

JOINT STATE GOVERNMENT COMMISSION

General Assembly of the Commonwealth of Pennsylvania

Sports Betting and Related Interactive Gambling in Pennsylvania

Staff Study

2026



*Serving the General Assembly of the
Commonwealth of Pennsylvania Since 1937*

REPORT

2025 House Resolution No. 60
Sports Betting and Related Interactive Gambling in Pennsylvania

Project Manager:

Ronald Grenoble, Assistant Counsel

Project Staff:

Abigail Gilson, Public Policy Analyst
Richard Hoey, Staff Attorney
Wendy L. Baker, Office Manager/Executive Assistant

The report is also available at <http://jsg.legis.state.pa.us>

JOINT STATE GOVERNMENT COMMISSION	
Room 108 Finance Building 613 North Street Harrisburg, PA 17120	Telephone: 717-787-4397 Fax: 717-783-9380 E-mail: jntst02@legis.state.pa.us Website: http://jsg.legis.state.pa.us

The Joint State Government Commission was created in 1937 as the primary and central non-partisan, bicameral research and policy development agency for the General Assembly of Pennsylvania.¹

A fourteen-member Executive Committee composed of the leadership of both the House of Representatives and the Senate oversees the Commission. The seven Executive Committee members from the House of Representatives are the Speaker, the Majority and Minority Leaders, the Majority and Minority Whips, and the Majority and Minority Caucus Chairs. The seven Executive Committee members from the Senate are the President Pro Tempore, the Majority and Minority Leaders, the Majority and Minority Whips, and the Majority and Minority Caucus Chairs. By statute, the Executive Committee selects a chairman of the Commission from among the members of the General Assembly. Historically, the Executive Committee has also selected a Vice-Chair or Treasurer, or both, for the Commission.

The studies conducted by the Commission are authorized by statute or by a simple or joint resolution. In general, the Commission has the power to conduct investigations, study issues, and gather information as directed by the General Assembly. The Commission provides in-depth research on a variety of topics, crafts recommendations to improve public policy and statutory law, and works closely with legislators and their staff.

A Commission study may involve the appointment of a legislative task force, composed of a specified number of legislators from the House of Representatives or the Senate, or both, as set forth in the enabling statute or resolution. In addition to following the progress of a particular study, the principal role of a task force is to determine whether to authorize the publication of any report resulting from the study and the introduction of any proposed legislation contained in the report. However, task force authorization does not necessarily reflect endorsement of all the findings and recommendations contained in a report.

Some studies involve an appointed advisory committee of professionals or interested parties from across the Commonwealth with expertise in a particular topic; others are managed exclusively by Commission staff with the informal involvement of representatives of those entities that can provide insight and information regarding the particular topic. When a study involves an advisory committee, the Commission seeks consensus among the members.² Although an advisory committee member may represent a particular department, agency, association, or group, such representation does not necessarily reflect the endorsement of the department, agency, association, or group of all the findings and recommendations contained in a study report.

¹ Act of July 1, 1937 (P.L.2460, No.459); 46 P.S. §§ 65–69.

² Consensus does not necessarily reflect unanimity among the advisory committee members on each individual policy or legislative recommendation. At a minimum, it reflects the views of a substantial majority of the advisory committee, gained after lengthy review and discussion.

Over the years, nearly one thousand individuals from across the Commonwealth have served as members of the Commission's numerous advisory committees or have assisted the Commission with its studies. Members of advisory committees bring a wide range of knowledge and experience to deliberations involving a particular study. Individuals from countless backgrounds have contributed to the work of the Commission, such as attorneys, judges, professors and other educators, state and local officials, physicians and other health care professionals, business and community leaders, service providers, administrators and other professionals, law enforcement personnel, and concerned citizens. In addition, members of advisory committees donate their time to serve the public good; they are not compensated for their service as members. Consequently, the Commonwealth receives the financial benefit of such volunteerism, along with their shared expertise in developing statutory language and public policy recommendations to improve the law in Pennsylvania.

The Commission periodically reports its findings and recommendations, along with any proposed legislation, to the General Assembly. Certain studies have specific timelines for the publication of a report, as in the case of a discrete or timely topic; other studies, given their complex or considerable nature, are ongoing and involve the publication of periodic reports. Completion of a study, or a particular aspect of an ongoing study, generally results in the publication of a report setting forth background material, policy recommendations, and proposed legislation. However, the release of a report by the Commission does not necessarily reflect the endorsement by the members of the Executive Committee, or the Chair or Vice-Chair of the Commission, of all the findings, recommendations, or conclusions contained in the report. A report containing proposed legislation may also contain official comments, which may be used to construe or apply its provisions.³

Since its inception, the Commission has published over 460 reports on a sweeping range of topics, including administrative law and procedure; agriculture; athletics and sports; banks and banking; commerce and trade; the commercial code; crimes and offenses; decedents, estates, and fiduciaries; detectives and private police; domestic relations; education; elections; eminent domain; environmental resources; escheats; fish; forests, waters, and state parks; game; health and safety; historical sites and museums; insolvency and assignments; insurance; the judiciary and judicial procedure; labor; law and justice; the legislature; liquor; mechanics' liens; mental health; military affairs; mines and mining; municipalities; prisons and parole; procurement; state-licensed professions and occupations; public utilities; public welfare; real and personal property; state government; taxation and fiscal affairs; transportation; vehicles; and workers' compensation.

Following the completion of a report, subsequent action on the part of the Commission may be required, and, as necessary, the Commission will draft legislation and statutory amendments, update research, track legislation through the legislative process, attend hearings, and answer questions from legislators, legislative staff, interest groups, and constituents.

³ 1 Pa.C.S. § 1939.



General Assembly of the Commonwealth of Pennsylvania

JOINT STATE GOVERNMENT COMMISSION

Room 108 – Finance Building
Harrisburg, Pa 17120

717-787-4397

Fax 717-783-9380

<http://jsg.legis.state.pa.us/>

July 2026

Executive Committee

Senate Members

Kim L. Ward

President Pro Tempore

Joseph A. Pittman

Majority Leader

Jay Costa, Jr.

Minority Leader

Wayne Langerholc, Jr.

Majority Whip

Christine M. Tartaglione

Minority Whip

Kristin Phillips-Hill

Chair, Majority Caucus

Maria Collett

Chair, Minority Caucus

To the Members of the General Assembly of Pennsylvania:

We are pleased to release *Sports Betting and Related Interactive Gambling in Pennsylvania*, as directed by House Resolution No. 60 of 2025. This staff study covers problem gambling behaviors and their consequences, gambling's effects on college student-athletes, children's exposure to gambling advertising, and resources available to mitigate potential harms. Further, the report discusses the legal framework around proposed recommendations for the legislature's consideration.

The full report is available at <http://jsg.legis.state.pa.us>.

House Members

Joanna E. McClinton

Speaker

Matthew D. Bradford

Majority Leader

Jesse Topper

Minority Leader

Michael H. Schlossberg

Majority Whip

Timothy J. O'Neal

Minority Whip

Robert Matzie

Chair, Majority Caucus

Martina White

Chair, Minority Caucus

Respectfully submitted,

Glenn J. Pasewicz
Executive Director

Administrative Staff

Glenn J. Pasewicz

Executive Director

Yvonne M. Hursh

Counsel

TABLE OF CONTENTS

INTRODUCTION	1
<i>History of Sports Betting in the United States</i>	<i>3</i>
Questioning the Integrity of Professional Sports	4
Professional & Amateur Sports Protection Act (PASPA)	5
<i>Pennsylvania's Gambling Expansion: Interactive Gaming & Sportsbooks</i>	<i>5</i>
Interactive Gaming	5
Sports Wagering	7
 ACCESSIBILITY & POPULARITY	 9
<i>Convenience & Accessibility</i>	<i>9</i>
<i>Pennsylvania Interactive Gaming Assessment</i>	<i>10</i>
<i>U.S. Surveys</i>	<i>12</i>
U.S. 2024 Survey & Earlier Comprehensive Review: Sports Betting	12
2022 & 2025 Pew Research Center U.S. Sports Betting Surveys	13
2024 National Survey on Gambling Attitudes & Gambling Experiences	13
2025 U.S. Residents Sports Betting Survey	14
2026 National Survey of U.S. Adults	14
 MARKETING	 17
<i>U.S. Online Gambling Market Trends & Forecast</i>	<i>17</i>
<i>Sports Betting Advertising</i>	<i>21</i>
<i>Marketing Strategies by Sports Betting & Related Interactive Gambling Licensees</i>	<i>22</i>
Narrative Summaries of Promotional Offers	22
Excerpts from Detailed Terms & Conditions	24
<i>Recent Litigation in the Commonwealth Relating to Marketing</i> <i>& Promotional Offers</i>	<i>36</i>
Brubaker v. Chester Downs & Marina	36
Sage v. DraftKings	36
Macek v. DraftKings (No. 5:25-cv-1995)	39
Macek v. DraftKings (Case No. 2:25-cv-3632)	40
 YOUTH EXPOSURE	 43
<i>Youth Exposure to Online Gambling Advertising</i>	<i>44</i>
 STUDENT ATHLETES	 47
<i>NCAA</i>	<i>47</i>
College Division I Athletic Directors Staff Survey	49

COMPULSIVE & PROBLEM GAMBLING	51
<i>Pennsylvania Race Horse Development & Gaming Act</i>	<i>51</i>
Legislative Intent	51
4 Pa.C.S. § 13B54. (relating to compulsive & problem gambling)	52
4 Pa.C.S. § 13C64. (relating to compulsive & problem gambling)	52
4 Pa.C.S. § 1509. (relating to compulsive & problem gambling program)	53
PROBLEM GAMBLING BEHAVIORS	59
<i>Gambling Disorder</i>	<i>60</i>
The American Society of Addiction Medicine	60
The Brain & Gambling	61
Problem Gambling	61
Gambling Addiction	63
Behavioral Research on Gambling	64
Lancet Public Health Commission on Gambling	65
<i>Predicting Problem Gambling among Sports Bettors</i>	<i>69</i>
Using AI to Predict Problem Gambling with Online Player Data	70
<i>Internet Gambling Versus Other Most Popular Forms of Gambling</i>	<i>72</i>
<i>Self-Exclusion</i>	<i>74</i>
GAMBLING DEBT	77
<i>Gambling as a Financial Risk</i>	<i>77</i>
Legalized Sports Betting Impact on Consumption	78
GAMBLING EMPLOYEE PROTOCOL	81
<i>Current Rules in 58 Pa. Code pt. VII that Address Compulsive and Problem Gambling</i>	<i>81</i>
FURTHER REGULATION	87
<i>Advertising</i>	<i>87</i>
Targeting Minors	88
University Campus Advertisements and the Ohio Model	89
Direct Gambling Marketing	90
Frequency Capping & "Back-to-Back" Ad Bans	91
<i>Constitutional Viability</i>	<i>91</i>
<i>Proposed Rule Amendments Relating to Compulsive & Problem Gambling</i>	<i>93</i>
RECOMMENDATIONS	97
<i>A Deliberate Recommendation: Analysis of Actual Player Data</i>	<i>99</i>
<i>More Immediate Recommendations: A Focus on Indicators or Problem Gambling</i>	<i>102</i>
Credit Card Payment	102
Limiting Play	103
Advertising	103
In-Game Betting	104
VIP Programs	104

GLOSSARY	105
-----------------------	------------

APPENDIX

2025 House Resolution No. 60	109
Qualtrics Survey	115

INTRODUCTION

“Americans have never been of one mind about gambling, and attitudes have swung back and forth.”⁴ Brick-and-mortar casinos are legal in 42 states, including the Commonwealth and all its neighboring states.⁵ “Sports gambling, however, has long had strong opposition. Opponents argue that it is particularly addictive and especially attractive to young people with a strong interest in sports, and in the past gamblers corrupted and seriously damaged the reputation of professional and amateur sports.”⁶ Notwithstanding this strong opposition and continuing concern over addiction and corruption, retail sportsbooks are legal in 37 states, including the Commonwealth and all its neighboring states.⁷ Almost as many states, 32, including the Commonwealth and all its neighboring states, have legalized online sportsbooks.⁸ Conversely, online casinos are legal in only eight states, including the Commonwealth and three of its neighboring states.⁹

The legalization of sports gambling is a controversial subject. Supporters argue that legalization will produce revenue for the States and critically weaken illegal sports betting operations, which are often run by organized crime. Opponents contend that legalizing sports gambling will hook the young on gambling, encourage people of modest means to squander their savings and earnings, and corrupt professional and college sports.¹⁰

The disparity in the number of states legalizing online sportsbooks, 32, versus the number of states legalizing online casinos, eight, suggests that the former is less controversial than the latter. Nonetheless, supporters and opponents of both continue to present their contrasting arguments. States that have legalized such forms of gambling continue to responsively amend their statutes, sometimes expansively¹¹ and other times constrictively.¹²

⁴ *Murphy v. Nat’l Collegiate Athletic Ass’n*, 584 U.S. 453, 458 (2018).

⁵ Am. Gaming Ass’n, State of Play, <https://www.americangaming.org/research/state-of-play-map/> (Feb. 27, 2025). Del., Md., N.J., N.Y., Ohio & W. Va.. *Id.*

⁶ *Murphy v. Nat’l Collegiate Athletic Ass’n*, 584 U.S. at 460.

⁷ Am. Gaming Ass’n, *supra* note 5. Del., Md., N.J., N.Y., Ohio & W. Va.. *Id.*

⁸ *Id.* Del., Md., N.J., N.Y., Ohio & W. Va.. *Id.*

⁹ *Id.* Del., N.J. & W. Va.. *Id.*

¹⁰ *Murphy*, 584 at 486.

¹¹ *E.g.*, Wis. act no. 247 of 2025 amended its statutory definition of the word, bet, to effectively authorize mobile sports wagering.

¹² *E.g.*, Colo. Senate Bill no. 26-131 amended its statute in June 2026 to limit internet sports betting operators to a maximum of six deposits daily from an individual and forbid push notifications. It also added some advertising restrictions.

The federal government can regulate gambling nationally but has left it up to the states to regulate gambling, although it had tried to distinguish some forms of gambling. The general federal approach to gambling is to criminalize if it is illegal under state law.¹³ When the federal approach to gambling deviated for sports gambling by forbidding almost all the states from authorizing sports betting (to protect young people and sports), it unconstitutionally did so.¹⁴ Since this federal attempt to ban sports betting failed in 2018, sports betting has become almost as prevalent as casinos. “Americans legally wagered \$166.94 billion on sports in 2025,” up from approximately \$10 billion in 2019.¹⁵ Even though sports betting revenue increased by approximately 13 percent in the Commonwealth from 2024 to 2025, it dropped one rank nationally from 5th to 6th among the states as ranked by sports betting revenue.¹⁶

House Resolution No. 60 directed the Joint State Government Commission to conduct a “study on sports betting and related interactive gambling in this Commonwealth, including recommended methods to further regulate the industry in order to reduce problem gambling behaviors, gambling debt and the exposure of children to sports betting and related interactive gambling advertisements.”¹⁷ The report covers the accessibility and popularity of gambling,¹⁸ the marketing of online gambling,¹⁹ online gambling’s exposure to youth,²⁰ the impact of sports betting on college student athletes,²¹ statutory provisions relating to compulsive and problem gambling,²² problem gambling behaviors,²³ gambling debt,²⁴ rules relating to gambling employee protocol,²⁵ further regulation relating to advertising and proposed rule amendments,²⁶ and recommendations for further regulation to reduce problem gambling behaviors.²⁷ A glossary of gambling terminology is also included.²⁸

A brief history of sports betting in the United States follows, mentioning the unconstitutional federal law that was enacted, at least partially to protect the competitive integrity of sports. The Commonwealth legalized online casino gambling shortly before the ruling invalidating the federal sports betting law and legalized sports betting promptly after that ruling.

¹³ 18 U.S. §§ 1084, 1952, 1953 & 1955.

¹⁴ *Murphy*, 584 U.S. 453, 462, 484-86.

¹⁵ Am. Gaming Ass’n, Commercial Gaming Rev. Tracker (2026), <https://www.americangaming.org/resources/commercial-gaming-revenue-Penn/>.

¹⁶ *Id.* at 10 (CY 2025), https://www.americangaming.org/wp-content/uploads/2026/03/CY-2025_CGRT.pdf. For 2025, the states ranked 1st through 5th in sports betting revenue were: N.Y., Ill., N.J., Ohio & Ariz.. *Id.*

¹⁷ Sess. of 2025, app. A, *infra* p. 109.

¹⁸ *Infra* pp. 9-15.

¹⁹ *Infra* pp. 17-42.

²⁰ *Infra* pp. 43-45.

²¹ *Infra* pp. 47-49.

²² *Infra* pp. 51-58.

²³ *Infra* pp. 59-76.

²⁴ *Infra* pp. 77-79.

²⁵ *Infra* pp. 81-86.

²⁶ *Infra* pp. 87-95.

²⁷ *Infra* pp. 97-104.

²⁸ *Infra* pp. 105-106.

Ironically, sports associations' prior opposition to sports betting²⁹ has now become a welcome partnership and a source of revenue for them.³⁰

History of Sports Betting in the United States

“Gambling has been pervasive in the United States since the country’s founding.”³¹ From the Belmont Stakes to early bets on baseball, Americans drew up odds on almost anything. For the United States, horse racing was one of the first channels for Americans to place bets, and it soon became a popular pastime of the late 19th century.³² Once professional baseball became mainstream, the possibility for sports betting began to grow. The legality of betting fluctuated during the early 20th century but betting on sports (other than horse racing) remained mostly illegal. While legal channels for wagering developed as a result of states looking for an alternative revenue source in the aftermath of the Great Depression, only Nevada fully legalized it so that illegal operations (by definition) dominated the black market.³³ A concern about betting on sports affecting game integrity dates at least as far back as “the 1919 Chicago White Sox game-fixing scandal”³⁴ and continues to persist today. Seven decades after the White Sox scandal, Major League Baseball banned Pete Rose because of a betting scandal, drawing media attention with parallels between former and more current times.³⁵ Other recurrent examples involve other professional sports, most notably basketball.³⁶

²⁹ “The major professional sports leagues and the NCAA brought an action in federal court against the New Jersey Governor . . . seeking to enjoin” its repeal of “the provisions of state law prohibiting sports gambling.” *Murphy*, 584 at 462, 464.

³⁰ “Genius Sports is the official data, technology and broadcast partner that powers the global ecosystem connecting sports, betting and media. . . . We are the trusted partner to over 400 sports organizations, including many of the world’s largest leagues and federations such as the NFL, EPL, FIBA, NCAA, NASCAR, AFA and Liga MX.” Genius Sports, News Details, *NCAA & Genius Sports Expand Partnership Through 2032* (Apr. 25, 2025), <https://investors.geniussports.com/news/news-details/2025/NCAA-and-Genius-Sports-Expand-Partnership-Through-2032/default.aspx>.

