.

15 BY adding to

16 Article – State Government

17 Section 9–1E–17

18 Annotated Code of Maryland

19 (2021 Replacement Volume and 2022 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
21 That the Laws of Maryland read as follows:

22 **Article – State Government**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 9-1E-17.

2 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

4 (2) "CONTENT PARTNER" MEANS AN INDIVIDUAL WHO OR A
5 PLATFORM THAT CREATES SPORTS WAGERING CONTENT FOR A SPORTS WAGERING
6 LICENSEE THROUGH CONTRACTED WORK, AFFILIATION, OR OTHER PARTNERSHIP.

7 (3) "SPORTS WAGERING CONTENT" MEANS PREDICTIONS OF
8 SPORTING EVENT OUTCOMES, INCLUDING MONEYLINES, AGAINST THE SPREAD,
9 TOTALS, FUTURES, PARLAYS, AND OTHER OUTCOMES, WHETHER PROVIDED AT NO
10 COST OR THROUGH A SUBSCRIPTION OR OTHER PARTNERSHIP.

11 (4) "SPORTS WAGERING EXPERT" OR "SPORTS WAGERING
12 INFLUENCER" MEANS A PERSON WHO CREATES SPORTS WAGERING CONTENT FOR A
13 SPORTS WAGERING LICENSEE, A CONTENT PARTNER, OR THE PERSON'S OWN
14 BENEFIT.

15 (B) (1) ON OR BEFORE DECEMBER 31, 2023, THE COMMISSION SHALL
16 ~~IDENTIFY AND ACCREDIT~~ LICENSE INDEPENDENT EVALUATORS TO EVALUATE AND
17 RATE SPORTS WAGERING CONTENT PROVIDED BY SPORTS WAGERING EXPERTS,
18 SPORTS WAGERING INFLUENCERS, AND CONTENT PARTNERS.

19 (2) IN ORDER TO BE ~~ACCREDITED~~ LICENSED UNDER PARAGRAPH (1)
20 OF THIS SUBSECTION, AN INDEPENDENT EVALUATOR:

21 (I) SHALL HAVE DEMONSTRATED EXPERIENCE AND EXPERTISE
22 IN EVALUATING AND RATING SPORTS WAGERING CONTENT;

23 (II) SHALL HAVE AN AUDIT PROCESS CONSTRUCTED AND
24 MAINTAINED BY IN-HOUSE, LICENSED CERTIFIED PUBLIC ACCOUNTANTS;

25 (III) SHALL HAVE EVALUATION AND RATING PROCEDURES THAT
26 ARE UNABLE TO BE ADJUSTED, DUPLICATED, OR ALTERED BY THE PERSONS
27 SUBJECT TO EVALUATION;

28 (IV) MAY NOT HAVE AN OFFICIAL RELATIONSHIP WITH A SPORTS
29 WAGERING LICENSEE OR SPORTS WAGERING OPERATOR;

30 (V) MAY NOT HAVE ANY DIRECT OR INDIRECT FINANCIAL
31 INTEREST, OWNERSHIP, OR MANAGEMENT, INCLUDING HOLDING ANY STOCKS,

1 BONDS, OR OTHER SIMILAR FINANCIAL INTERESTS IN ANY SPORTS WAGERING
2 ACTIVITIES;

3 (VI) MAY NOT RECEIVE OR SHARE IN, DIRECTLY OR INDIRECTLY,
4 THE RECEIPTS OR PROCEEDS OF ANY SPORTS WAGERING ACTIVITIES; AND

5 (VII) MAY NOT HAVE ANY REVENUE-SHARING RELATIONSHIP
6 WITH OR OTHER FINANCIAL INTEREST IN A SPORTS WAGERING LICENSEE OR SPORTS
7 WAGERING OPERATOR.

8 (3) AN INDEPENDENT EVALUATOR MAY BE COMPENSATED BY A
9 SPORTS WAGERING LICENSEE OR SPORTS WAGERING OPERATOR THAT UTILIZES
10 THE INDEPENDENT EVALUATOR'S EVALUATIONS IN ITS MARKETING MATERIALS.

11 (4) THE COMMISSION MAY ESTABLISH ADDITIONAL QUALIFICATIONS
12 FOR THE ~~ACCREDITATION~~ LICENSING OF INDEPENDENT EVALUATORS IN
13 ACCORDANCE WITH THIS SUBSECTION.

14 (C) THE COMMISSION SHALL ESTABLISH STANDARDS OF PRACTICE
15 GOVERNING SPORTS WAGERING CONTENT.

16 (D) ~~ON OR BEFORE APRIL 1, 2024, A~~ A SPORTS WAGERING LICENSEE OR
17 SPORTS WAGERING OPERATOR THAT ADVERTISES IN THE STATE ~~SHALL~~ MAY
18 CONTRACT WITH AN INDEPENDENT EVALUATOR ~~ACCREDITED~~ LICENSED UNDER
19 SUBSECTION (B) OF THIS SECTION TO EVALUATE AND RATE THE SPORTS WAGERING
20 LICENSEE'S SPORTS WAGERING CONTENT, SPORTS WAGERING EXPERTS, SPORTS
21 WAGERING INFLUENCERS, AND CONTENT PARTNERS.

22 SECTION 2. AND BE IT FURTHER ENACTED, That the State Lottery and Gaming
23 Control Commission and the Sports Wagering Application Review Commission may
24 consider a request to amend a Class B-2 sports wagering facility license application for the
25 purpose of altering the proposed location of the sports wagering facility if:

26 (1) a sports wagering facility license was awarded to the applicant on or
27 before February 15, 2023; and

28 (2) a written request to amend the application is received by the State
29 Lottery and Gaming Control Commission and the State Wagering Application Review
30 Commission on or before December 31, 2023.

31 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 July 1, 2023.