



Chairman Guzzone and Members of the Committee:

Thank you for the opportunity to submit this testimony about HB 940, which would legalize sports betting in Maryland.

Does Maryland want to fall behind neighboring Virginia and Washington, D.C. in protecting consumers? Because if you adopt the Assembly-passed bill without adding the Sports Bettors' Bill of Rights, that's exactly what will happen.

My name is Brian Hess. I am the Executive Director of Sports Fans Coalition and a member of the Senate workgroup on sports betting. SFC is a national non-profit advocacy organization devoted to representing fans wherever public policy impacts the games we love. We are best known for leading the campaign to end the Federal Communications Commission's sports blackout rule, which we accomplished in 2014 despite massive opposition from the NFL and broadcast industry. We've also been on the front lines fighting massive media consolidations, the NFL's concussion cover-up, corruption within the United States Soccer Federation and their inequitable treatment of women and youth, ticket fraud, and sports betting consumer protections. We advocate on behalf of sports fans in all of these areas and more in Washington, DC, and state capitals around the country.

In the aftermath of the Professional and Amateur Sports Protection Act repeal, Sports Fans Coalition convened a symposium to discuss what consumer protections should look like with sports betting. We heard from academics, consumer protection advocates, including Attorney General Frosh, and other experts, to debate what consumer protections should accompany sports betting legislation. Out of this symposium, SFC published a white paper, which I have attached to this testimony, and the Sports Bettors' Bill of Rights. These rights are:

1. The Right to Integrity and Transparency
2. Data Privacy and Security
3. Self-Exclusion
4. Protection of the Vulnerable
5. Recourse

A legalized sports betting market has the potential to raise millions of dollars for Maryland, which can support education initiatives or other spending priorities. However, that will only materialize if you offer your sports bettors something the current black market cannot – consumer protections. These protections are the only incentive a bettor has to leave the black



market and pay taxes on their winnings. The Bill of Rights creates protections that guarantee timely payouts, ensure that a bettor's personally identifiable information is secure and not shared or sold to third parties, empowers consumers to regulate themselves, help Maryland's at-risk bettors to access gambling addiction resources, and helps bettors advocate for themselves and seek recourse if they have been wronged. The Bill of Rights also calls for just 1% of revenues generated by sports betting to be directed to the state's problem gambling fund.

The bill before you today has almost none of these protections. Other than an age limit of 21 and self-exclusion, consumers and those at risk for a gambling disorder or gambling addiction are left out in the dark. So much so that many consumer advocates recently spoke out against the bill in the press. Brianne Doura of EPIC Risk Management said, "The proposed legislation fails to substantively address the harms that can and will result from gambling for certain individuals in the state of MD." Patrick Willard of the National Council on Problem Gambling added, "Maryland is the latest state to float legislation that legalizes sports betting without boosting critical funding for prevention and treatment of gambling addictions." Lastly, John Breyault of the National Consumers League called on the Senate to remedy the bill so that "sports betting in the state is conducted in as safe a manner as possible."¹

The consumer protections for which the National Consumers League, National Council on Problem Gambling, and EPIC Risk Management join Sports Fans Coalition in advocating are not novel. In fact, Virginia fully adopted SFC's Sports Bettors' Bill of Rights last year. What's more, Virginia "upped the ante" and decided to contribute more than 2% of revenues to the commonwealth's problem gambling fund. The year before that, the District of Columbia did as well. Maryland should not fall behind its neighbors in the "DMV" area when it comes to protecting its citizens.

11VAC5-80-20. Sports bettors' bill of rights.

A. A permit holder shall make conspicuously available on its platform a link to the Virginia Sports Bettors' Bill of Rights on the department's website and afford its players the protections found in that document.

B. A permit holder may not, as a condition of use of the permit holder's sports betting platform, require any player to waive any right, forum, or procedure including the right to pursue legal action or to file a complaint with, or otherwise notify, any instrument of the state or federal government, including a Commonwealth's Attorney, law enforcement, courts, and state and federal agencies, of any alleged violation of the sports betting law, this chapter, or any other applicable law, regulation, or administrative policy.

Statutory Authority

§§ 58.1-4007, 58.1-4015.1, and 58.1-4030 through 58.1-4047 of the Code of Virginia.

Excerpt from Virginia's Sports Bettors' Bill of Rights.²

¹Ordine, B. (2021, March 16). Responsible gambling, consumer groups Criticize MD Sports Bill. <https://www.gambling.com/news/us/responsible-gambling-consumer-groups-criticize-md-sports-bill-2470700>

² 11VAC5-80 <https://law.lis.virginia.gov/admincodefull/title11/agency5/chapter80>



Without the Sports Bettors' Bill of Rights, the people who will be most harmed are those that the assembly-passed bill purports to promote. Native Americans, Asians, and African-Americans are almost twice as likely to fall victim to disordered gambling than their white counterparts.³ While SFC supports Speaker Jones' ambitions to promote women and minority-owned-businesses, the assembly-passed bill falls short of advocating on behalf of those who need the protections that Virginia and Washington, DC provide.

Maryland has the opportunity to work in tandem with the rest of the DMV to create the safest sports betting market in the country and lead the nation in consumer protections while increasing revenues by encouraging bettors to leave the black market. I urge the full adoption of the Sports Bettors' Bill of Rights in HB 940.

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³Alegria, A. A., Petry, N. M., Hasin, D. S., Liu, S. M., Grant, B. F., & Blanco, C. (2009). Disordered gambling among racial and ethnic groups in the US: results from the national epidemiologic survey on alcohol and related conditions.. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2737691/>