³¹ R. A. Volberg *et al.*, *Legalized Sports Betting in the U. S. & Potential Impacts in Mass. 1-2* (2022), 1, <https://massgaming.com/wp-content/uploads/SEIGMA-Sports-Betting-Impacts-Report-9.8.22-1.pdf>. (citations omitted)

³² *Id.* at 1-2.

³³ *Id.* at 2.

³⁴ *Id.*

³⁵ *Id.*

³⁶ *E.g.*, U.S. Att’y’s Office (E.D. Pa.), Press Release, 26 People Charged in Alleged Bribery & Point-Shaving Scheme to Fix NCAA, CBA Men’s Basketball Games (Jan. 15, 2026), <https://www.justice.gov/usao-edpa/pr/26-people-charged-alleged-bribery-and-point-shaving-scheme-fix-ncaa-cba-mens>; CNN Sports, *It’s Been 75 yrs. since College Basketball’s 1st Major Gambling Scandal. Not All that Much Has Changed* (Mar. 18, 2026), <https://www.cnn.com/2026/03/18/sport/college-basketball-gambling>; U.S. Att’y’s Office (E.D.N.Y.), Press Release, Nat’l Basketball Ass’n Referee Pleads Guilty to Participating in an Illegal Sports Betting Scheme Involving NBA Games (Aug. 15, 2007), <https://www.justice.gov/archive/usao/nye/pr/2007/2007aug15.html>.

Questioning the Integrity of Professional Sports

As professional sports leagues grew in popularity, the organizations sought to maintain fairness and integrity of competition by barring their athletes from sports betting. Broadcasting on radio and television provided accessibility to consumers and the gambling industry alike as it became possible for fans in every corner of the country to get in on a piece of the action. Placing wagers on games put added pressure on athletes, but it was not until the players started getting involved in the wagers that leagues were forced to make headlines.³⁷

The rise of fan wagering on games turned a form of entertainment into the opportunity for some to profit. These concerns became a reality during one of the first public incidents concerning sports betting integrity, that of the 1919 Baseball World Series between the Cincinnati Reds and the Chicago White Sox.³⁸ Another such incident for the baseball world would emerge from Pete Rose. Known as one of the biggest names in baseball, Rose spent his career breaking all-time batting records, setting him on the path for induction into the Baseball Hall of Fame. Despite his objectively impressive career, Rose became commonly known for his involvement in a sports betting scandal that laid the argument for later federal restrictions on sports betting. Rose's wagers on his own team resulted in a lifelong ban from baseball and disqualified him from induction into the Hall of Fame.³⁹ When the FBI opened a drug trafficking case against Rose's bookkeeper Ronald Peters, the investigation uncovered that Peters often ran client wagers in the same bar he sold his drugs. This association with the bar revealed a "close partnership" between Rose and Peters and questions arose from the prosecution whether Rose's betting behavior extended to his own sport.⁴⁰ While the federal investigation did not conclude that Rose had bet on baseball, the MLB's Office of the Commissioner conducted its own investigation on the basis of the best interests of baseball and "revealed extensive betting activity by . . . Rose in connection with professional baseball."⁴¹

The Major League, as well as other professional sports organizations, prohibit athletes from betting on their own sports, as it compromises the integrity of games. Wagering on these games could influence an athlete's decisions during the game, whether that be intentional or subconsciously. There was a contention that Rose was placing his bets on baseball through other individuals rather than directly through his bookmaker to obscure his paper trail. Witnesses confirmed that they placed bets on behalf of Rose, but Rose remained adamant that he never bet on his own sport. The Commissioner served Rose a lifetime ban from baseball, while Rose and his counsel hoped to petition for reinstatement after one year. Pete Rose died in 2024, and the ban was lifted so that he is now eligible for posthumous admission to the hall of fame.⁴² Before

³⁷ E.g., SI, *The Yr. the NFL Banned Two of its Biggest Stars for Gambling* (Aug. 6, 2021), <https://www.si.com/nfl/2021/08/06/alex-karras-paul-hornung-nfl-gambling-daily-cover>.

³⁸ Society for Am. Baseball Research, William F. Lamb, *The Black Sox Scandal*, <https://sabr.org/journal/article/the-black-sox-scandal/> (2026).

³⁹ Letter from Robert D. Manfred, Jr., Commissioner of Baseball, to Jeffrey M. Lenkov, May 13, 2025, <https://img.mlbstatic.com/mlb-images/image/upload/mlb/nygssehtiivswdtymqso.pdf>.

⁴⁰ FBI Vault Peter Rose, Fed'l Bureau of Investigations, 4-8, 46-47, <https://vault.fbi.gov/peter-rose/peter-rose/view>.

⁴¹ Office of the Commissioner Major League Baseball, *In re: Peter Edward Rose* 6 (1989), <https://www.thedowdreport.com/report.pdf>.

⁴² Letter from Robert D. Manfred, Jr., Commissioner of Baseball, to Jeffrey M. Lenkov (May 13, 2025), available at <https://img.mlbstatic.com/mlb-images/image/upload/mlb/nygssehtiivswdtymqso.pdf>.

Rose's death, he had admitted to betting on his own team, but the repercussions of the Rose betting scandal set a decades long precedent for restrictions on sports betting, especially after the enactment of the Professional and Amateur Sports Protection Act.⁴³

Professional & Amateur Sports Protection Act (PASPA)

The *Professional and Amateur Sports Protection Act* (PASPA)⁴⁴ was enacted in 1992, outlawing sports betting and dictating that,

It shall be unlawful for . . . a governmental entity . . . or . . . a person to sponsor, operate, advertise, or promote, pursuant to the law . . . of a governmental entity, a lottery, sweepstakes, or other betting, gambling, or wagering scheme based, directly or indirectly . . . on one or more competitive games in which amateur or professional athletes participate, or are intended to participate, or on one or more performances of such athletes in such games.⁴⁵

This provision did not apply to any state operation that was active between January 1, 1976, and August 31, 1990, to states statutorily authorizing wagering schemes by October 2, 1991, other state wagering schemes in operation between September 1, 1989, and October 2, 1991, and parimutuel animal racing or jai-alai.⁴⁶ “Delaware, Montana, Nevada, and Oregon had been legally operating sports betting for some time.”⁴⁷ Additionally, New Jersey was afforded one year from PASPA's enactment to authorize sports betting.⁴⁸ New Jersey was late to follow through on its opportunity but its eventual approach was vindicated when the act was judicially invalidated in 2018,⁴⁹ leading to widespread, legal sports betting throughout the U.S.

Pennsylvania's Gambling Expansion: Interactive Gaming & Sportsbooks

Interactive Gaming

The primary objective of the Pennsylvania Race Horse Development and Gaming Act “is to protect the public through the regulation . . . of . . . gaming” and policing unlawful activities.⁵⁰ Interactive gaming is wagering *via* computer rather than in person at a physical casino⁵¹ and was authorized to increase “revenues to the Commonwealth and” provide “new employment opportunities.”⁵² The General Assembly declared that “[t]he continued growth and success of the

⁴³ 28 U.S.C. ch. 178.

⁴⁴ 28 U.S.C. §§ 3701-3704.

⁴⁵ *Id.* § 3702.

⁴⁶ *Id.* § 3704(a).

⁴⁷ R. A. Volberg *et al.*, *supra* note 31, at 2.

⁴⁸ 28 U.S.C. § 3704(a)(3).

⁴⁹ *Murphy v. Nat'l Collegiate Athletic Ass'n*, 584 U.S. 453, 462, 484-86 (2018).

⁵⁰ 4 Pa.C.S. § 1102(1).

⁵¹ *Id.* § 1103.

⁵² *Id.* § 1102(2.1).

commercial gaming industry in this Commonwealth is dependent upon a regulatory environment which promotes and fosters technological advances and encourages the development and delivery of innovative gaming products.”⁵³ Interactive gaming was authorized to also “ensure the sustainability and competitiveness of the commercial gaming industry in this Commonwealth.”⁵⁴

Because of its online and mobile phone platforms, interactive gaming is more accessible than gambling in a brick-and-mortar casino or at a retail sportsbook. In 2017, the Commonwealth authorized the Pennsylvania Gaming Control Board to regulate “the conduct of interactive gaming . . . in a manner that is consistent with Federal law,” prohibiting accounts “by an individual under 21 years of age,” and “[e]stablishing mechanisms by which a registered player may place a limit on the amount of money being wagered . . . during any specified time period” and to exclude ineligible play.⁵⁵ “An interactive gaming certificate holder” may “neither extend credit to a player nor allow the deposit of funds into an interactive gaming account that are derived from the extension of credit by affiliates.”⁵⁶ Linking to a responsible gaming page, “[t]he Board’s Responsible Gaming logo . . . shall be placed at the top of the interactive gaming web site.”⁵⁷ A “clear mechanism to impose self-limitations for gaming parameters including deposits, wagers, losses and player session durations” must be provided to players “as required by the Board.”⁵⁸ Temporary suspension of one’s interactive gaming account must be provided to players *via* “an easy and obvious mechanism.”⁵⁹ Employees of “[i]nteractive gaming certificate holders . . . who have direct contact with players by phone, e-mail, electronic chat or other means shall” be trained initially and “at regular intervals thereafter, addressing recognition of the nature and symptoms of problem gambling behavior and how to assist players in obtaining information regarding help for a gambling problem and self-exclusion program.”⁶⁰ Interactive gaming certificates are “valid for five years” and “may be renewed.”⁶¹ The tax on interactive gaming is either 14 percent or 52 percent of daily gross revenue.⁶² From this tax, “an amount equal to .002 multiplied by the total gross interactive gaming revenue of all active and operating interactive certificate holders” is “transferred into the Compulsive and Problem Gambling Treatment Fund.”⁶³ The same multiplication also occurs each year for transfers “to the Department of Drug and Alcohol

⁵³ *Id.* § 1102(12.1).

⁵⁴ *Id.* § 1102(12.2).

⁵⁵ *Id.* § 13B02. Federal law has age, identity and location verification along with data security standards. 31 U.S.C. § 5362(10)(B).

⁵⁶ 58 Pa. Code § 812a.7(b).

⁵⁷ *Id.* § 812a.9(e).

⁵⁸ *Id.* § 812a.9(g).

⁵⁹ *Id.* § 812a.9(i). Players can also self-exclude *via* “a link on its interactive gaming web site.” *Id.* § 812a.6.

⁶⁰ *Id.* § 812a.14(b). An annual employee training program on compulsive and problem gambling is required. *Id.* §§ 814a.3(b)(5), 814a.4.

⁶¹ 4 Pa.C.S. §§ 13B13(c), 1314(d).

⁶² *Id.* § 13B52(a). The higher percentage applies to “interactive games which simulate slot machines.” *Id.* There is also a payment of 2 percent of daily gross interactive gaming revenue required as a local share assessment. *Id.* § 13B53(a).

⁶³ *Id.* § 13B54(1). The fund is a special fund in the State Treasury “expended solely for programs for the prevention and treatment of gambling addiction related to gambling addiction and for the administration of the compulsive and problem gambling program” with “at least” half the money in the fund being distributed annually to single county authorities to provide “compulsive gambling and gambling addiction prevention, treatment and education programs.” *Id.* § 1509(b), (d).

Programs . . . to be used for drug and alcohol addiction treatment services, including treatment for drug and alcohol addiction related to compulsive and problem gambling.”⁶⁴

Sports Wagering

Sports wagering are “wagers on sporting events or on the individual performance statistics of athletes in a sporting event or combination of sporting events” and “includes . . . parlays, over-under, moneyline, pools and straight bets” but excludes “[p]ari-mutuel betting on the outcome of thoroughbred or harness horse racing.”⁶⁵ Sixty days after being authorized to regulate interactive gaming, the Pennsylvania Gaming Control Board was authorized to regulate “sports wagering . . . [e]stablishing compulsive and problem gambling standards” and “prohibiting persons under 21 years of age from participating in sports wagering.”⁶⁶ Before authorized sports wagering occurred in the Commonwealth, the board was required to “publish a notice in the Pennsylvania Bulletin certifying” the “Federal court decision . . . that permits a state to regulate sports wagering,”⁶⁷ which did not occur until the middle of 2018. Sports wagering is authorized at a “slot machine licensee’s licensed facility” and “as a form of interactive gaming.”⁶⁸ Sports wagering certificate holders “must comply with the compulsive and problem gambling provisions “in rules for that topic as well as for interactive gaming.”⁶⁹ Sports wagering certificates must “be renewed every five years.”⁷⁰ The tax on sports wagering is 34 percent of daily gross revenue.⁷¹ From this tax, “an amount equal to 0.002 multiplied by the total gross sports wagering revenue of all active and operating sports wagering certificate holders” is “transferred into the Compulsive and Problem Gambling Treatment Fund.”⁷² The same multiplication also occurs each year for transfers “to the Department of Drug and Alcohol Programs . . . to be used for drug and alcohol addiction treatment services, including treatment for drug and alcohol addiction related to compulsive and problem gambling.”⁷³

⁶⁴ *Id.* § 13B54(2).

⁶⁵ *Id.* § 13C01.

⁶⁶ *Id.* § 13C02.

⁶⁷ *Id.* § 13C11(b). The notice was published in 48 Pa. Bull. 3499 (June 9, 2018), <https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol48/48-23/905.html>.

⁶⁸ 4 Pa.C.S. § 13C11(a).

⁶⁹ 58 Pa. Code § 1410a.1. Licensees must have compulsive and problem gambling plans approved to identify the individual to maintain the plan, which must include policies to train employees, procedures to identify compulsive gamblers, providing information on therapy, prevention of underage gambling, and prevention of excluded and intoxicated gamblers from gambling. 58 Pa. Code § 501a.3(a).

⁷⁰ 4 Pa.C.S. § 13C14(c).

⁷¹ *Id.* § 13C62(a). There is also a payment of 2% of daily gross sports wagering revenue required as a local share assessment. *Id.* § 13C63.

⁷² *Id.* § 13C64(1). The fund is a special fund in the State Treasury “expended solely for programs for the prevention and treatment of gambling addiction related to gambling addiction and for the administration of the compulsive and problem gambling program” with “at least” half the money in the fund being distributed annually to single county authorities to provide “compulsive gambling and gambling addiction prevention, treatment and education programs.” *Id.* § 1509(b), (d).

⁷³ *Id.* § 13C64(2).

ACCESSIBILITY & POPULARITY

This section summarizes the convenience and accessibility of online casinos. Results from an annual Commonwealth survey on interactive gambling and its impact on compulsive and problem gambling are summarized. National survey results are from the last decade reveal the popularity of sports betting in particular. Although the percentages vary from survey to survey and from year to year, supermajorities of adults gamble and significant percentages of adults bet on sports.

During the preparation of this report, Commission staff had the opportunity to hear from the different individuals and entities that have drawn into the conversation surrounding online and sports related gambling. This is not a topic that is exclusive to a singular gender, socioeconomic bracket, geographic area, or personal stage of life. The digital accessibility of these services surpasses traditional service barriers and provides almost completely unhindered access to gambling anywhere in the Commonwealth. Modern technology has turned a person's cell phone into a necessary possession, where an individual has access to a world simultaneously separate from and intertwined with others. The ability to be on one's own device in public while others around are unaware of the content coming across the screen can exacerbate the severity of gambling addiction.

Convenience & Accessibility

One of the most obvious advantages of online casinos is accessibility. Players no longer need to travel to a physical location, saving both time and money on transport, meals, or accommodation. Online casinos are available 24/7, allowing users to play whenever they choose, whether it's early in the morning, late at night, or during a short break.

This level of convenience is particularly valuable for players with busy schedules or those living far from a land-based casino. Whether on a smartphone, tablet, or computer, digital platforms put the entire casino experience at a player's fingertips, eliminating the need to plan trips or adhere to opening hours.

...

Online casinos frequently offer bonuses and promotions that are far more generous than those available in traditional venues. Welcome bonuses, deposit matches, free spins, and loyalty rewards provide extra value to players, enhancing the gaming experience and extending playtime.

...

Another advantage of online gaming is the privacy it affords. Players can enjoy their favourite casino games from the comfort of home, wearing whatever they like, without the pressure of crowds, noise, or social expectations.⁷⁴

The burgeoning market of interactive gambling led to evolutionary adaptations for traditional gaming venues. “Casinos are no longer competing only with other casinos. They are competing with every digital platform that captures attention: mobile games, social networks, streaming services, short-form video ecosystems and virtual worlds. These platforms have mastered the art of daily engagement and they train customers to expect frictionless experiences.”⁷⁵

Pennsylvania Interactive Gaming Assessment

Annually, the Department of Drug and Alcohol Programs is required to report “on the impact of interactive gaming on compulsive and problem gambling and gambling addiction in this Commonwealth. The report” must “be prepared by a private organization . . . with expertise in serving and treating the needs of persons with compulsive gambling addictions, which organization” is “selected by the [d]epartment.”⁷⁶

“[B]etween 17% and 30% of Pennsylvania adults engaged in some form of online gambling in the past year,” resultant in “record highs in iGaming revenues . . . reaching over \$3 billion.”⁷⁷ More than half “of calls to 1-800-GAMBLER,” a helpline, “specifically mention online gambling as the most problematic form of gambling.”⁷⁸ Most of Pennsylvania’s adults continued to gamble more offline (56 percent to 69 percent during the last year), combining with online gambling to form a supermajority of Pennsylvania adults (60 percent to 73 percent) gambling during the last year.⁷⁹ For those who gamble both online and offline (13.8 percent to 26.8 percent), the frequency was weekly, spending from 12 to 27 hours *per* month and with a

⁷⁴ *What Online Casinos Do Better than Land-Based Casinos*, Casino Life Magazine, <https://www.casinolifemagazine.com/blog/what-online-casinos-do-better-land-based-casinos> (last visited Apr. 15, 2026).

⁷⁵ Shaun McCamley, *What Land-based Casinos Must Do to Survive: The Hybrid Strategy Redefining the Indus.*, Casino Life Magazine, (Feb. 8, 2026). <https://www.casinolifemagazine.com/article/what-land-based-casinos-must-do-survive-hybrid-strategy-redefining-industry>.

