

Amendment to HB 480-FN

1 Amend RSA 287-I:1, XI as inserted by section 1 of the bill by replacing it with the following:

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3 XI. "Prohibited sports event" means:

4 (a) A collegiate sports event in which one of the participants is a collegiate team of a
5 college institution that is primarily located in New Hampshire;

6 (b) A collegiate sports event that takes place in New Hampshire;

7 (c) Any high school sports event in any location;

8 (d) Any amateur sports event where the participants are primarily under the age of 18;

9 provided that "prohibited sports event" does not include the games of a collegiate sports tournament
10 in which a New Hampshire college team participates, nor does it include any games of a collegiate
11 sports tournament that occurs outside New Hampshire even though some of the individual games
12 or events are held in New Hampshire; and provided further that sports wagers are permitted on
13 collegiate sports tournament games in which a New Hampshire college team participates only if the
14 outcome of the wager is based on the outcome of all games within the tournament.

15

16 Amend RSA 287-I:3-7 as inserted by section 1 of the bill by replacing them with the following:

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18 287-I:3 Commission Agents. The commission shall conduct a sports book for sports wagering
19 through agents selected through a competitive bid process and approved by the governor and
20 executive council. Any such contract shall be based on the state receiving a percentage of revenue
21 from sports wagering activities within the state. The commission shall ensure that an agent
22 demonstrates financial stability, responsibility, good character, honesty, and integrity. In selecting
23 an agent, the commission shall consider, at a minimum, the experience and background of the
24 agent, the agent's ability to serve proposed locations for sports book retail operations, the agent's
25 mobile and Internet capabilities, the agent's contribution to economic development within the state,
26 the agent's commitment to prevention of problem gambling, to responsible gaming, and to integrity
27 in betting. The commission shall select a group of bidders who best meet the criteria set forth in
28 this paragraph and select from that group the agent or agents whose bid provides the state with the
29 highest percentage of revenue from the sports wagering activities covered by the bid, provided that
30 the commission determines that the bidder's commitment to return said revenue percentage to the
31 state is consistent with the bidder's commitment to meet all other criteria specified in the bid
32 request and in applicable law. All agents shall be subject to criminal and financial background

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1 checks as prescribed by the commission. The commission may retain vendors to support the
2 commission in operating a sports book.

3 287-I:4 Commission Directed Sports Wagering. The commission is further authorized to
4 directly offer lottery games to authorized bettors within the state in the form of tier III sports
5 wagers through the commission's lottery retailers subject to the provisions of this chapter.

6 287-I:5 Sports Book Retail Operations. The commission and its agents are further authorized
7 to operate physical sports book retail locations within the state for the purposes of accepting tier I
8 and tier III sports wagers from authorized bettors and paying prizes relating to those wagers. The
9 sports book retail locations may be co-located with other commercial businesses or general
10 commercial retail locations. No more than 10 sports book retail locations may be in operation at any
11 given time.

12 287-I:6 Local Option for Operation of Sports Book Retail Locations.

13 I. Any town or city may allow the operation of a sports book retail location according to the
14 provisions of this subdivision, in the following manner, excepting that nothing in this section shall
15 be construed to prohibit Internet or mobile wagering or lottery games involving tier III sports
16 wagers in the jurisdiction, if so authorized by the passage of this statute.

17 (a) In a town, the question shall be placed on the warrant of an annual town meeting
18 under the procedures set out in RSA 39:3, and shall be voted on a ballot. In a city, the legislative
19 body may vote to place the question on the official ballot for any regular municipal election, or, in
20 the alternative, shall place the question on the official ballot for any regular municipal election
21 upon submission to the legislative body of a petition signed by 25 of the registered voters.

22 (b) The selectmen, aldermen, or city council shall hold a public hearing on the question
23 at least 15 days but not more than 30 days before the question is to be voted on. Notice of the
24 hearing shall be posted in at least 2 public places in the municipality and published in a newspaper
25 of general circulation at least 7 days before the hearing.

26 (c) The wording of the question shall be substantially as follows: "Shall we allow the
27 operation of sports book retail locations within the town or city?"

28 II. If a majority of those voting on the question vote "Yes", sports book retail locations may
29 be operated within the town or city.

30 III. If the question is not approved, the question may later be voted upon according to the
31 provisions of paragraph I at the next annual town meeting or regular municipal election.

32 IV. A municipality that has voted to allow the operation of sports book retail locations may
33 consider rescinding its action in the manner described in paragraph I of this section.

