

## **Summary: Regulation of Fantasy Sports Contests**

- Since 2015, over 30 states have introduced legislation concerning fantasy sports
- Gambling, and daily fantasy sports, are legal in Massachusetts and Rhode Island; the Massachusetts Office of Attorney General has adopted regulations under its consumer protection laws to regulate Daily Fantasy Sports that will take effect July 1, 2016.
- Indiana, Virginia, and Kansas have enacted legislation this year to legalize fantasy contests, regulate the industry, and declare it is not illegal gambling
  - o Virginia – in addition to consumer protection provisions, operators must register with the Department of Agriculture and Consumer Services and pay a \$50,000 fee
  - o Indiana – in addition to consumer protection provisions, oversight by state gaming commission with a \$50,000 license fee; \$5,000 renewal
  - o Kansas – exempts fantasy sports leagues from list of what constitutes an illegal bet
- Legislation to legalize and regulate fantasy sports seems likely to pass in Mississippi and Tennessee, and possible in Minnesota, Missouri, and Colorado
  - o Mississippi – consumer protections; no licensing fee
  - o Tennessee – consumer protections; advisory task force for future consumer protections and licensing requirements; imposes 6% tax on revenue generated by TN residents
- Legislation was considered but did not advance this session in Washington, Arizona, New Mexico, Oklahoma, Nebraska, Iowa, Michigan, Kentucky, West Virginia, Maryland (but under a previous legal opinion Maryland issued in 2014 to FanDuel Maryland currently permits fantasy contests), Georgia, and Florida
- Attorneys General in several states have publicly opined that fantasy sports contests are gambling under their state laws, including Arizona, New York, Texas, Nevada, Illinois, Alabama, Hawai'i, Tennessee, and Vermont and fantasy sports are currently banned in Iowa, Louisiana, Montana, and Washington.