⁷⁶ 4 Pa.C.S. § 1211(d.1). “Any costs associated with the preparation . . . of the report shall be borne by all interactive gaming certificate holders. The” Pennsylvania Gaming Control Board is “authorized to assess a fee against each interactive gaming certificate holder for these purposes.” *Id.*

⁷⁷ G. E. Sterner *et al.*, *The Pa. Interactive Gaming Assessment: Online Gambling Rep.* 8 (2025), available at <https://www.pa.gov/content/dam/copapwp-pagov/en/ddap/documents/documents/agency-reports/interactive-gaming-reports/psu-2025-online-gambling-report.pdf>. Two different samples were used generating a figure of approximately 17.76% from one and 30.62% from the other. *Id.* at 16. Interactive gaming is also referred to as iGaming.

⁷⁸ *Id.* at 8. “The helpline is operated by the non-profit group, the Council on Compulsive Gambling of Pennsylvania, Inc.” *Id.* at 12.

⁷⁹ *Id.* at 9. “For the fifth year in a row, **sports betting was the most popular online gambling format while lotteries were the most popular offline gambling format.**” *Id.* (emphasis in original) The percentage of the population gambling exclusively offline was 43%, much higher than the percentage that gambled exclusively online, 3.9%. *Id.*

median monthly spend of \$105 to \$230.⁸⁰ Those who gamble both online and offline were predominantly men in their early 40s and have higher rates of at-risk and problem gambling than those who gamble exclusively online or offline.⁸¹ For the 2024 to 2025 period, the finding was that 2.5 percent to 6.4 percent “of all Pennsylvanians may be a problem gambler,”⁸² with between 27.9 percent to 29.9 percent “classified as at-risk gamblers. Rates of problem and at-risk gambling were highest among those who engaged in gambling both online and offline. Frequency of engaging in gambling, if someone”⁸³ gambled both online and offline, “a higher single-day gambling loss, and a higher rating of the importance of gambling as a recreation or leisure activity all significantly predicted whether someone was a problem gambler.”⁸⁴ Additionally, “[o]ver 10% of Pennsylvania adults are gambling on illegal sites.”⁸⁵

Self-exclusions for online gambling increased “nearly 65% . . . over the 2023/2024 period.”⁸⁶ Consistent with the four prior reports, the 2025 report finds offline gambling more popular than gambling online “and sports betting was the most common form of online gambling.”⁸⁷ Also similar to previous reports, gambling exclusively offline “tended to be of the lowest risk” while those who gambled both online and offline “tended to be of the highest risk.”⁸⁸ For sports betting, “3.4% of Pennsylvania adults placed an in-play bet in the past year, with this representing 30.2% of all of those who bet on sports in the past year.”⁸⁹

The patterns for number of hours gambling *per* month and average monthly spending all ascended from lowest to highest in this order: exclusively offline gamblers, exclusively online gamblers, and then those gambling both online and offline.⁹⁰ “Those who gambled exclusively offline were significantly older than those that gambled exclusively online or those that gambled online and offline. There were clear gender differences in mode of gambling, with a higher

⁸⁰ *Id.*

⁸¹ *Id.*

⁸² *Id.* “Between 13.4% and 37.0% of exclusive online gamblers meet criteria for at-risk gambling behavior.” *Id.* at 40.

⁸³ *Id.* at 10, 37. The group showing “the highest rates of at-risk and problem gambling across” (62-72%) is the one that gambles both online and offline. *Id.* at 41. “Offline-only gamblers show the lowest rates” (1-2%) “of both at-risk and problem gambling.” *Id.* On p. 42 of the report, the 27.9% figure appears as 25.4%.

⁸⁴ *Id.* at 37. (emphasis omitted) Depending upon the survey used, 39.2% and 26.3% of the population were classified as non-gamblers with another 32.9% and 37.4% of the population were classified as recreational gamblers (meaning that they were not classified as moderate risk, high risk, very high risk or problematic). *Id.* at 38. This study collected a secondary sample to enhance it. *Id.* at 40. Both samples indicated the same percentages for exclusively online gamblers (3.9%) and exclusively offline gamblers (43.1%) with “large difference” between the two samples for those who gambled both online and offline (13.8% in one; 26.8% the other). *Id.*

⁸⁵ *Id.* “Importantly, 11.4% of Pennsylvania adults were classified as engaging in illegal or unregulated gambling involuntarily – that is they are thought to be under the assumption their gambling is entirely legal.” *Id.* at 43. (emphasis omitted) A range of 5.9-14.4% was given for this on p. 42 of the report. “Gambling name recognition of platforms was a key criterion in deciding whether something was legal.” *Id.* at 44. “We found that 0.9% of Pennsylvania adults engaged in underage gambling, 10.7% engaged in gambling through unregulated apps or websites We found that only 2.2% of the population self-identified as engaging in intentional illegal or offshore gambling in the past year – though an additional 1.9% preferred not to say.” *Id.* at 98.

through unregulated apps or websites

⁸⁶ *Id.* at 12.

⁸⁷ *Id.* at 14. “Lotteries were the most common form of offline gambling.” *Id.*

⁸⁸ *Id.* at 14.

⁸⁹ *Id.* at 17.

⁹⁰ *Id.* at 20.

proportion of men engaging in exclusively online gambling or gambling both online and offline.”⁹¹ The highest percentages of responses for gambling exclusively offline, gambling exclusively online, and gambling both online and offline was the same among these categories: marital status—married or living with a partner; education—bachelor’s degree; employment—employed; income—\$50,000-\$74,999; sexuality—heterosexual; and military status—neither currently enlisted or a veteran.⁹² For household debt, the most responses were in the category < \$39,999 among those who gambled exclusively offline and those who gambled both online and offline but no debt among those who gambled exclusively online.⁹³

Among those who gambled exclusively offline and exclusively online, the most reported motivation for gambling was ‘to win money’ while for those that engaged gambling both online and offline it was for enjoyment, excitement, fun, or entertainment. . . . Those who had not gambled in the past year were less likely to have consumed alcohol in the past year than those who engaged in any of the three modes of gambling. . . . Those who engaged in exclusively online gambling and those who engaged in⁹⁴

both online and offline “gambling were more likely to have used . . . drugs recreationally or outside physician supervision than those who had not gambled in the past year.”⁹⁵

U.S. Surveys

U.S. 2024 Survey & Earlier Comprehensive Review: Sports Betting

According to a survey “of people in the United States . . . in 2024[,] . . . more than half of those active in sports betting” put “their money on a football match” making it more popular to bet on than other sports.⁹⁶ “The rate of gambling problems among sports bettors is at least twice as high as among gamblers in general. When sports gambling is conducted online, the rate of problems is even higher, . . .”⁹⁷ An earlier comprehensive review published in 2019 presented the prevalence of sports betting as “[n]early half of American adults” having “bet on a sporting event” and “45% of sports wagering now taking place through the internet.”⁹⁸ Concerns raised about sports gambling relate to convenient, private access along with bets during the game on discrete events that increase “the speed and frequency of gambling, which increases the risk of

⁹¹ *Id.* at 22. The average ages were: offline 54.42; online 37.6; both online & offline 41.19. *Id.* at 23. The breakdown by sex was: offline 54.9% female; online 77.9% male; both online & offline 67% male. *Id.*

⁹² *Id.* at 25-27.

⁹³ *Id.* at 26.

⁹⁴ *Id.* at 28, 31.

⁹⁵ *Id.* at 31.

⁹⁶ Statista, *What Sports Do Americans Bet On?*, (Feb. 12, 2025) <https://www.statista.com/chart/33925/share-of-us-respondents-bet-on-sports/>.

⁹⁷ Nat’l Council on Problem Gambling, *A Rev. of Sports Wagering & Gambling Addiction Studies* Exec. Summary, https://www.ncpgambling.org/wp-content/uploads/2023/09/Sports-gambling_NCPGLitRvwExecSummary.pdf (last visited Mar. 30, 2026).

⁹⁸ *Id.*

problematic behavior.”⁹⁹ Other concerns raised were about professional athletes gambling on sports, as well as gambling by adolescents and young adults.¹⁰⁰ Among sports bettors, clinically disordered gamblers “are typically male, young (up to age 35), single, fully employed, and have a high level of education” who think that “sports gambling is more skill than luck.”¹⁰¹

2022 & 2025 Pew Research Center U.S. Sports Betting Surveys

The Pew Research Center surveyed U.S. adults in 2022 and 2025 about sports betting.¹⁰² From July 2022 and July 2025, the percentage of respondents saying that legal betting on sports is a bad thing increased from 34 percent to 43 percent for society and from 33 percent to 40 percent for sports.¹⁰³ Nonetheless, higher percentages of respondents replied that legal sports betting is neither good nor bad.¹⁰⁴ Twenty-two percent “of adults say they’ve **personally bet money on sports in the past year.**”¹⁰⁵ This increased from 19 percent saying the same thing in 2019, with the increase coming “through **online sports betting:** 10% of adults . . . say they’ve placed a bet this way in the past year.”¹⁰⁶ Demographically, the percentages of respondents saying they have personally bet money on sports in the past year were higher than the 22 percent overall rate and included males; people ages 18-29 and 30-49; Blacks and Hispanics; and those in middle and upper income brackets.¹⁰⁷

2024 National Survey on Gambling Attitudes & Gambling Experiences

There have been three National Surveys on Gambling Attitudes and Gambling Experiences with the most recent one conducted in 2024 but published in 2025.¹⁰⁸ “The number of American adults who report having gambled in the past year has remained constant” in the years 2018 (71 percent), 2021 (73 percent) and 2024 (71 percent).¹⁰⁹ Participation in sports betting increased “from 20% in 2018 to 26% in 2021” but “leveled off at 23% of the population in 2024. Most adults who want to bet on sports are likely able to do so regardless of its legal status in their state.”¹¹⁰ The percentage of “sports bettors making parlay bets has almost doubled, from 17% . . . in 2018, to 30% in 2024. . . . The” most recent National Surveys on Gambling Attitudes and Gambling Experiences “data suggests that both prop betting and parlay betting may be associated with risky gambling behavior, but research in this area is far from definitive.”¹¹¹

⁹⁹ *Id.*

¹⁰⁰ *Id.*

¹⁰¹ *Id.*

¹⁰² John Gramlich, *Americans Increasingly See Legal Sports Betting as a Bad Thing for Society & Sports*, Pew Research Cen. (Oct. 2, 2025), <https://www.pewresearch.org/short-reads/2025/10/02/americans-increasingly-see-legal-sports-betting-as-a-bad-thing-for-society-and-sports/>.

¹⁰³ *Id.*

¹⁰⁴ *Id.*

¹⁰⁵ *Id.* (emphasis in original)

¹⁰⁶ *Id.* (emphasis in original)

¹⁰⁷ *Id.*

¹⁰⁸ Nat’l Council on Problem Gambling, *Nat’l Survey on Gambling Attitudes & Gambling Experiences 3.0, Key Findings*, 1, <https://www.ncpgambling.org/wp-content/uploads/2025/06/NGAGE-3.0-Key-Findings-FINAL-FOR-DISTRIBUTION.pdf> (last visited Apr. 14, 2026).

¹⁰⁹ *Id.* at 3.

¹¹⁰ *Id.* at 4. This last statement is especially true with the proliferation of prediction markets.

¹¹¹ *Id.*

Wagering online has “stayed high while most other forms of gambling returned to their 2018 levels.”¹¹² The numerical estimate of “adults likely to suffer from gambling disorder” was 2,500,000 with another 5,000,000 to 8,000,000 “more who exhibit some problematic behavior. There is a critical need for education about the realities of gambling and how to lower its risks for those who choose to gamble, particularly for high-risk groups, including young adults, males, online gamblers, and sports bettors.”¹¹³

2025 U.S. Residents Sports Betting Survey

According to a poll of U.S. residents in 2025, “48% of men 18-49 years of age have an account with at least one of the online sportsbooks” with the percentage for Americans overall being 22 percent.¹¹⁴ More than half of the respondents, “52% . . . bet an increased amount in hopes of getting money back after a loss,” which is described as chasing a bet.¹¹⁵ “Nearly 60% of Americans have often seen . . . ads” for online sports betting.¹¹⁶ “[W]hile most think they can make money gambling, only 30% say in hindsight they’ve won more than lost.”¹¹⁷ A supermajority of respondents (65 percent), “agree that online sports betting will end up creating compulsive gamblers that will cause pain to them and their families” with almost half (48 percent) thinking that “it will corrupt organized sports.”¹¹⁸ A supermajority of respondents (63 percent) supported at least some consumer protections proposals in a federal legislative proposal.¹¹⁹

2026 National Survey of U.S. Adults

From a recent poll of U. S. adults by The Harris Poll conducted on behalf of The National Council on Problem Gambling, “nearly eight in ten Americans (79%) believe gambling addiction in the U.S. is as serious or more serious than other types of addiction like alcohol or drug addiction . . . **nearly two thirds of adults aged 21 and older (65%) report participating in at least one form of gambling before age 21.**”¹²⁰ The executive director of the national council observed that the increasing normalization of gambling in media, sports and online greatens the risk for youth to develop gambling problems.¹²¹ **“Two-thirds of Americans (66%) say they are concerned about the impact of underage exposure to gambling or gambling-like activities,** which can include sports betting advertisements, online games with betting elements, and loot

¹¹² *Id.* “While 15% of the adult population made an online wager in 2018, this number rose to 25% in 2021, and 22% in 2024.” *Id.*

¹¹³ *Id.*

¹¹⁴ Siena College Research Inst., Press Release, *22% of All Americans, Half of Men 18-49, Have Active Online Sports Betting Account* (Feb. 18, 2025), <https://sri.siena.edu/2025/02/18/22-of-all-americans-half-of-men-18-49-have-active-online-sports-betting-account/>.

¹¹⁵ *Id.*

¹¹⁶ *Id.*

¹¹⁷ *Id.*

¹¹⁸ *Id.*

¹¹⁹ *Id.*, “prohibit ads for sportsbooks during live events, require sports books to place limits on the deposits bettors can make, and ban the usage of AI by sportsbooks to track user’s behavior.” *Id.*

¹²⁰ Nat’l Council on Problem Gambling Press Release, *Nat’l Survey Finds Widespread Gambling Participation Before Age 21 Amid Pub. Concern About Youth Exposure Risk*, (Mar. 2, 2026), <https://www.ncpgambling.org/news/survey-finds-widespread-gambling-participation-before-age-21/>. (emphasis in original) The top two categories were lottery (40%) and gambling at home with friends and family (37%). *Id.*

¹²¹ *Id.*

boxes.”¹²² Contrasting “with routine screening for alcohol and tobacco use . . . in healthcare settings,” only 15 percent **“of Americans”** reporting **“ever being asked about their gambling behavior by a primary care provider.”**¹²³ The national council’s director of government relations and league partnerships called for consistent consumer protections “across emerging products like prediction markets, which are functionally gambling platforms, . . . [i]f they involve financial stakes, uncertain outcomes, and repeated participation.”¹²⁴

¹²² *Id.* (emphasis in original)

¹²³ *Id.* (emphasis in original)

¹²⁴ *Id.*

This section relates U.S. online gambling market trends and reveals some forecasts for the next several years. It summarizes marketing strategies and contains excerpts of some terms and conditions of promotional offers. It also summarizes some litigation in Pennsylvania because these claims include detailed allegations about marketing. Reading this section will give one some information about partnerships among licensed gaming operators and other digital media platforms. There is mention of technological features that help to deliver an integrated experience as well as the commercial collaboration among licensed gaming operators with sports associations.

U.S. Online Gambling Market Trends & Forecast

From 2026-2031, the U.S. online gambling market is projected to increase at a 16.51 percent compound annual growth rate “driven by strong state-level legalization, the rapid adoption of 5G technology, and the increasing use of mobile payment systems . . . Partnerships such as the DraftKings and ESPN collaboration are converting . . . audiences into active bettors.”¹²⁵ In 2025, sports betting was almost half (49.21 percent) of the online U.S. gambling market. Males comprised 69.01 percent of the market, and the ages 25-40 demographic was more than half (53.13 percent) of the market. Mobile devices held an overwhelming 80.14 percent share of the market.¹²⁶ In the legal jurisdictions, including the Commonwealth, a compound annual growth rate of 3.2 percent is forecast in the medium term (2-4 years), “driven by “[h]igh smartphone and broadband penetration.” The mobile device trend on online gambling is attributed to widely available 4G and 5G technology, one-tap deposits, PayPal’s integration with major sportsbooks, Venmo’s peer-to-peer adaption for gambling wallets, and geolocation verification that relies on Global Positioning System and Wi-Fi triangulation.¹²⁷ In mature markets, including the Commonwealth, a compound annual growth rate of more than 2.8 percent is forecast during the next two years, attributable to enhanced user engagement integrated with “live in-play betting.”¹²⁸

In-play betting now accounts for over 40% of the sports-betting handle, supported by data feeds from Genius Sports and Sportradar that update odds every 2 to 3 seconds during live events. In 2024, DraftKings introduced micro-betting, enabling wagers on specific events such as individual pitches in baseball or possessions in basketball. This development increased the average session

¹²⁵ Mordor Intelligence, *U.S. Online Gambling Market Size & Share Analysis-Growth Trends & Forecast (2026-2031)*, (2026) <https://www.mordorintelligence.com/industry-reports/united-states-online-gambling-market>.

¹²⁶ *Id.*

¹²⁷ *Id.*

¹²⁸ *Id.*

duration by 18 minutes, as reported in the company's third-quarter 2025 earnings call. Dolby's OptiView streaming solution, adopted by select operators in 2025, synchronized video streams with betting interfaces, addressing the previous 5 to 10-second delay that caused odds to shift before users could place bets. This integration of streaming and wagering has transformed passive viewing into an interactive experience, where each play generates new betting opportunities. The National Basketball Association . . . incorporated live odds into its League Pass streaming service in 2024, marking a shift from its earlier resistance to sports-betting integration. This change highlights how sports leagues are now monetizing real-time data as a valuable first-party asset.¹²⁹

There are also other partnerships to integrate betting content. *E.g.*, ESPN replaced Penn Entertainment (two years into their 10-year contract) "with DraftKings to be its official betting partner."¹³⁰ "[A]s the Official Sportsbook and Odds Provider of ESPN, . . . DraftKings" was "integrated into ESPN's platforms" last year, "providing content for the betting tab within the ESPN App."¹³¹ This collaboration will provide "their customers" with "special promotions for ESPN Unlimited, ESPN's newly launched direct-to-consumer product."¹³² The partnership extends "standalone brand equity" with "media distribution" because "ESPN's linear and digital reach . . . averages 75 million monthly unique visitors" providing "in-content odds displays, pre-game betting segments, and talent endorsements" requiring "equivalent media platforms" for "competitors to replicate."¹³³

Similarly, BetMGM strategically partnered with X to become the social media platform's exclusive Live Odds Sports Betting partner. The first-of-its-kind partnership between a premier social media brand and a sports betting operator will integrate BetMGM's odds and branding into X, with each game linking to BetMGM's website and app. . . . The odds interface provides an easy clickthrough for each game to BetMGM's app or website, creating a seamless user experience.¹³⁴

¹²⁹ *Id.*

¹³⁰ Ryan Glasspiegel, *ESPN Betting Czar: Why We Pivoted from Penn to DraftKings*, Front Office Sports, (Nov. 25, 2025), <https://frontofficesports.com/espn-betting-czar-why-we-pivoted-from-penn-to-draftkings/>. DraftKings is "scaled," innovative and "has a slew of big media partnerships." *Id.*

¹³¹ ESPN, *ESPN Names DraftKings its Official Sportsbook, Odds Provider* (Nov. 6, 2025), https://www.espn.com/espn/story/_/id/46868973/espn-names-draftkings-official-sportsbook-odds-provider.