34 V. An unincorporated place may allow the operation of a physical sports book retail location
35 by majority vote of the county delegation, after a public hearing is held.

36 VI. The commission shall maintain a list of municipalities where sports book retail locations
37 may be placed into operation.

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1 287-I:7 Mobile Sports Wagering Authorized. The commission and its agent are authorized to
2 operate a sports book through a mobile sports wagering platform by mobile devices or over the
3 Internet. With respect to mobile sports wagering, the commission, either independently, or through
4 its agent, shall provide:

5 I. Age verification measures to be undertaken to block access to and prevent sports wagers
6 by persons under the age of 18 years.

7 II. Identity verification through secure online databases or by examination of photo
8 identification.

9 III. That electronic data related to sports wagers must be initiated and received within the
10 geographic borders of the state of New Hampshire and may not be intentionally routed outside of
11 the state. The incidental intermediate routing of electronic data shall not determine the location or
12 locations in which a bet or wager is initiated, received, or otherwise made.

13 IV. Wager limits for daily, weekly, and monthly amounts for each player and account
14 consistent with the best practices in addressing problem gambling.

15 V. A voluntary self-exclusion program for players to self-exclude themselves from wagering
16 for set periods of time.

17 VI. Security mechanisms to ensure the confidentiality of wagering and personal and
18 financial information except as otherwise authorized by this chapter.

19
20 Amend RSA 287-I:8 as inserted by section 1 of the bill by inserting after paragraph IX the following
21 new paragraph:

22
23 X. Any agent or contractor who sends or receives electronic data related to sports wagers is
24 responsible to ensure that any transfer of that data is initiated and completed within the state of
25 New Hampshire and that only incidental intermediate routing of the electronic data occurs outside
26 of the state. The agent and contractor shall be responsible for periodically reviewing their
27 information technology systems and networks to ensure compliance with this section.

28
29 Amend the bill by inserting after section 4 the following and renumbering the original section 5 to
30 read as 6:

31
32 5 New Chapter; Council for Responsible Gambling. Amend RSA by inserting after chapter 338-
33 A the following new chapter:

34 **CHAPTER 338-B**

35 **COUNCIL FOR RESPONSIBLE GAMBLING**

36 338-B:1 Definitions. In this chapter, "council" means the council for responsible gambling.

37 338-B:2 Statement of Purpose. Education, prevention, and treatment relating to gambling

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1 disorders are an integral part of a responsible gaming environment within the state.

2 338-B:3 Establishment. There is established the council for responsible gambling which shall
3 promote education, prevention, and treatment of problem gambling within the state.

4 338-B:4 Membership.

5 I. The council shall consist of 5 members appointed by the governor and executive council
6 and shall be qualified in the field of addiction or mental health services with a focus on problem
7 gambling and shall be residents of the state. A member may be removed by the governor and
8 executive council only for cause shown in accordance with RSA 4:1. The members shall elect one of
9 their number as chairperson. Three members of the council shall constitute a quorum.

10 II. Members shall serve 3 year terms and until their successors are appointed; provided
11 that for the initial appointments only, one member shall be appointed to a term of one year, 2
12 members shall be appointed to a term of 2 years and 2 members shall be appointed to a term of 3
13 years. Any vacancy shall be filled for the unexpired terms.

14 III. Members of the council shall receive mileage at the rate of state employees when
15 attending meetings of the council or performing duties on behalf of the council.

16 338-B:5 Powers and Duties. The council shall have the authority to enter into grants and
17 contracts for the purposes of furthering education, prevention, and treatment of problem gambling
18 within the state.

19 338-B:6 Report of the Council. The council shall submit a biennial report to the governor and
20 executive council on or before October 1 of each even-numbered year. The report shall include a
21 description of the council's activities including a financial report for the relevant time period.

22 338-B:7 Administrative Attachment. The council shall be administratively attached to the
23 lottery commission in accordance with RSA 21-G:10. In addition to the support provided to an
24 administratively attached agency, the lottery commission shall also provide the following to the
25 council:

26 I. Funding in an amount not to exceed \$250,000 per fiscal year to conduct the activities
27 prescribed by this chapter. In accordance with the purpose of this chapter, these payments shall be
28 considered administrative expenses of the lottery commission as set forth in RSA 284:21-j.

29 II. Meeting and office space as reasonably required by the council to conduct the activities
30 prescribed by this chapter.

31 III. Personnel as reasonably required by the council to conduct activities prescribed by this
32 chapter, except that the lottery commission may charge the council for use of such personnel
33 pursuant to an agreement between the lottery commission and the council.