¹³² ESPN Press Room, *ESPN & DraftKings Enter Multi-Yr. Agreement* (Nov. 6, 2025), <https://espnpressroom.com/us/press-releases/2025/11/espn-and-draftkings-enter-multi-year-agreement/>. "[T]he ESPN App provides a unique viewing experience that includes integrated game stats, multiview options, a synchronized two-screen feature, a vertical video feature called *Verts* and a personalized *SportsCenter For You*, as well as ESPN BET information, ESPN Fantasy sports, commerce, and more. These new features are available to all fans who watch on the ESPN App on mobile and connected TV devices, whether they subscribe directly or through a traditional pay TV package. Bundling options available for fans include a limited time offer for the ESPN DTC Unlimited plan with Disney+ and Hulu for \$29.99/month for the first 12 months." *Id.*

¹³³ Mordor Intelligence, *supra* note 125.

¹³⁴ MGM Resorts Int'l: Investor Relations, *BETMGM & X SIGN EXCLUSIVE SPORTS BETTING PARTNERSHIP* (Feb. 9, 2024), <https://investors.mgmresorts.com/2024-02-09-BETMGM-AND-X-SIGN-EXCLUSIVE-SPORTS-BETTING-PARTNERSHIP>. BetMGM is jointly owned by MGM Resorts Int'l and Entain. *Id.*, *BETMGM Q1 2026 BUSINESS UPDATE* (Apr. 14, 2026), <https://investors.mgmresorts.com/2026-04-14-BETMGM-Q1-2026-BUSINESS-UPDATE>.

According to research from 2024, “68% of US online gamblers prefer e-wallets over credit cards” with “platforms such as PayPal, Venmo, Skrill, and Neteller” having been integrated by operators “into their checkout processes.”¹³⁵ A user’s e-wallet “balance and betting history” enable “operators to implement dynamic pricing strategies” to offer “personalized incentives” in the adjustment of “odds and promotions in real time.”¹³⁶

From 2026 to 2030, the “[h]igh taxation and licensing fees in leading states” are expected to “reduce operator margins and discourage smaller entrants” by a negative 2.3 percent on the compound annual growth rate.¹³⁷

Due to “stronger unit economics . . . and favorable regulatory developments in key states,” the compound annual growth rate of online casinos is expected to surpass the growth of sports betting.¹³⁸ “[L]ive dealer games and slot titles” highlight more “consistent engagement” than “the episodic nature of sports events.”¹³⁹ From 2020 to 2025, “tax revenue from gaming regulated by the” Pennsylvania Gaming Control Board increased “nearly 140%.”¹⁴⁰ The board chair attributed this growth to “both iGaming and sports wagering.”¹⁴¹ Table 1 shows the increase or decrease of categorical gaming revenue in the Commonwealth from the immediately preceding fiscal year. Note that the only robust increases are for interactive gaming with the other categories being relatively flat (with marginal increases or decreases from immediately preceding fiscal year):

Table 1
Categorical Gaming Revenue & Tax Revenue Trends
Pennsylvania
2019-2025

Category	Fiscal Year	Percent Increase or (Decrease) In Gaming Revenue From the Previous Fiscal Year	Statewide Tax Revenue
Retail casinos	2024-2025	(0.15)	\$1,387,893,367
	2023-2024	(0.87)	1,390,158,755
	2022-2023	0.61	1,404,589,286
	2021-2022	31	\$1,394,352,646
	2020-2021	1	1,089,217,733
	2019-2020	(28)	978,858,582
Interactive gaming	2024-2025	27	1,099,557,803
	2023-2024	27	841,658,212

¹³⁵ Mordor Intelligence, *supra* note 125.

¹³⁶ *Id.*

¹³⁷ *Id.* The Commonwealth’s 36% tax rate places it among other high-tax states, *e.g.*, N.Y.. *Id.*

¹³⁸ Mordor Intelligence, *supra* note 125.

¹³⁹ *Id.*

¹⁴⁰ Pa. Gaming Control Bd., *Ann. Rep.* 3 (2024-25), available at <https://gamingcontrolboard.pa.gov/sites/default/files/2025-09/PGCB%20Annual%20Report%202024-2025%20FINAL.pdf>.

¹⁴¹ *Id.*

Table 1
Categorical Gaming Revenue & Tax Revenue Trends
Pennsylvania
2019-2025

Category	Fiscal Year	Percent Increase or (Decrease) In Gaming Revenue From the Previous Fiscal Year	Statewide Tax Revenue
	2022-2023	24	652,554,334
	2021-2022	37	518,899,874
	2020-2021	270 ^a	372,716,675
	2019-2020	—	97,200,855
Sports wagering (retail & online) ¹⁴²	2024-2025	0.2	175,550,344
	2023-2024	(2)	175,163,915
	2022-2023	56	177,105,820
	2021-2022	2	113,657,849
	2020-2021	172	111,185,706
	2019-2020	423	40,940,913
Video gaming terminals	2024-2025	0.7	
	2023-2024	(2.4)	
	2022-2023	1.28	
	2021-2022	32	
	2020-2021	361 ^b	
Fantasy sports contests	2024-2025	(0.66)	
	2023-2024	(6.8)	
	2022-2023	(24)	

a. “Fiscal Year 2019/2020 saw the first internet-based casino-style games . . . become operational in July 2019.”

Pa. Gaming Control Bd., *Ann. Rep.* 10 (2019-20), available at

https://gamingcontrolboard.pa.gov/sites/default/files/2023-09/2019-2020_PGCB_Annual_Report.pdf.

b. “Fiscal Year 2019/2020 saw the first Video Gaming Terminals . . . become operational on August 8, 2019.” *Id.*, *supra* note a, at 9.

Source: Pa. Gaming Control Bd., *Ann. Reps.*

The fastest growing age group for online gambling through 2031 is anticipated to be those under age 25; “[h]owever, it faces structural challenges due to 21+ age requirements . . . and National Collegiate Athletic Association . . . restrictions on college-athlete betting. Age verification technologies . . . now utilize biometric facial recognition and document authentication” to “help reduce underage access The 25-40 Years segment,”¹⁴³ accounting for more than half of the market share, “serves as the primary revenue base.”¹⁴⁴

¹⁴² Online sportsbooks accounted “for 95% of all bets placed during FY 2024/2025.” *Id.*, *supra* note 140, at 20. The retail handle declined, but the online handle increased so that all of the increase is attributable to online. *Id.*

¹⁴³ Mordor Intelligence, *supra* note 125.

¹⁴⁴ *Id.* “Since 2018, their transition from daily fantasy sports to sports betting has been a significant growth driver.” *Id.*

Mobile devices accounted for 80.13% of market share in 2025 and are expected to grow at a compound annual growth rate . . . of 12.44% through 2031. This growth has shifted desktop platforms to secondary roles [B]iometric login features, such as Face ID and fingerprint scanning, have effectively addressed issues relating to password fatigue.¹⁴⁵

Betting applications can stream live games in real time because 5G networks cover 70 percent of the U.S. population.¹⁴⁶ This eliminates the need for a second screen and increased in-play wagering “by 30% compared to users who switch between devices.”¹⁴⁷

Although the U.S. “online gambling market is highly concentrated,” and “customer acquisition costs” are high in “high-tax states,” the commercial environment remains competitive.¹⁴⁸

Sports Betting Advertising

Sports betting advertising units on television peaked in 2021, with telecommunications/wireless and pharmaceutical advertisements units on television more prevalent than units for sports betting.¹⁴⁹ “Through the first two months of 2026 . . . [n]early half (43%) of digital sports betting ads seen by U.S. consumers did not comply with state gaming regulations requiring responsible gaming messaging since they came from prediction market operators.”¹⁵⁰

According to the Nielsen research, there were more ads for alcohol than for sports betting during NBA, WNBA and MLB programming in 2024. Betting ads were more frequent than alcohol during NFL, NHL, PGA, NASCAR and MLS programming. NHL games had the highest percentage of gambling-related ads of the major sports leagues at 4.2%.

¹⁴⁵ *Id.*

¹⁴⁶ *Id.*

¹⁴⁷ *Id.*

¹⁴⁸ *Id.* The dominance of FanDuel and DraftKings is attributed to their strategic shift from fantasy sports to sports wagering when that became legal in 2018. *Id.* While the commercial environment is competitive, the market concentration is more consolidated than fragmented. *Id.* The Commonwealth and N.Y. are among the high tax states.

¹⁴⁹ Am. Gaming Ass’n, *2025 Sports Betting Advertising Trends* (Mar. 2026),

<https://www.americangaming.org/wp-content/uploads/2026/03/2026-Sports-Betting-Advertising-Trends.pdf>.

¹⁵⁰ *Id.*, Press Release, *Americans to Legally Wager \$3.3 Billion on Mar. Madness; Nearly Half of Digital Sports Betting Ads Now Come from Prediction Market Platforms* (Mar. 13, 2026),

<https://www.americangaming.org/americans-to-legally-wager-3-3-billion-on-march-madness-nearly-half-of-digital-sports-betting-ads-now-come-from-prediction-market-platforms/>.

Sportsbooks accounted for 0.8% of the total national spend on television commercials in 2024, while advertising for alcohol represented 1.4%.¹⁵¹

¹⁵¹David Purdum, ESPN, *Sick of All Those Sports Betting Ads? It Might Not Be so Bad* (Apr. 18, 2025), https://www.espn.com/espn/betting/story/_/id/44716101/sports-betting-ads-tv-versus-alcohol-study-fantasy-spending-volume.

Marketing Strategies by Sports Betting & Related Interactive Gambling Licensees

Interactive gambling licensees follow similar marketing strategies that include similar tactics: promotions, in-game advertising, advertising during sports broadcasts and webcasts, as well as using celebrated and animated spokespersons. The examples used in the following sections summarize some promotions offered within a year of this report's publication. The following text also excerpts detailed terms and conditions for promotional offers from within a few weeks of the time that this report was published and are from a few licensees chosen for convenience but believed to be exemplary as common enough among licensees to typify promotional offers.

Narrative Summaries of Promotional Offers

Promotions can distinguish between current and new customers. *E.g.*, during the first month of the professional football season, new customers were offered \$200 in bonus bets¹⁵² (on a minimum \$5 bet) and over \$200 off a subscription to NFL Sunday Ticket.¹⁵³ Other bonus bets were available if a gambler's player scored the longest touchdown, another bonus bet if the gambler's touchdown scorer's bet loses, a 15 percent parlay boost on a Major League Baseball parlay,¹⁵⁴ a parlay boost on professional football, an entry for two tickets to a professional football game (for visiting Smart Betting Tips), and cash credits if a gambler's bet is significantly impacted by a player's early exit from a game due to injury and not returning.¹⁵⁵ Similar to the NFL Sunday Ticket promotional discount, a minimal \$5 soccer bet qualified for an Apple MLS Season Pass, which then would automatically renew monthly as a paid subscription (unless cancelled at least a day before the renewal period).¹⁵⁶ New customers could deposit a minimum of \$5 into a sportsbook account for a 20 percent bonus but would have to deposit \$5,000 for the maximal bonus of \$1,000.¹⁵⁷ The playthrough requirement awards a \$1 bonus for every \$25 played so that the maximal deposit of \$5,000 would require cumulative wagering of \$25,000 to obtain the maximal bonus of \$1,000.¹⁵⁸ Marketing strategies for interactive casinos are similar to those offered for the interactive sportsbooks. New casino players were offered 500 spins on a slot game on a \$5 wager for 100 percent of net losses back (up to \$1,000).¹⁵⁹

¹⁵² New Customers, DraftKings, www.draftkings.com (last visited Sept. 22, 2025). The bonus bets were payable in \$25 increments, valid for seven days and unavailable as the qualifying wager. *Id.*

¹⁵³ The ticket is for YouTube & YouTube TV w/the promo code for that independent of the outcome of the qualifying wager. *Id.* The subscription automatically renews annually unless cancelled before the renewal date. Sportsbook Promos, DraftKings Reward Cen., <https://sportsbook.draftkings.com/promos> (last visited Sept. 22, 2025).

¹⁵⁴ The minimal no. of parlay legs is three. MLB 15% Parlay Boost, *id.*

¹⁵⁵ Terms and conditions detail the eligibility of covered bets, but DraftKings decides the eligibility and can interpret and revise the program at any time. Early Exit, *id.*

¹⁵⁶ MLS Season Pass, *id.*

¹⁵⁷ Deposit Bonus up to \$1,000, *id.* "The play-through requirement must be met within" 90 "days from the date of the customer's Qualifying Deposit to receive the maximum bonus award." *Id.*

¹⁵⁸ *Id.*

¹⁵⁹ Casino Promos, *supra* note, 153 (last visited Sept. 23, 2025). The spins were to be redeemable 50 daily for 10 consecutive days. *Id.*

Sports betting and interactive gambling licensees use VIP programs to develop play as an incentive to their customers. Rewards and promotions are tiered, based upon credits earned for wagering.¹⁶⁰ Rewards can include site credits, access to promotions, discounted shopping, support access, exclusive experiences, and VIP hosting.¹⁶¹ “DraftKings VIP Status is invite-only.”¹⁶²

Another sportsbook offered \$300 in bonus bets if a player’s first \$5 bet wins.¹⁶³ The bonus bets typically expire in seven days and return only the winnings rather than the stake.¹⁶⁴ Another promotion offered 500 bonus spins and “up to \$1000 back in Casino Bonus on any first-day net loss” when one joined FanDuel Casino.¹⁶⁵ This was offered to new players and required a deposit of “\$10+.”¹⁶⁶ The bonus spins were to be “awarded in increments of 50 every day throughout your first 10 days,” which had to be played through once to be able to keep the winnings.¹⁶⁷ The \$1000 back in casino bonus for the first-day loss would be in the form of a “non-withdrawable Casino site credit” with both the bonus spins and the casino site credit expiring “7 days after receipt.”¹⁶⁸

One offer was limited to a period of three days, required opting in, and a wager of “\$50+” on blackjack for \$5 in a casino bonus.¹⁶⁹ The bonus was in the form of a casino-site credit and was limited to wagering so that it would be non-withdrawable but available for use up to seven days after it being credited.¹⁷⁰

Another sportsbook offered \$150 in bonus bets if a \$10 bet from a new player wins.¹⁷¹ The bonus bet is a credit that could not be withdrawn or cashed out and expires in seven days.¹⁷² This sportsbook also offered a promotion giving a share of \$10,000 in bonus bets if a player

¹⁶⁰ Dynasty Rewards, DraftKings Inc., https://www.draftkings.com/dynasty-home?_gl=1*1hvb0v6*_gcl_au*R0NMLjE3NTg2NDIzODMuQ2p3S0NBaUF2SzJiQmhCOEVpd0FaVWJQMUU2bndyTlhXSksXy1uWGJKLTk4ckxYMmFQWnNPektNR0Nft0otZTR0VV92VEhWcmhyMVFCb0MtMzRRQXZEX0J3RQ..*_gcl_dc*R0NMLjE3NTg2NDIzODMuQ2p3S0NBaUF2SzJiQmhCOEVpd0FaVWJQMUU2bndyTlhXSksXy1uWGJKLTk4ckxYMmFQWnNPektNR0Nft0otZTR0VV92VEhWcmhyMVFCb0MtMzRRQXZEX0J3RQ..*_gcl_au*MTUyMzcxODM1NC4xNzU4NjQwNzQx*_ga*MzY1NDEzNjMuMTc1ODY0MDc0Mg..*_ga_QG8WHJSQMj*cze3NTg2NDA3NDAkbzEkZzEkdDE3NTg2NDI0ODkajU5JGwwJGgw (last visited Sept. 23, 2025).

¹⁶¹ *Id.*

¹⁶² *Id.*, <https://sportsbook.draftkings.com/sportsbook-vip> (last visited Sept. 23, 2025).

¹⁶³ FanDuel Sportsbook, Promos, <https://sportsbook.fanduel.com/promotions/LOB5G300AWB1026> (last visited Oct. 7, 2025).

¹⁶⁴ FanDuel Bonus Bets, <https://www.fanduel.com/bonusbets#faq> (last visited Oct. 7, 2025). Bonus bets cannot be used to qualify for other promotions. *Id.*

¹⁶⁵ FanDuel Casino, Rewards & Promos, <https://casino.fanduel.com/rewards/CASPIAPBS250901> (last visited Jan. 21, 2026).

¹⁶⁶ *Id.*

¹⁶⁷ *Id.*

¹⁶⁸ *Id.*

¹⁶⁹ *Id.*, <https://casino.fanduel.com/rewards/EGMTSOAZZ011926> (last visited Jan. 21, 2026).

¹⁷⁰ *Id.*

¹⁷¹ BetMGM, Promotions, <https://www.pa.betmgm.com/en/p/promotions/sports/bet-10-get-150> (last visited Jan. 26, 2026). This promotion was “available to qualifying customers from 8/28/2025 . . . through 2/9/2026 . . . unless terminated earlier in BetMGM, LLC’s sole discretion.” *Id.*

¹⁷² *Id.*

scored “at least 3 goals during that game.”¹⁷³ The \$10,000 bonus bet prize was to split among the potential winners¹⁷⁴ and was to be awarded as a credit that could not be withdrawn or cashed out but must have been used within seven days of being credited.¹⁷⁵

The foregoing summaries were prepared by Commission staff reading them on a desktop computer based on offers during 2025 and early 2026. Closer to the time of this report’s publication, staff returned to a desktop computer to view additional current offers. The offers have a condensed version of the promotion with full details of terms and conditions more elaborately and particularly specified. It is common for detailed terms and conditions to be published by the offeror in other commercial activity. These detailed terms and conditions are commonly referred to as “the fine print.” As with fine print in other commercial, promotional offers, the condensed version is intended to give a succinct gist of the offer, leaving the details to be available in a fuller version. In any promotional offer, an offeree could be confused by either the summarized offer because it is too succinctly worded or the lengthier, detailed explanation because it is too verbose to be plainly understood. Also, it is likely unrealistic for offerors to expect offerees to read lengthy, verbose terms and conditions on a smartphone, but that is the medium for plenty of services in addition to gambling. Reading detailed terms and conditions will likely be tedious whether one is reading them on a desktop computer display, on paper, or on a smartphone.

Excerpts from Detailed Terms & Conditions

One online casino offered a promotion with the following, detailed terms and conditions. Notice the 5x wagering requirement for the casino bonus, the bonus spins apportioned out over 10 consecutive days, and the different wagering contributions toward clearing a bonus:

Eligible new users may receive a Casino Welcome Offer in the form of a loss-back bonus. Users will receive a bonus amount based on their net total loss during their first twenty-four (24) hours of casino play, up to five hundred dollars (\$500). The 24 hour period begins when the user makes their first casino cash wager after their first deposit. The loss back bonus, in the form of a Pre-Wager Bonus, will appear in the participant’s account balance within one (1) day of earning the bonus. Users will receive the bonus rounded up to the next twenty-five dollar (\$25) amount. This Casino Bonus will carry a five times (5x) wagering requirement. If a user’s casino activity in their first 24 hours of play results in a net win, they will not earn a bonus.

In addition, users who register and initiate the above Welcome Offer during the Promotion Period will receive a total of five hundred (500) Bonus Spins on Goal Goal Goal! Collect ‘Em. The Bonus Spins will be issued as fifty Bonus Spins (50) every day for ten (10) days, beginning on the day of their first Casino cash wager.

¹⁷³ *Id.*, <https://www.pa.betmgm.com/en/p/promotions/sports/nhl-hat-trick-jackpot> (last visited Jan. 27, 2026). Three goals scored by the same player in a hockey game is known as a Hat Trick. *Id.*

¹⁷⁴ To be divided equally among the inners when two or more eligible participants win. *Id.*

¹⁷⁵ *Id.* This promotion was “available to qualifying customers from 10/7/2025 . . . through 2/16/2026 . . . unless terminated earlier in BetMGM, LLC’s sole discretion. *Id.*

The daily 50 Bonus Spins awards begins on the day the user accepts this promotion. Bonus Spins increments expire one (1) day after they are issued. Winnings from Bonus Spins will be released as cash with no wagering requirements.

...

Please read the Rules carefully before participating. You must follow the directions provided within these Rules to be eligible to receive the prizes in connection with the Promotion.

...

Promotion Period

Friday, June 5, 2026 at 12:01AM to Thursday, July 2, 2026 at 11:59PM ET

Eligibility

Invited users eligible to register for the promotion. Must be 21 years of age or older and physically located in Pennsylvania, New Jersey, or Michigan, as applicable, at the time of entry to enter. Must be a resident of the United States to win.

Sponsor reserves the right to refuse or otherwise restrict a user's eligibility to participate in any Promotion for any reason, at its sole discretion, including, but not limited to, the user's wagering patterns, wagering history, the user betting on both sides of a game, or the user's failure to make good faith wagers while participating in the Promotion or in any previous Promotion or other promotion.

...

Individuals on a gambling exclusion list for Pennsylvania, New Jersey, or Michigan, as applicable, including but not limited to involuntary exclusion and self-exclusion lists, an eviction list from Parx, or who have violated betParx terms and conditions, are not eligible to participate in the Promotion or wager online.

...

Registration Procedures

- When offered, follow steps in the Action Required section.

Limitations on Participation

- Offer valid once per user.
- By accepting any Promotion/Bonus, registered players agree to abide by the terms and conditions of the promotional offer.

Wagering Requirements and Limitations

Welcome Offer Loss Back Casino Bonus:

- "Pre-wager Bonus Balance" must be used within seven (7) days of acceptance, otherwise the bonus will be forfeited.
- "Pre-wager Bonus Balance" must be wagered five times (5x) before it is converted to "Withdrawable Balance." For example, in order to convert

the \$100 “Pre-wager Bonus Balance” to “Withdrawable Balance,” a user must first wager \$500 on eligible games (5 x \$100).

- “Pre-wager Bonus Balance” funds may only be used for online casino wagering and cannot be used for retail casino play or sports betting.
- Bonus rounds on any slot machine games do not count towards the wagering requirements.
- Once the “Pre-wager Bonus Balance” reaches the threshold of two dollars (\$2.00) or below, the Bonus will be released as cash.
- 500 bonus spins in 50 Bonus Spins increments for play on Goal Goal Goal! Collect ‘Em only:
- “Bonus Spins” must be accepted and completed within one (1) day of being awarded.

Game Contribution Toward Clearing Bonus:

Each of the offered casino games has a different wagering contribution towards clearing a bonus:

In Pennsylvania:

- Slots and Jackpot Slots: 100%
- Roulette, Craps, Keno (Digital): 20%
- Roulette bets that cover 90% or more of the table: 0%
- Blackjack, Baccarat, Video Poker (Digital): 10%
- Live Dealer: 0%

...

For example, a \$100 wager on a slot will result in a \$100 wager towards the wagering requirements, while a \$100 wager on Roulette will result in a \$20 wager towards the requirements.

Order of Funds Used for Wagering

- “Bonus Pending Winnings,” if available, are used first towards completing the wagering requirement. “Restricted Casino Balance” is used second towards completing the wagering requirement. “Pre-wager Bonus Balance” is used third towards completing the wagering requirement. Lastly, additional “Withdrawable Balance” is used toward completing the requirement.

Eligible Games

- Welcome Offer Loss Back Casino Bonus can be used on available online Casino games, as outlined above.
- 500 bonus spins in 50 Bonus Spin increments can be used on Goal Goal Goal! Collect ‘Em online slot game only.

Withdrawal Restrictions

- Bonuses are non-withdrawable. See details above on bonus wagering requirements to release funds.

Cancellation

Users who wish to cancel or “opt-out” of participation in the Promotion may contact our Customer Service team and request to opt-out of the Promotion:

...

In Pennsylvania, contact pasupport@betparx.com or live chat at helpcenter.pa.betparx.com.

Users who cancel or “opt-out” of participation will forfeit. Sponsor reserves the right, in its sole discretion, to cancel or suspend the Promotion (or any portion thereof) at any time.

Gambling Problem?

If you or someone you know has a gambling problem, help is available. Call 1-800-GAMBLER.

Other Terms and Conditions

Rules: Participants in the Promotion agree to be bound by these terms and conditions, the betPARX terms and conditions, and any other terms and conditions applicable to registered betPARX users. Failure to follow any instructions provided in these Rules may result in disqualification. Entrants agree that all decisions of Sponsor shall be final and binding with respect to all matters related to the Promotion. Prizes may be subject to additional terms and conditions set by the manufacturer, dealership, venue, sponsor, event host, transportation carrier, or other source or vendor.

Modification: Sponsor reserves the right to change, modify, terminate, suspend, or cancel this Promotion or any portion of it at any time without notice.

...¹⁷⁶

The same licensee also offered new users a mystery bonus bet up to \$1,000 with these promotional details (in its terms and conditions) for sports betting:

New betPARX users can sign up and create an account. Once registered and successfully deposited, users will be eligible to receive a Mystery Offer plus three (3) 100% Profit Boosts.

To receive both rewards, users must place a \$25+ sports wager with real cash funds and must meet the following requirements.

Eligible Bets: Pre-match singles, parlays, same game parlays (SGPs), multi-game parlays, and live bets.

Ineligible Bets: Daily boosts, profit boosts, round robins, teasers, and bets settled via cashout.

¹⁷⁶ betParx, Promotions: Casino Welcome Offer (June 12, 2026), <https://pa.betparx.com/casino-welcome-offer-500-bonus-back>.

The Mystery Bonus Bet will be rewarded upon bet placement.

Mystery Bonus Bets

- \$1,000 Bonus Bet
- \$100 Bonus Bet
- \$75 Bonus Bet
- \$50 Bonus Bet

Bonus Bet Terms: Bonus bets are valid for 7 days before expiration. Bonus bets must be wagered once. Bonus bet amount is not included in any returns or winnings.

(3) 100% Profit Boosts are valid for use on any 2026 World Cup Soccer wager with total odds of -200 or longer.

Eligible Bets: pre-match singles, parlays, Same Game Parlays (SGPs), Multi-Game Parlays, and live bets.

Ineligible Bets: Daily boosts, profit boosts, round robins, teasers, and wagers settled via cash out.

Maximum bet: \$25

Maximum extra winnings: \$2,500

PROMOTION VOID WHERE PROHIBITED OR OTHERWISE RESTRICTED BY LAW.

By participating in the Mystery Kickoff (Sports Welcome Offer) (“**Promotion**”), you agree to these official rules (“**Rules**”), inclusive of all terms and conditions. Please read the Rules carefully before participating. You must follow the directions provided within these Rules to be eligible to receive the prizes in connection with the Promotion.

...

Promotion Period

Monday, June 1, 2026 at 12:01AM ET to Sunday, July 19, 2026 at 11:59PM ET

(“**Promotion Period**”)

Eligibility

Registered users of betPARX. Must be 21 years of age or older and physically located in Pennsylvania, New Jersey, Michigan, or Maryland, at the time of entry to enter. Must be a resident of the United States to win.

Sponsor reserves the right to refuse or otherwise restrict a user's eligibility to participate in any Promotion for any reason, at its sole discretion, including, but not limited to, the user's wagering patterns, wagering history, the user betting on both sides of a game, or the user's failure to make good faith wagers while participating in the Promotion or in any previous Promotion or other promotion.

...

Individuals on a gambling exclusion list for Pennsylvania, New Jersey, Michigan, or Maryland as applicable, including but not limited to involuntary exclusion and self-exclusion lists, an eviction list from Parx, or who have violated betPARX terms and conditions, are not eligible to participate in the Promotion or wager online.

Action Required

To participate in the Promotion (i) navigate to betPARX.com (ii) sign-up to complete your profile as a member of betPARX; (iii) Make a deposit of \$10+ (iv) Place a \$25+ sports wager.

Claiming Promotional Offer

- The Mystery Bonus Bet & 100% Profit Boosts will be rewarded upon bet placement.

Mystery Bonus Bets

- \$1,000 Bonus Bet
- \$100 Bonus Bet
- \$75 Bonus Bet
- \$50 Bonus Bet

Bonus Bets and Profit Boosts will be available in the user's account under 'My Bonuses' in the top row navigation on the sports home page under the available 'Bonus Offers Overview' section or by navigating to their account balance.

Registration Procedures

When offered, follow steps in the Action Required section.

Limitations on Participation

Offer valid up to one (1) time. Must be physically located in Pennsylvania, New Jersey, Michigan, or Maryland, as applicable, to use the bonus and wager on a device. Must be 21 years of age or older to gamble. Individuals on a gambling exclusion list for Pennsylvania, New Jersey, Michigan, or Maryland, as applicable, including but not limited to involuntary exclusion and self-exclusion lists, are not eligible to participate in this promotion or wager online. By accepting any Promotion/Bonus, registered players agree to abide by the terms and conditions of the promotional offer.

Wagering Requirements and Limitations

First Sports Wager to Qualify

- Eligible Bets: Pre-match singles, parlays, Same Game Parlays (SGPs), Multi-Game Parlays, and live bets.
- Ineligible Bets: Daily boosts, profit boosts, round robins, teasers, and bets settled via cashout.

For Mystery Bonus Bets Awarded

- Bonus Bet may only be used once and may not be divided into multiple bets.
- Bonus Bet amount is non-withdrawable and is not included in any returns or winnings.
- Bonus Bet may be used on any sport.
- Bonus Bet only may be used for online sports wagering.

For Profit Boost Awarded

- (3) 100% Profit Boosts are valid for use on any 2026 World Cup Soccer wager with total odds of -200 or longer.
- Eligible Bets: pre-match singles, parlays, Same Game Parlays (SGPs), Multi-Game Parlays, and live bets.
- Ineligible Bets: Daily boosts, profit boosts, round robins, teasers, and wagers settled via cash out.
- Maximum bet: \$25
- Maximum extra winnings: \$2,500

Order of Funds Used for Wagering

N/A

Eligible Games

For First Sports Wager

- All sports

Mystery Bonus Bets Awarded

- All sports

Profit Boosts Awarded

- Any 2026 World Cup Soccer wager with total odds of -200 or longer.

Withdrawal Restrictions

- N/A

Cancellation

Users who wish to cancel or “opt-out” of participation in the Promotion may contact our Customer Service team and request to opt-out of the Promotion:

- In Pennsylvania, contact pasupport@betparx.com or live chat at helpcenter.pa.betparx.com;

...

Users who cancel or “opt-out” of participation will forfeit their “Bonus Pending Winnings” and “Pre-wager Bonus Balance.” Only un-wagered “Withdrawable Balance” will be released to their account.

Sponsor reserves the right, in its sole discretion, to cancel or suspend the Promotion (or any portion thereof) at any time. In the event of cancellation or partial cancellation, Sponsor may, in its sole discretion, elect to identify Winners and award Prizes by way of random drawing from among all eligible Entries received up to the time of such cancellation, such drawing to be conducted within seven (7) days after such cancellation or partial cancellation. In the event of suspension, Sponsor may, in its sole discretion, extend the Promotion Period for a period equal to or shorter than the length of the suspension or not at all.

Gambling Problem?

If you or someone you know has a gambling problem, help is available. Call 1-800-GAMBLER.

Other Terms and Conditions

Applicable Law: This Promotion and use of betPARX is governed by the laws of the applicable jurisdiction. Entrants agree to comply with applicable law in connection with the Promotion. This Promotion is void where prohibited or otherwise restricted by law, rule or regulation.

Rules: Entrants agree to be bound by these terms and conditions, the betPARX terms and conditions, and any other terms and conditions applicable to registered betPARX users. Failure to follow any instructions provided in these Rules may result in disqualification. Entrants agree that all decisions of Sponsor shall be final and binding with respect to all matters related to the Promotion, and Entrants waive any right to challenge any decisions made by Sponsor and waive any right to claim any ambiguities in the Rules or any Entry. Prizes may be subject to additional terms and conditions set by the manufacturer, dealership, or other source and/or their respective agents, if the Prize is goods, or the venue, sponsor, event host, transportation carrier, or other vendor and/or their respective agents, if the Prize is tickets, services, or otherwise.

Modification: Sponsor reserves the right to change, modify, terminate, suspend, or cancel this Promotion or any portion of it at any time without notice. Sponsor may modify or deviate from the procedures set forth in these Rules if such modification or deviation does not affect the outcome of the Promotion.

...¹⁷⁷

¹⁷⁷ betParx, Promotions: New Users Mystery Bonus (June 12, 2026), https://pa.betparx.com/mystery_kickoff.

Another online casino has frequently asked questions about its casino bonuses. Note that “[a]ll bonuses are subject to a wagering requirement,” different casino games clear bonuses at different rates and cancelling one’s “bonus before completing the Wagering Requirements, . . . will forfeit any deposited funds that have already been wagered. This includes any amounts won using the cash tied to the bonus or the bonus funds itself.”

Everything You Need to Know About How Casino Bonuses Now Work

What is a Casino Bonus?

1. What is a Casino Bonus?

A Casino Bonus is a non-cashable bonus that acts like site credit. You can use it to play your favorite online casino games, such as Slots, Video Poker, or Table games.

2. How do I get Casino Bonuses?

You can earn Casino Bonuses through our wide range of daily promotions by doing anything from Opting In, Making a Deposit, Drawings, Leaderboards and much more.

Many of these promotions offer opportunities to win or earn additional casino bonuses.

3. Where do I find Casino Bonuses?

- Bonuses and Promotions can be found across all our online casino platforms.
- Caesars Palace & Horseshoe Online Casino:
Go to the Rewards Page, click on “Promotions” to see what promotions are available.
- Caesars Sportsbook and Casino:
Click “Promotions” on the bottom navigation bar, then select “Casino” from the top navigation bar.

4. How do I convert my Bonus to Cash?

You convert your bonuses to cash by playing our wide variety of games.

Order of funds used for converting a bonus to cash:

1st) Cash tied to a bonus. 2nd) Bonus Funds. 3rd) Winnings Derived from the Bonus Funds. If all of the above are depleted, wagers will be taken from your cash balance.

All bonuses are subject to a wagering requirement.

While a bonus is active, wagers are deducted first from your cash balance tied to the bonus. If there is no cash tied to the bonus available, wagers are deducted from the bonus balance. Any amounts won from the use of the bonus will be credited to the bonus balance and not your cash balance until the Wager Requirements are met.

You cannot withdraw any cash that is tied to a bonus or your bonus balance prior to satisfying the Wagering Requirement. Once you have met the Wagering Requirement, you can withdraw any remaining bonus amount and/or any remaining funds from your deposit.

5. What are Wagering Requirements?

A Wagering Requirement, also referred to as PTR (Play Through Requirement), is the amount you must wager on casino games before your bonus amount is converted to cash. The amount you need to wager can vary depending on the promotion. Please review the specific promotional Terms and Conditions for the exact wagering requirement for each promotion.

6. What games count toward Wagering Requirements?

Players can meet the wagering requirements by playing eligible games. Different casino games will contribute to the clearing of a bonus at different rates:

- Slots 100%
- Video Poker 50%
- Table Games (excluding craps): 20%
- Craps 0%

For example: If you receive a 10% Deposit Match Bonus on Deposits up to \$500 with a 20X wagering requirement on the bonus.

You make a deposit of \$500 and receive a bonus of \$50 (10% of \$500)

The Wagering Requirements on Deposit Match Bonuses apply to the bonus amount, in this case \$50. The wagering required to convert the bonus to real cash would be:

- Slots: Wager \$50 (Bonus) * 20X (PTR) = \$1,000
- For Video Poker: Wager \$50 (Bonus) * 50X (PTR) = \$2,000
- All other games excluding Craps: Wager \$50 (Bonus) * 100X (PTR) = \$5,000

You may play any combination of game types to clear your bonus, but the wagers will contribute as the example above.

No amount wagered with cash or bonus funds on excluded games set at a 0% contribution rate will count. A fully inclusive list of such games can be found in the Terms of Service and subject to change at any time with or without notice.

While playing any of the excluded games, any active casino bonus and any funds tied to that active casino bonus will not be available and you will receive an 'Insufficient Funds' notification. Only cash balance wagers will be available to use on excluded games.

7. How do Deposit Match Bonuses work?

- Only one Deposit Match Bonus can be active at a time. If you want to participate in a different deposit match promotion, you must either satisfy the Wagering Requirements of your active deposit match bonus; or cancel it.
- If you participate in a Deposit Match Bonus offer and make a qualifying deposit, the bonus amount will be added to your bonus balance. You'll see a breakdown showing how much of your balance is withdrawable cash and how much is locked as a bonus.

In a hypothetical 50% Bonus Match offer on Deposits up to \$100:

You deposit \$100, and you receive a \$50 bonus. You will have \$150 total in your account, which will be displayed as follows:

\$100.00 in cash, of which the deposited \$100 will be tied to the bonus.
\$50.00 in Bonus Funds

The Wagering Requirements on Deposit Match Bonuses apply to the bonus amount, in this case \$50 (See #6 for more information).

Bonuses will be added to your account immediately upon a successful deposit that meets all the requirements of the terms and conditions.

8. How do Bonus Spins work?

- Bonus spins are available on the specific game(s) listed on marketing materials.
- Winnings from bonus spins are awarded in the form of bonus funds, which are subject to wagering requirements.

9. How do Bet & Get Bonuses Work?

- Bet & Get promotions require customers to wager their own cash in order to be awarded a casino bonus. The required wagering amount to unlock the bonus, the game(s) that must be played and the wagering requirements of the bonus are subject to the terms and conditions of the specific promotion.

- Wagering can only count towards one bet & get promotions at a time.

10. Do Casino Bonuses or Bonus Spins expire?

Yes. Expiration specifics can be found listed in the Terms & Conditions for each promotion. Don't let them go to waste!

11. How can I check my progress toward meeting the Wagering Requirements?

- Caesars Palace & Horseshoe Online Casino:
Go to the Rewards Page, click on "Promotions" and click "More Info" on the specific bonus to view your progress.
- Caesars Sportsbook and Casino:
Click "Promotions" on the bottom navigation bar, then "Casino" on the top navigation bar, and click "More Info" on the specific bonus to view your progress.

12. How do I cancel a bonus?

Caesars Palace & Horseshoe Online Casino:

- Go to the Rewards Page, click on "Promotions", click "More Info" on the specific bonus and "Cancel Bonus" to cancel it.
- Caesars Sportsbook and Casino:
Click "Promotions" on the bottom navigation bar, then "Casino" on the top navigation bar, click "More Info" on the specific bonus and "Cancel Bonus" to cancel it.
- If you cancel your bonus before completing the Wagering Requirements, you will forfeit any deposited funds that have already been wagered. This includes any amounts won using the cash tied to the bonus or the bonus funds itself.

13. Loyalty Program

- We sometimes offer loyalty-based promotions, for more information visit our [Loyalty Site](#).

...¹⁷⁸

This same licensee offers rewards earned through online betting:

Earn up to 10 Reward Credits for every \$100 wagered on straight bets.

Earn up to 30 Reward Credits for every \$100 wagered on parlays, and up to 50 Reward Credits for every \$100 wagered on Same Game Parlays.

¹⁷⁸ Harrah's Phila., Casino Bonus FAQ, <https://caesarspalaceonline.com/us/pa/promos/static/igaming/casino-bonus-faq-pa> (last visited June 12, 2026).

Earn 1 Reward Credit for every \$3 wagered through race betting.
Earn 1 Reward Credit for every \$5 of slot coin-in.
Earn 1 Reward Credit for every \$25 wagered on table games. favorites.

...

Every 100 Reward Credits is worth \$1.00 in Casino Bonus Cash which can be used to play your online casino favorites.

...

Redeem your Rewards Credits towards sports wagers on Caesars Sportsbook & Casino! 100 Reward Credits for every \$1 wagered. Minimum bet of \$1 required. Bet must have minimum odds of -300.¹⁷⁹

Recent Litigation in the Commonwealth Relating to Marketing & Promotional Offers

The litigation that is subsequently discussed is connected here because the claims include detailed allegations about marketing.

Brubaker v. Chester Downs & Marina

Last year, a lawsuit was filed in Philadelphia alleging:

a false and misleading promise of a ‘\$2,500 deposit match.’ Only in the small-print terms and conditions is it disclosed that a new customer playing Blackjack is required to gamble \$375,000 in just the first seven days after opening an account. In other words, no money or winnings can be withdrawn unless a total of \$375,000 is risked. All money lost during the first 7-day period is kept by Caesars and Harrah’s Casino.¹⁸⁰

Despite several inquiries to the institute that announced this lawsuit, staff preparing this report was unable to obtain an update on the *status* of this litigation.

Sage v. DraftKings

Earlier this year, two Pennsylvania residents sued DraftKings and other defendants alleging that the personalized and fast gambling interface relentlessly amplified gambling addiction in an unprecedented manner due to partnerships with other defendants that supply

¹⁷⁹ Caesars Rewards, Earn & Redeem with Caesars Rewards®, https://www.caesars.com/myrewards/earn-and-redeem?_gl=1*1bzh5jq*_gcl_au*MTkyOTMwMTQyOS4xNzgxMjkxNzk1 (last visited June 12, 2026).

¹⁸⁰ Pub. Health Advocacy Inst., *Pub. Health Advocacy Inst. (PHAI) Files Lawsuit in Pa. Over Caesars’ Dangerous Online Casino Promotion & ‘Pay Through Bonuses’* (June 18, 2025), <https://phai.org/phai-files-suit-against-caesars-online-casino/>.

data.¹⁸¹ The plaintiffs allege that live in-game microbetting is “new and highly addictive” due to officially-licensed data feeds combined with the “advancements in mobile technology and artificial intelligence.”¹⁸² The plaintiffs allege that “live in-game microbets” are most “of the total volume of wagers placed on the Sportsbook Apps.”¹⁸³ The plaintiffs allege that customers’ behavioral data is collected and analyzed by software “to generate and market personalized gambling opportunities based on each customer’s unique wagering history and app usage.”¹⁸⁴ These personalized gambling opportunities come in the form of push notifications.¹⁸⁵ The plaintiffs allege that the officially licensed data enables the microbetting.¹⁸⁶ The plaintiffs further allege that the distributor of one of the professional sports league’s data is compensated by “a commission on the gambling revenue that online sportsbooks generate from customers.”¹⁸⁷ The plaintiffs allege that they incurred large gambling losses, suffered from “a severe gambling addiction” and received promotional offers from the defendants’ employees.¹⁸⁸

The plaintiffs allege that the “online sports betting platforms . . . have access to sophisticated digital technology and software, including artificial intelligence . . . that can automatically and instantaneously (i) access and analyze . . . real-time sports data, (ii) assess probabilities and financial risk, (iii) set odds, (iv) offer wagers to customers, and (iv) accept customer bets.”¹⁸⁹ This is a fundamental difference from earlier sports betting, which was largely limited to moneyline bets on the winner with the payout based on odds, over/under bets on the total number of points in a game and betting on a spread whereby a team must win or lose within a point margin.¹⁹⁰

The plaintiffs characterize microbets as “pernicious and addictive.”¹⁹¹ These bets can continue throughout the game and are not “directly tied to the outcome of a game” but could be a proposition, for example, that the next football play is passing or running or the next baseball pitch is a ball or a strike.¹⁹² The pace of these microbets can accelerate sports betting closer to the speed of slot machine betting.¹⁹³ The plaintiffs allege that microbets are “a highly profitable feature on” sportsbooks apps.¹⁹⁴

The plaintiffs allege that “officially-licensed . . . data from the sports leagues that own the rights” is essential for legal and reliable microbetting opportunities.¹⁹⁵ The plaintiffs allege that

¹⁸¹ *Sage v. DraftKings*, Complaint 1-2 (C.P. Phila. 2026).

¹⁸² *Id.* at 2.

¹⁸³ *Id.* at 3. A microbet can be made on an individual play “as the game unfolds.” *Id.*

¹⁸⁴ *Id.* at 3-4.

¹⁸⁵ *Id.* at 4.

¹⁸⁶ *Id.*

¹⁸⁷ *Id.* at 4-5. This refers to co-defendants Nat’l Football League and Genius Sports Group.

¹⁸⁸ *Id.* at 6-7.

¹⁸⁹ *Id.* at 17.

¹⁹⁰ *Id.* at 16.

¹⁹¹ *Id.* at 18.

¹⁹² *Id.*

¹⁹³ *Id.* at 19.

¹⁹⁴ *Id.* at 20.

¹⁹⁵ *Id.* “Genius Sports powers over 98% of the legalized U.S. sports betting market with official NFL data, driving innovations such as player props, micro-betting, same-game parlays and personalized data-driven advertising content.” Nat’l Football League, *NFL Extends Strategic Partnership with Genius Sports as Exclusive Official NFL*

[m]icrobets increase the length of a customer’s session on the online sportsbook platforms, increase the amount a customer will wager overall, and attracts customers who are looking for instant results.”¹⁹⁶ In 2025, the live handle was 54 percent of the total amount of money wagered on the DraftKings Sportsbook App.¹⁹⁷ Similarly, “live betting accounted for half of” FanDuel’s Sportsbook U.S. “handle in Q2” for 2025.¹⁹⁸ DraftKings’ live betting options increased from 124 *per game* in 2022 to 517 *per game* in 2025.¹⁹⁹ By earning a commission on bets, Sportsbooks can generate more revenue by increasing the number (and amounts) of wagers.²⁰⁰ The plaintiffs allege that “[p]arlays are highly profitable for online sportsbooks” because these bets combine two or more bets, which increases the edge for a sportsbook with each bet added to the parlay wager.²⁰¹ The plaintiffs allege that push notifications about betting opportunities are sent to customers and effectively “drive customers” to sportsbooks’ apps.²⁰² The plaintiffs allege that “analytical software and predictive algorithms monitor . . . customers’ activity in real time and dynamically adjust the betting options, promotions, prompts, and customer notifications to ensure that the customer maximizes the amount of time spent, and money wagered, on . . . online sports gambling platforms.”²⁰³ The plaintiffs allege that “personalized offers” are customized “to serve up parlays.”²⁰⁴ The marketing of “targeted betting options” in digital sports betting distinguishes it from sports betting at a physical sportsbook.²⁰⁵

In addition to push notifications, the plaintiffs allege that sportsbooks’ employees would contact them (*via* text) to offer promotions and bonuses “to instill brand loyalty” and “increase the likelihood” of continued wagering.²⁰⁶

Commission staff preparing this report has not independently verified the allegations but believes that they are reasonably accurate enough to relate as marketing and promotional efforts undertaken by interactive sportsbooks. The plaintiffs characterize the defendants’ conduct as “unfair and deceptive,” in complaining about the design of the sportsbook apps, the officially licensed data, and the employees’ engagement with the plaintiffs to encourage wagering.²⁰⁷ The plaintiffs allege that the design of the sportsbook app “is unreasonably dangerous” complaining that it creates “addictive engagement” through microbets and an “inherent risk of . . . compulsive use” that could be eliminated with the elimination of microbets.²⁰⁸ The staff preparing this report has not reached any conclusion on the merits of the litigation, which has not yet been adjudicated, and offers no opinion on its prospects.

Data, Watch & Bet Distribution Partner (July 6, 2023), <https://www.nfl.com/news/nfl-extends-strategic-partnership-with-genius-sports>.

¹⁹⁶ *Sage v. DraftKings*, *supra* note 181, at 22.

¹⁹⁷ DraftKings, Investor Day 2026, p. 29 (Mar. 2, 2026),

https://s21.q4cdn.com/869500724/files/doc_presentations/2026/03/DraftKings-2026-Investor-Day-Final.pdf.

¹⁹⁸ Flutter, Q2 Factsheet 2025, p. 2, <https://flutter.com/media/4vhlstib/q2-2025-earnings-factsheet.pdf>.

¹⁹⁹ DraftKings, *supra* note 197, at 38.

²⁰⁰ *Sage v. DraftKings*, *supra* note 181, at 23-24.

²⁰¹ *Id.* at 26.

²⁰² *Id.*

²⁰³ *Id.* at 29.

²⁰⁴ *Id.* at 29-30.

²⁰⁵ *Id.* at 30.

²⁰⁶ *Id.* at 36-37.

²⁰⁷ *Id.* at 45-47.

²⁰⁸ *Id.* at 48-49.

The plaintiffs unsuccessfully challenged “DraftKings’ marketing strategies and Very Important Person (“VIP”) loyalty programs,” alleging that continually sent promotions to targeted vulnerable persons “caused or aggravated their gambling addictions. . . . DraftKings serves ‘rapid fire updates for ongoing bets—with scores and odds refreshing fast[]—and serving users precisely timed pop-ups’ in bright colors and with emojis.”²⁰⁹ Based on user data, VIP hosts are assigned to develop play, regularly offering users promotions.²¹⁰ The plaintiffs alleged “that DraftKings’ practices caused them to become addicted to gambling,” asserting “that DraftKings tracks user behavior both on its interfaces and on other digital platforms, including ‘betting frequency, betting times of day, average bet size, length of time on the App, and the length of the user’s relationship with the platform.’”²¹¹

Numerous counts in this lawsuit were based on negligence, breach of fiduciary duty, intentional infliction of emotional distress, unjust enrichment, products liability, conversion and breach of contract. “The Court” found “that DraftKings has no duty of care to protect Plaintiffs from spending too much money or from developing or fueling a gambling addiction.”²¹² The plaintiffs did not establish a fiduciary relationship between themselves and the defendants’ VIP hosts so that the court did not consider an alleged breach of that duty.²¹³ “The VIP Hosts’ encouraging Plaintiffs to gamble, even after Plaintiffs told them about their losses, is not extreme and outrageous conduct. Encouraging persons to gamble, even if the persons are compulsive gamblers, does not meet the high bar of extreme and outrageous conduct.”²¹⁴ Accordingly, the count of intentional infliction of emotional distress was dismissed.²¹⁵ Because “[n]o Pennsylvania state court or federal court applying Pennsylvania law has found a website or application to be a product subject to liability,” the counts alleging product liability were dismissed.²¹⁶ The count alleging breach of contract was “time-barred,” which means that the claim was too late to be adjudicated.²¹⁷ The claims of conversion and unjust enrichment for a return of unwagered funds concerned an amount below the federal court’s jurisdictional requirement so that these claims were transferred to a common pleas court in the Commonwealth for adjudication.²¹⁸ “This Court finds that DraftKings has no duty of care toward Plaintiffs and

²⁰⁹ *Macek v. DraftKings*, 2026 WL 802286, *1 (E.D. Pa. (2026)).

²¹⁰ *Id.* “DraftKings’ job description for VIP Hosts states that they will: Create strong, authentic, and trusted player relationships. Exceed engagement and service level performance targets. Assist in reactivation efforts to re-engage inactive users. Effectively distribute an allotted promotional budget. Compile player feedback to support improvements to the platform and identify commercial opportunities.” *Id.*, n. 2. “‘Player Development Managers’ supervise VIP Hosts, and their responsibilities include Driv[ing] key VIP sales metrics, contributing to customer engagement, market share, and net revenue while maintaining and enhancing relations with existing customers,’ and ‘[w]ork[ing] closely with Analytics teams to monitor reinvestment programs including promotions and other reward incentives by routinely checking reports and actual transactions.’” *Id.*, n. 3.

²¹¹ *Id.* at *2.

²¹² *Id.* at *12.

²¹³ *Id.* at *13.

²¹⁴ *Id.*

²¹⁵ *Id.*

²¹⁶ *Id.* at *13-*15. “[O]ther state and federal courts have found that websites and mobile phone applications are products.” *Id.* at *14, n. 11.

²¹⁷ *Id.* at *16. The claim was required to be brought within four years but was made almost five years later. *Id.*

²¹⁸ *Id.* at *16-*17.

that the DraftKings App and promotions do not comprise a single product. Furthermore, Plaintiffs fail to plead facts stating claims for all other causes of action.”²¹⁹

Macek v. DraftKings (Case No. 2:25-cv-3632)

In a separate case with some of the same parties, the “[p]laintiffs allege that DraftKings’ advertisements are deceptive and misleading, which caused them to play longer hours and bet more money in pursuit of the Promotions.”²²⁰ They “take issue with three of DraftKings’ promotions: The ‘Casino Deposit Match’ Promotion, the ‘Risk-Free Bet’ Promotion, and the ‘\$1,000 Sportsbook Deposit’ Promotion.”²²¹ The plaintiffs complained about “a promotion that ran in 2023” promising “a ‘100% deposit match up to \$2,000’ for playing blackjack on DraftKings’ online casino without audibly disclaiming the existence of a playthrough requirement or the fact that blackjack contributes toward the requirement at only a 20% rate.” The plaintiffs alleged that “[t]he playthrough requirement” meant that players had to “wager approximately ten times the amount of the alleged bonus to receive the bonus. For example, ‘to redeem a \$2,000 bonus at a 10x playthrough requirement (a common DraftKings offer), a [player] would need to wager at least \$40,000 (10x playthrough of BOTH the \$2,000 deposit and the \$2,000 bonus).’ The Casino Deposit Match Promotion” had “a 7-day window for players to satisfy the playthrough requirements. . . . If a player fails to complete the playthrough requirement within 7 days, the award becomes void, and a player forfeits all wagered and lost portion of the original deposit, casino bonus funds, and other accumulated winnings.”²²² The plaintiffs alleged that the offered “Risk-Free Bet Promotion” told players that

they can bet up to \$1,000 without risk of losing money. . . . If a bet is unsuccessful, the player could receive a ‘Bonus Bet,’ rather than a cash refund. Bonus bets have no cash value, are not transferable, and could not be withdrawn on their own, but players must make additional wagers (and win) to turn them into U.S. currency. . . . ‘[W]hen a customer places and wins a ‘Bonus Bet,’ they do not receive the stake back—which is what DraftKings purportedly gave them to make up for their loss.’ If a player “uses a \$100 ‘Bonus Bet’ on a winning wager with 50/50 odds, they are paid out \$91 (\$100 winnings, minus 9% vig, without a return of the \$100 stake).’ Yet, if a ‘Bonus Bet’ loses, the player is left with nothing.”²²³

Plaintiffs alleged that “Promotion which allegedly provides players a bonus of ‘up to’ \$1,000 upon opening an account” would require an immediate deposit of ““\$5,000 because the bonus amount is calculated as 20% of the consumer’s first deposit.””²²⁴ They further allege that “[p]layers would only earn one site credit at a time per \$25 wagered, meaning players could have to risk up to \$25,000 within 90 days to earn the \$1,000 bonus.”²²⁵ They further

²¹⁹ *Id.* at *18.

²²⁰ *Macek v. DraftKings*, 2026 WL 949104, *1 (E.D. Pa. 2026).

²²¹ *Id.*

²²² *Id.*

²²³ *Id.* at *2.

²²⁴ *Id.*

²²⁵ *Id.*

allege that DraftKings requires customers to make wagers on bets with minimum odds of -300, ‘meaning a bettor must risk \$300 to win \$100.’ . . . Furthermore, the ‘\$1,000 bonus is not rewarded as withdrawable cash funds, but rather as site credits (i.e., ‘DK Dollars’) that hold no cash value, are non-withdrawable, non-transferable, non-refundable, and can only be used for further gambling.’²²⁶

The plaintiffs alleged “that ‘[e]ven when these advertisements did include some terms, they were in very small[] print and did not include the most material terms regarding the [P]romotion.’”²²⁷ They alleged that the Risk-Free Bet Promotion’s “link to the terms of the [P]romotion” were “not even made available to a [player] until after the customer has already logged into the platform in response to an off-platform advertisement for the promotion and clicked through several steps to get to the point of placing the supposedly no-risk bet.”²²⁸ They alleged that “the \$1,000 Sportsbook Deposit” Promotion’s terms appeared “in an ‘illegibly small’ font size on advertisements or” were “nonexistent.”²²⁹

This ruling dealt with the defendant’s motion to dismiss the complaint, a pretrial motion that was partially granted and partially denied,²³⁰ so that there has not been a final adjudication. Counts in this lawsuit were based on the Unfair Trade Practices and Consumer Protection Law,²³¹ intentional misrepresentation and unjust enrichment.²³² Counts I and IV (relating to unfair trade practices and consumer protection law) were dismissed because the plaintiffs did “not plausibly plead ascertainable loss with regard to the Casino Deposit Match Promotion or the \$1,000 Sportsbook Deposit Promotion,” but these counts were dismissed without prejudice.²³³ Two of the plaintiffs’ claims under Count II (relating to intentional misrepresentation) were dismissed as time-barred.²³⁴ For another, two individually named plaintiffs: one of whom’s claim was dismissed without prejudice because it failed to meet a federal rule of civil procedure’s pleading standard,²³⁵ the other of whom’s claim alleging “intentional misrepresentation may proceed to discovery.”²³⁶ The defendants’ motion to dismiss plaintiffs’ claims under Count III (relating to unfair trade practices and consumer protection law) was denied.²³⁷ Plaintiffs’ claims under Counts V and VI (both relating to intentional misrepresentation) were also dismissed as time-barred.²³⁸ “As to the” Unfair Trade Practices and Consumer Protection Law “claims based on the Casino Deposit Match Promotion and the \$1,000 Sportsbook Deposit Promotion (Counts I and IV), the unjust enrichment claims” were “dismissed under Count VII. As to the intentional

²²⁶ *Id.*

²²⁷ *Id.*

²²⁸ *Id.* at *3.

²²⁹ *Id.*

²³⁰ *Id.* at *1.

²³¹ Act of Dec. 17, 1968 (P.L.1224, No.387); 73 P.S. §§ 201-1 to -10.

²³² *Macek v. DraftKings*, *supra* note 220, at *3.

²³³ *Id.* at **8, 10. Dismissal without prejudice means that the plaintiff may amend the complaint to correct the deficiently pled count but must do so within a set period of time. *Id.* at *10.

²³⁴ *Id.* at *9. There were five, individually-named plaintiffs in the lawsuit. Time-barred means that the claims were untimely filed.

²³⁵ *Id.* at *10. Dismissal without prejudice means that the plaintiff may amend the complaint to correct the deficiently pled count but must do so within a set period of time. *Id.*

²³⁶ *Id.* at *9.

²³⁷ *Id.* at **8, 10. This means that Count III remains to be litigated.

²³⁸ *Id.* at **9, 10.

misrepresentation claim and the” Unfair Trade Practices and Consumer Protection Law “claim with regard to the Risk-Free Bet Promotion (Counts II and III), the Court” did “not dismiss the unjust enrichment claims under Count VII.”²³⁹

²³⁹ *Id.* at *10.

YOUTH EXPOSURE

A license is required to “conduct interactive gaming . . . for play by the public in this Commonwealth.”²⁴⁰ The implementation of “[a]ge, identity and location verification requirements designed to block access to individuals under 21 years of age” is required for approval of an interactive gaming certificate.²⁴¹ “Proof of age, identity and physical address of the principal residence of the prospective interactive gaming account” is required to establish “interactive gaming accounts over the Internet.”²⁴² Interactive gaming licensees may not make a loan “to any person for . . . crediting an interactive gaming account.”²⁴³

“[S]ports wagering as a form of interactive gaming authorized by the Commonwealth” may be conducted by an authorized “sports wagering certificate holder,” but individuals “under 21 years of age may” not “bet on sporting events through authorized sports wagering.”²⁴⁴

“It” is “unlawful to allow a person under 21 years of age to open, maintain or use in any way an interactive gaming account.”²⁴⁵ It is also “unlawful for an individual under 21 years of age to wager, play or attempt to play . . . an interactive game.”²⁴⁶ These are nongambling summary offenses.²⁴⁷

It is “unlawful for any . . . licensee to offer interactive games into play . . . without the approval of the” Pennsylvania Gaming Control Board.²⁴⁸ This is a misdemeanor of the 1st degree but a felony of the 2nd degree for a second or subsequent conviction.²⁴⁹ It is “unlawful for any person who does not possess a valid and then effective interactive gaming certificate . . . to accept any wager associated with any authorized interactive game from any individual without verifying the age, identity and physical location of the player at the time of play.”²⁵⁰ This is a felony but a felony of the 1st degree for a second or subsequent conviction.²⁵¹ In addition to these penalties,

²⁴⁰ 4 Pa.C.S. § 13B12(a).

²⁴¹ *Id.* § 13B13(a)(1)(ii).

²⁴² *Id.* § 13B22(b)(1).

²⁴³ *Id.* § 13B28(1).

²⁴⁴ *Id.* § 13C11(a)(2), (3)(ii).

²⁴⁵ *Id.* § 1518(a)(13.2). “A person under 21 years of age” is “not . . . entitled to establish . . . an interactive gaming account.” *Id.* § 13B22(f)(1).

²⁴⁶ *Id.* § 1518(a)(13.1).

²⁴⁷ *Id.* § 1518(b)(3). The penalty ranges from a fine of \$200-1,000 for a 1st offense; a fine of \$500-1,500 for a 2d or subsequent offense; and, community service up to 40 hours. *Id.*

²⁴⁸ *Id.* § 1518(a)(4.1).

²⁴⁹ *Id.* § 1518(b)(1)(ii). The penalty for the 1st violation is a fine of \$300,000-600,000 if the violator is an interactive gaming operator. For a 2d or subsequent violation, the fine for an interactive gaming operator ranges from \$600,000-1,200,000. *Id.*

²⁵⁰ *Id.* § 1518(a)(3.1).

²⁵¹ *Id.* § 1518(b)(2.1). The penalty for the 1st violation is a fine of \$500,000-1,000,000. For a 2d or subsequent violation, the fine ranges from \$1,000,000-2,500,000. *Id.*

the Pennsylvania Gaming Control Board “may impose” administrative sanctions including revocation and suspension of licenses.²⁵²

Youth Exposure to Online Gambling Advertising

The Institute for Strategic Dialogue “found that despite content moderation policies against advertising gambling and gambling-related services to underage users,” TikTok, Instagram and YouTube

failed to limit gambling advertisements from appearing in search results. . . . Nearly all advertisements came from influencers, celebrities, athletes and brand partners promoting these services, rather than direct company advertising. This promotion strategy reflects a concern parents have raised about gambling and prediction market advertising, particularly when it blurs the line between promotion and entertainment.²⁵³

Influencers are “brand partners” who “create user-generated promotional content to sell these companies’ services.”²⁵⁴ This “blend of promotional intent with entertainment . . . promote services without explicitly framing them as ads,” which “leave minor accounts potentially exposed to undisclosed promotional content.”²⁵⁵ The social media platforms “in this study” more effectively “limit minors’ exposure to some forms of gambling content, including online casinos and sportsbooks;” however, are less effective doing so against prediction markets.²⁵⁶ “While social media platforms appear to be mostly successful in limiting the distribution of targeted and official gambling ads to minor accounts, user-generated content (including blurred advertising) often goes unmoderated.”²⁵⁷ For this study, “[a]nalysts created new accounts registered as a 15-year-old user on TikTok, YouTube and Instagram.”²⁵⁸ TikTok does not “allow gambling ads to be shown to minors” and “that are directed at underage audiences” or “feature underage people.”²⁵⁹ Despite this policy, “analysts found user-generated ads accessible to minors.”²⁶⁰ “[F]or teens under 18,” Instagram restricts “the visibility of certain restricted goods and services including content related to . . . gambling.”²⁶¹ Despite this restriction, “analysts located several

²⁵²*Id.* § 1518(c).

²⁵³ Will DiGravio & Justin Horowitz, *Pathways to Parlays: Analyzing Youth Exposure to Online Gambling & Prediction Market Advertising*, Inst. for Strategic Dialogue, Digital Dispatches (Apr. 28, 2026), <https://www.isdglobal.org/digital-dispatch/pathways-to-parlays-analyzing-youth-exposure-to-online-gambling-prediction-market-advertising/>.

²⁵⁴ *Id.*

²⁵⁵ *Id.*

²⁵⁶ *Id.*

²⁵⁷ *Id.*

²⁵⁸ *Id.*

²⁵⁹ TikTok Business Help Cen., Gambling & Games, <https://ads.tiktok.com/help/article/tiktok-ads-policy-gambling-and-games> (last updated June 2026).

²⁶⁰ DiGravio & Horowitz, *supra* note 253.

²⁶¹ Instagram Help Cen., About Instagram Teen Privacy & Safety Settings (2026), <https://help.instagram.com/3237561506542117/>.

user-generated gambling service ads available to minor accounts.”²⁶² Instagram blocked “the official DraftKings page” on the minor’s account; “[h]owever, analysts using the account were still able to view multiple advertisements posted directly to the accounts of prominent athletes.”²⁶³ This included posting of videos on former players’ “personal Instagram page without” and with “the platform’s ‘paid partnership’ label.”²⁶⁴ To protect younger viewers, YouTube may age-restrict “promotions of online casino sites” and doesn’t “allow any method of directing viewers to gambling sites . . . that are not certified by Google” including “links embedded in images or . . . verbal references.”²⁶⁵ Even so, “gambling advertisements are often featured as part of the uploaded video” of popular sports podcasts.²⁶⁶ “Analysts observed instances where ads were delivered verbally by the host during the show, featured in an on-screen graphic and/or were included in the video description. These ads often feature a promo code or more information about an online betting platform, typically a sportsbook.”²⁶⁷ Short-form videos were also posted on YouTube to promote gambling, directly calling for bets and the creation of a sportsbook account, “often coupled with specials designed to entice prospective users around big events.”²⁶⁸ Despite policies to “prevent underage exposure to gambling,” user-generated advertising content remains “accessible to minors on social media.”²⁶⁹ In other cases, content from this company, including, for example, clips from its most popular podcast, featured included “#dkpartner” or tagged the company directly in the description although gambling was not discussed in the video. All of this content was available to the minor account. This research demonstrated a “range of ways gambling advertisements are accessible to minors on social media,” the bypassing of “content moderation policies” of social media platforms, the lack of policies applicable to prediction markets the presentation of entertainment blurred with promotional content.²⁷⁰

²⁶² DiGravio & Horowitz, *supra* note 253.

²⁶³ *Id.*

²⁶⁴ *Id.*

²⁶⁵ YouTube Help, An Update to YouTube’s Policies on Online Gambling Content (Mar. 4, 2025), <https://support.google.com/youtube/thread/328728041/an-update-to-youtube%E2%80%99s-policies-on-online-gambling-content?hl=en>.

²⁶⁶ DiGravio & Horowitz, *supra* note 253.

²⁶⁷ *Id.*

²⁶⁸ *Id.*

²⁶⁹ *Id.* Some “user-generated gambling advertisements . . . blur promotional content with entertainment.” *Id.*

²⁷⁰ *Id.*

STUDENT ATHLETES

This section relates to the impact of sports betting on college student athletes. Information is presented from a National Collegiate Athletic Association (NCAA) national survey and a pilot study. Commission staff surveyed universities in the Commonwealth that have division I sports programs, but there were hardly any responses so that it did not generate any useful information.²⁷¹

Harassment of student athletes is one of the concerns raised about college sports gambling. “Fanatics Sportsbook announced . . . a partnership with Integrity Compliance 360, Inc. (IC360) and Signify Group to establish the Bad Actor Program at a time when online hostility toward athletes is increasing across social media.”²⁷² This collaboration will “monitor for targeted abusive and threatening content across multiple social media platforms. If problematic abuse and threats are detected targeting athletes, organizations, and teams on open source social media, the individuals behind those accounts will be placed into IC360’s Prohibet Bad Actor platform.”²⁷³ Athletes will be able to report abusive direct messages to Signify Group’s Threat Matrix for evaluation, which could be reported to law enforcement if appropriate to do so.²⁷⁴ “Fanatics Sportsbook, as the first legal sports betting member of the Bad Actor Program, will suspend or permanently terminate a customer’s account if it is determined that they have engaged in abusive, threatening, defamatory, or harassing conduct of any kind toward sports officials, coaches, or athletes.”²⁷⁵ This program is intended to mitigate potential harms to the mental and emotional health of athletes and coaches who are targets of threats and harassment.²⁷⁶

NCAA

In early 2026, the NCAA surveyed “Division I student-athletes . . . about social media use, perceptions of betting and sport integrity, direct experience with betting-related fan abuse, and perceived effects of betting-related fan abuse on well-being and performance.”²⁷⁷ A supermajority (60 percent) of “student-athletes . . . spend three or more hours on social media”

²⁷¹ *Infra* p. 49.

²⁷² Fanatics, *Bad Actors Face Account Suspension or Termination for Online Abuse & Threats* (June 25, 2026), <https://www.fanaticsync.com/press-releases/bad-actors-face-account-suspension-or-termination-for-online-abuse-and-threats> nbsp.

²⁷³ *Id.*

²⁷⁴ *Id.*

²⁷⁵ *Id.*

²⁷⁶ *Id.* The program appears to apply to professional and collegiate associations.

²⁷⁷ NCAA Student-Athlete Needs, Aspirations & Perspectives (SNAP) Study, Feb. 2026 Survey Results, https://ncaaorg.s3.amazonaws.com/research/snap/2026RES_SNAP-FebFullReport.pdf. “The estimated response rate was 13%” with women’s sports being “overrepresented in the sample.” *Id.*

on “a typical day.”²⁷⁸ On a game day, even higher percentages “check social media prior to their competition” (77 percent) and “after their competition” (95 percent).²⁷⁹ An overwhelming percentage (80 percent) of “student-athletes . . . report never or only rarely communicating with fans via social media.”²⁸⁰ An overwhelming percentage (84 percent) of student-athletes are unaware “of betting-related odds on their performance prior to competition.”²⁸¹ More than half of student-athletes (52 percent) “believe that sports betting contributes to unfair public scrutiny of athletes” and (55 percent) believe that sports betting “undermines the fairness of sport.”²⁸² Male participants “report receiving direct blame by fans for betting losses at higher rates than participants in women’s sports,” but the total percentage “of student-athletes . . . directly blamed by fans for betting losses” is 5 percent.²⁸³ Similarly, male participants “report experiencing abuse for betting losses at higher rates than participants in women’s sports,” but the total percentage “of student-athletes” experiencing “online, verbal, or physical abuse by fans for betting losses” is 9 percent.²⁸⁴ Male basketball players “have the highest rates of receiving direct blame by fans for betting losses” (33 percent) and for experiencing “abuse by fans for betting losses” (46 percent).²⁸⁵ Almost a fifth “[o]f those who directly experienced betting-related abuse, . . . 18% reported a reduction in the enjoyment of playing their sport.”²⁸⁶ Female participants reported “experiencing negative effects of betting-related fan abuse on well -being . . . at higher rates than participants in men’s sports.”²⁸⁷

An earlier NCAA pilot study from 2023-24, “which monitored public comments targeting the online profiles of student-athletes, coaches and officials participating in seven NCAA championships and the College Football Playoff National Championship” revealed that “80% of the abuse in the study was directed at March Madness student-athletes.”²⁸⁸ “Sports Betting & Match-Fixing related content made up 12% of the total levels across all the championships covered during the pilot The March Madness Championships contributed 73% of the detected Sports Betting & Match-Fixing related content across all covered Championships.”²⁸⁹ The data for this study was “open-source” rather than “[p]rivate messages.”²⁹⁰

²⁷⁸ *Id.*

²⁷⁹ *Id.*

²⁸⁰ *Id.*

²⁸¹ *Id.*

²⁸² *Id.*

²⁸³ *Id.*

²⁸⁴ *Id.*

²⁸⁵ *Id.*

²⁸⁶ *Id.*

²⁸⁷ *Id.*

²⁸⁸ NCAA, NCAA Calls on Fans, Social Media Platforms to Curb Abuse as It Releases 1st Online Harassment Study (Oct. 10, 2024), <https://www.ncaa.org/news/2024/10/10/media-center-ncaa-calls-on-fans-social-media-platforms-to-curb-abuse-as-it-releases-first-online-harassment-study.aspx#:~:text=Signify%20Group%27s%20analysts%20reviewed%20more,than%20men%27s%20basketball%20student-athletes.> “Women’s basketball student-athletes received approximately three times more threats than men’s basketball student-athletes.” *Id.*

²⁸⁹ Signify Group, Online Abuse in NCAA Championships: NCAA Pilot Study (2023-24) 7, <https://ncaaorg.s3.amazonaws.com/ncaa/wagering/NCAAThreatMatrixPilotStudyPublicReport.pdf>. “[T]he most prevalent type of content used to target athletes” was sexual abuse “(18% of all detected abuse).” *Id.* at 8.

²⁹⁰ *Id.* at 13.

College Division I Athletic Directors Staff Survey

In an effort to “collect information regarding the impact of sports betting upon the mental health and well-being of college student athletes in this Commonwealth, including instances of harassments, coercion or retaliation by bettors,”²⁹¹ Commission staff created a Qualtrics survey and distributed it *via* email to Pennsylvania NCAA Division I university athletic directors and programs. The survey was sent to the following 15 schools: Bucknell University, Drexel University, LaSalle University, Lehigh University, Pennsylvania State University, Saint Francis University, Villanova University, University of Pennsylvania, University of Pittsburgh, Temple University, Duquesne University, Robert Morris University, Lafayette College, Saint Joseph’s University, and Mercyhurst University. The survey and the email correspondence contained copies of the report’s resolution and said that participation was voluntary and its results would be kept anonymous.

The survey consisted of questions regarding gambling-related education provided by the university to student athletes, instances of student harassment by sports bettors, and mental health concerns related to sports wagering. A Google Drive link was included at the conclusion of the survey so those participating had the opportunity to share any additional information that might help inform the report. Of the 15 schools contacted, the survey received three responses. These responses confirmed that their schools provide some type of gambling-related education to student athletes and that the topic of bettor harassment of student athletes is covered within this education.

No responses were provided to the survey’s question about the impact of sports betting on the mental health or well-being of student athletes and those who mentioned the existence of any sports betting-related harassment were unable to provide more information. While responses were limited, staff was able to conclude that there is a general awareness that sports betting can cause issues for student athletes; a much larger sample, however, is needed to understand if or how this awareness protects athletes from potential harm. The appendix of this report contains the list of questions included within the survey.²⁹²

²⁹¹ Pa. House Resolution No. 60 (Sess. of 2025), app. A, *infra* p. 109.

²⁹² App. B, *infra* p. 115.

COMPULSIVE & PROBLEM GAMBLING

This section covers how the Pennsylvania Race Horse Development and Gaming Act²⁹³ covers compulsive and problem gambling, which is addressed in the expressed legislative intent as well as in substantive provisions throughout the statutory part. Annually, taxes are collected to fund the Department of Drug and Alcohol Programs' (DDAP) programs for problem gambling prevention, treatment, and intervention.

Pennsylvania Race Horse Development & Gaming Act

Legislative Intent

“The primary objective of” the Pennsylvania Race Horse Development and Gaming Act “to which all other objectives and purposes are secondary is to protect the public through the regulation and policing of all activities involving gaming and practices that continue to be unlawful.”²⁹⁴ Any decision made under this act must consider “[t]he public interest of the citizens of this Commonwealth and the social effect of gaming.”²⁹⁵

(13) The authorization of limited gaming in this Commonwealth requires the Commonwealth to take steps to increase awareness of compulsive and problem gambling and to develop and implement effective strategies for prevention, assessment and treatment of this behavioral disorder.

(14) Research indicates that compulsive and problem gambling and drug and alcohol addiction are related. Therefore, the General Assembly intends to establish an approach to compulsive and problem gambling prevention, assessment and treatment that will ensure the provision of adequate resources to identify, assess and treat both compulsive and problem gambling and drug and alcohol addiction.²⁹⁶

Annually, the Department of Drug and Alcohol Programs is required to “prepare and distribute a report . . . on the impact of interactive gaming on compulsive and problem gambling and gambling addiction in this Commonwealth.”²⁹⁷

²⁹³ 4 Pa.C.S. Pt. II (relating to gaming). There are statutory chapters covering interactive gaming and sports wagering. *Id.* chs. 13B & 13C.

²⁹⁴ 4 Pa.C.S. § 1102(1).

²⁹⁵ *Id.* § 1102(10).

²⁹⁶ *Id.* § 1102.

²⁹⁷ *Id.* § 1211(d.1). The Pa. Gaming Control Bd. is also required to annually “prepare and distribute a report . . . on the impact of interactive gaming on licensed gaming entities in this Commonwealth.” *Id.*

4 Pa.C.S. § 13B54. (relating to compulsive & problem gambling)

“Each year, from the . . . interactive gaming tax . . . , an amount equal to .002 multiplied by the total gross interactive gaming revenue of all active and operating interactive gaming certificate holders shall be transferred into the Compulsive and Problem Gambling Treatment Fund.”²⁹⁸ The interactive gaming tax is imposed on interactive gaming certificate holders at rates of “14% of . . . daily gross interactive gaming revenue from peer-to-peer interactive games” and “non-peer-to-peer interactive games which simulate table games; and . . . 52% of . . . daily gross interactive gaming revenue from non-peer-to-peer interactive games which simulate slot machines.”²⁹⁹

“Each year, from the” interactive gaming “tax . . . , an amount equal to .002 multiplied by the total gross interactive gaming revenue of all active and operating interactive gaming certificate holders shall be transferred to the Department of Drug and Alcohol Programs . . . to be used for drug and alcohol addiction treatment services, including treatment for drug and alcohol addiction related to compulsive and problem gambling.”³⁰⁰

4 Pa.C.S. § 13C64. (relating to compulsive & problem gambling)

“Each year, from the . . . sports wagering tax . . . , an amount equal to 0.002 multiplied by the total gross sports wagering revenue of all active and operating sports wagering certificate holders shall be transferred into the Compulsive and Problem Gambling Treatment Fund.”³⁰¹ The sports wagering tax is imposed on “daily gross sports wagering revenue” at a rate of 34%.³⁰²

“Each year, from the” sports wagering “tax . . . , an amount equal to 0.002 multiplied by the total gross sports wagering revenue of all . . . operating sports wagering certificate holders shall be transferred to the Department of Drug and Alcohol Programs . . . to be used for drug and alcohol addiction treatment services, including treatment for drug and alcohol addiction related to compulsive and problem gambling.”³⁰³

In addition to these provisions, “[e]ach year, the sum of \$2,000,000 or an amount equal to .002 multiplied by the total gross terminal revenue of all active and operating licensed gaming entities, whichever is greater, shall be transferred into the Compulsive and Problem Gambling Treatment Fund.”³⁰⁴ Gross terminal revenue are the wagers received by a slot machine minus

²⁹⁸ *Id.* § 13B54(1). Interactive gaming is wagering *via* computer rather than in person at a physical casino. *Id.* § 1103. A certificate holder is the licensee. The gross interactive gaming revenue is the amount of wagers paid by players minus paid winnings. *Id.* The peer-to-peer interactive game is “nonbanking, in which a player competes against one or more players and in which the interactive gaming certificate holder collects a rake”; the non-peer-to-peer interactive game is one “in which the player does not compete against players.” *Id.* The rake is “[a] set fee or percentage assessed by a certificate holder for providing the services . . . to allow the play or operation of any nonbanking game.” *Id.*

²⁹⁹ *Id.* § 13B52(a).

³⁰⁰ *Id.* § 13B54(2).

³⁰¹ *Id.* § 13C64(1). Gross sports wagering revenue is the amount wagered minus the resultant payable prizes. *Id.* § 13C01.

³⁰² *Id.* § 13C62(a).

³⁰³ *Id.* § 13C64(2).

³⁰⁴ *Id.* § 1408(a).

payouts; licensed gaming entities are the slot machine licensees.³⁰⁵ This assessment excludes gross terminal revenue from Category 4 licensed facilities, which are the facilities licensed for 350-700 slot machines.³⁰⁶

4 Pa.C.S. § 1509. (relating to compulsive & problem gambling program)

“The Department of Drug and Alcohol Programs” is required to “develop program guidelines for public education, awareness and training regarding compulsive and problem gambling and the treatment and prevention of compulsive and problem gambling. The guidelines shall include strategies for the prevention of compulsive and problem gambling.”³⁰⁷ With funds from “the Compulsive and Problem Gambling Treatment Fund, the Department” is required to:

(1) Maintain one compulsive gamblers assistance organization's toll-free problem gambling telephone number, which shall be the number 1-800-GAMBLER, to provide crisis counseling and referral services to individuals and families experiencing difficulty as a result of problem or compulsive gambling. If the Department of Drug and Alcohol Programs . . . is unable to adopt the number 1-800-GAMBLER, the Department . . . shall maintain another number.

(2) Facilitate . . . the availability of effective assistance programs for problem and compulsive gamblers and family members affected by problem and compulsive gambling.

(3) At its discretion, conduct studies to identify individuals in this Commonwealth who are or are at risk of becoming problem or compulsive gamblers.

(4) Provide grants to and contract with single county authorities and other organizations which provide services as set forth in this section.

(5) Reimburse organizations for reasonable expenses incurred assisting the Department of Drug and Alcohol Programs . . . with implementing this section.³⁰⁸

The Department and the Gaming Control Board’s Office of Compulsive and Problem Gambling are required to “jointly collaborate with other appropriate offices and agencies of State or local government, including single county authorities, and providers . . . with expertise in compulsive and problem gambling treatment to . . . :

(1) Implement a strategic plan for the prevention and treatment of compulsive and problem gambling.

(2) Adopt compulsive and problem gambling treatment standards to be integrated with the Department of Drug and Alcohol Program's . . . uniform Statewide guidelines that govern the provision of addiction treatment services.

(3) Develop a method to coordinate compulsive and problem gambling data collection and referral information to crisis response hotlines, child welfare

³⁰⁵ *Id.* § 1103.

³⁰⁶ *Id.* § 1305.1(d)(1).

³⁰⁷ *Id.* § 1509(a). The department “may consult with the” Pa. Gaming Control “[B]oard and licensed gaming entities to develop” the strategies. *Id.*

³⁰⁸ *Id.* § 1509(a.1).

and domestic violence programs and providers and other appropriate programs and providers.

(4) Develop and disseminate educational materials to provide public awareness related to the prevention, recognition and treatment of compulsive and problem gambling.

(5) Develop demographic-specific compulsive and problem gambling prevention, intervention and treatment programs.

(6) Prepare an itemized budget outlining how funds will be allocated to fulfill the responsibilities under this section.³⁰⁹

The Compulsive and Problem Gambling Treatment Fund is a special fund in the State Treasury, “administered by the Department of Drug and Alcohol Programs . . . and expended solely for programs for the prevention and treatment of gambling addiction and other emotional and behavioral problems associated with or related to gambling addiction and for the administration of the compulsive and problem gambling program.”³¹⁰ At least half “of the money in the fund” must be distributed annually “to single county authorities.”³¹¹ Single county authorities are agencies “designated by the Department of Health” under “the Pennsylvania Drug and Alcohol Abuse Control Act, to plan and coordinate drug and alcohol prevention, intervention and treatment services for a geographic area, which may consist of one or more counties.”³¹² The fund consists “of money annually allocated to it from the annual payment established under” 4 Pa.C.S. § “1408(a) (relating to transfers from State Gaming Fund), money which may be allocated by the board, interest earnings on moneys in the fund and any other contributions, payments or deposits which may be made to the fund.”³¹³

During SFY 2024-25, over \$9.9 million was transferred to the CPGT fund. Approximately 62 percent of the total was provided to the SCAs, local county entities responsible for problem gambling and SUD prevention, treatment, and services for the purpose of problem gambling needs assessments and prevention, outreach, and education programs, as well as other DDAP-approved services. Additionally, 15 percent was distributed directly to gambling treatment providers to provide outpatient gambling counseling to residents of the Commonwealth. Approximately 9 percent of the funds spent were used for administration and 14 percent was used for oversight and monitoring of the helpline services.³¹⁴

³⁰⁹ *Id.* § 1509(a.2).

³¹⁰ *Id.* § 1509(b).

³¹¹ *Id.*

³¹² *Id.* § 1509(e). It is possible that the reference to Dep’t of Health is outdated so that the designation is now made by Dep’t of Drug and Alcohol Programs.

³¹³ *Id.* § 1509(b).

³¹⁴ Pa. Dep’t of Drug & Alcohol Programs, *Compulsive & Problem Gambling Ann. Rep. 2* (SFY 2024-25), available at <https://www.pa.gov/content/dam/copapwp-pagov/en/ddap/documents/documents/agency-reports/compulsive-and-problem-gambling-annual-reports/2024-2025-problem-gambling-annual-report.pdf>.

Interactive gaming operators must prominently display a toll-free phone number for gambling problems for visitors to their websites to see.³¹⁵ Failure to display this phone number subjects an interactive gambling operator to fines of \$1,000 daily.³¹⁶ “[A] mechanism” must be provided to “interactive gaming account” holders to control “wagering activity through” their accounts to:

(A) Limit “the amount of money lost within a specified period of time and the length of time the account holder will be unable to participate in gaming if the holder reaches the established loss limit.”

(B) Limit “the maximum amount of any single wager on any interactive game.”

(C) Temporarily suspend “interactive gaming through the account for any number of hours or days.”³¹⁷

Failure to establish these mechanisms subjects interactive gaming operators to fines of at least \$5,000 daily.³¹⁸

Gaming-related promotional material may not be forwarded “to a registered player during any period in which interactive gaming through the registered players' interactive gaming account has been suspended or terminated.”³¹⁹ The interactive gaming certificate holder shall provide a mechanism by which a registered player may change the controls” except “while interactive gaming through the interactive gaming account is suspended.”³²⁰ During the registered player’s temporary suspension, “the registered player” continues “to have access to the account and” may “withdraw funds from the account upon proper application for the funds to the interactive gaming certificate holder.”³²¹

DDAP is required to “make grants from the” the Compulsive and Problem Gambling Treatment Fund “single county authorities” to provide “compulsive gambling and gambling addiction prevention, treatment and education programs. Treatment may include financial counseling, irrespective of whether the financial counseling is provided by the single county authority, the treatment service provider or subcontracted to a third party.”³²² These grants are intended to “be used exclusively for the development and implementation of compulsive and problem gambling programs.”³²³ In consultation with the gaming control board, the department must “annually . . . report on the impact of the programs funded by the Compulsive and Problem Gambling Treatment Fund.”³²⁴ The report’s information must “aggregate demographic-specific data, including race, gender, geography and income of those individuals treated.”³²⁵

³¹⁵ 4 Pa.C.S. § 1509(c)(2.1)(i).

³¹⁶ *Id.* § 1509(c)(3).

³¹⁷ *Id.* § 1509(c)(2.1)(ii).

³¹⁸ *Id.* § 1509(c)(3.1).

³¹⁹ *Id.* § 1509(c)(2.1)(iii).

³²⁰ *Id.*

³²¹ *Id.*

³²² *Id.* § 1509(d).

³²³ *Id.* “Eligibility to receive treatment services for treatment of compulsive and problem gambling” is “determined using financial eligibility and other requirements of the single county authorities as approved by the Department of Drug and Alcohol Programs.” *Id.* § 1509(d.1).

³²⁴ *Id.* § 1509(d.2).

³²⁵ *Id.*

The Department of Drug and Alcohol Programs

contracts with the Council on Compulsive Gambling of Pennsylvania, Inc. . . . to manage its toll-free Pennsylvania Gambling Helpline, . . . The helpline provides confidential crisis counseling and referral services for individuals and their family members seeking help for problem gambling. Calls to the helpline are answered 24 hours a day, 7 days a week, by professionally trained operators. . . . There was an increase to online chat and text messages in SFY 2024-25 compared to the previous two years.³²⁶

Among the phone callers, an overwhelming percentage (81 percent) self-reported a gambling problem and a supermajority (68 percent) were male.³²⁷ Consistent with data from previous years, a supermajority (70 percent) reported financial hardship as the precipitating problem with internet gambling representing the highest percentage (37 percent) of problematic gambling.³²⁸

“As of June 30, 2025,” DDAP “contracted with 41 agencies to provide problem gambling treatment services. This is a decrease from previous years, “possibly due to “staffing shortages in the behavioral health field.”³²⁹

Problem gambling prevention programs, services, and activities served a total of 1.2 million individuals in SFY 2024-25. This is a sizable increase from the approximately 644,753 people served in SFY 2023-24. The increase is due to more SCAs receiving funding for problem gambling prevention, as well as the increased delivery of prevention programs.

Education programs reached an additional 33,108 people - an increase from 21,257 people in SFY 2023-24. The increase in reach is due to the addition of updated prevention programs and SCAs expanding programing beyond school/community-based programs.³³⁰

³²⁶ Pa. Dep’t of Drug & Alcohol Programs, *supra* note 314, at 3.

³²⁷ *Id.* at 4.

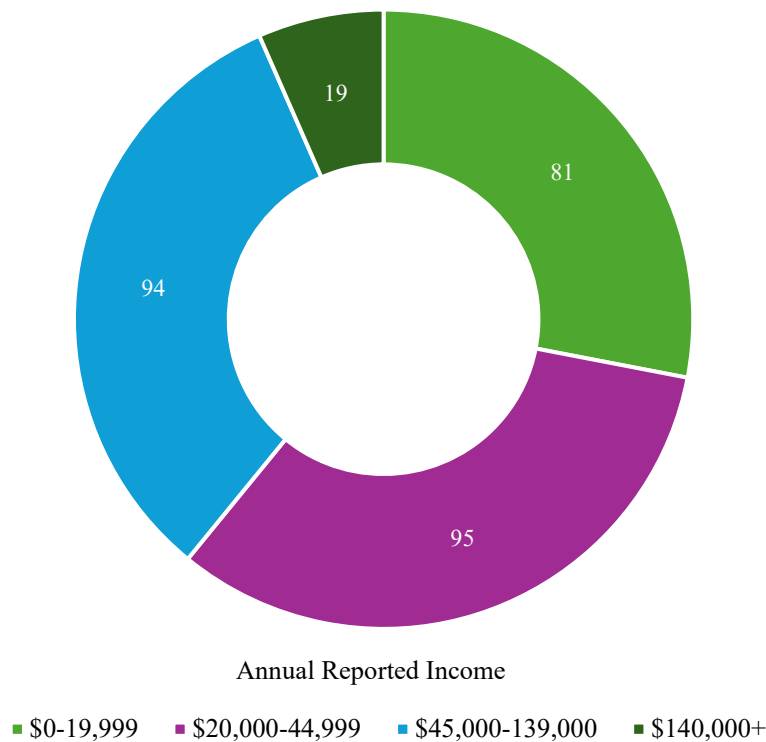
³²⁸ *Id.* at 6.

³²⁹ *Id.* at 7. “A total of \$617,628 was expended on problem gambling treatment in SFY 2024-25.” *Id.*

³³⁰ *Id.* at 18.

Figure 1 shows that most individuals in treatment for problem gambling in SFY 24-25 earned an income of \$20,000 - \$139,999.

Figure 1
DDAP Funded Treatment Admissions
Patients' Reported Annual Income
Fiscal Year 2024-2025



Source: Chart constructed by JSGC staff using data extracted from Pa. Dep't of Drug & Alcohol Programs, *Compulsive & Problem Gambling Ann. Rep. 11* (SFY 2024-2025), <https://www.pa.gov/content/dam/copapwp-pagov/en/ddap/documents/documents/agency-reports/compulsive-and-problem-gambling-annual-reports/2024-2025-problem-gambling-annual-report.pdf>.

“Annually, the Department of” Drug and Alcohol Programs must “transfer all funds” it receives under 4 Pa.C.S. “1408(a.1) (relating to transfers from State Gaming Fund) to the single county authorities.”³³¹ The single county authorities are required to use these funds “solely for drug and alcohol addiction assessments, including drug and alcohol addiction assessment associated or related to compulsive and problem gambling, and for the related addiction treatment, in nonhospital residential detoxification facilities, nonhospital residential rehabilitation facilities and halfway houses licensed by the [d]epartment . . . to provide addiction treatment services.”³³² Annually, the department must “submit a report . . . on the data and progress on activities initiated under this” statute.³³³

³³¹ *Id.* § 1509.1(a). Annually, \$3,000,000 from the State Gaming Fund must “be transferred to the Department of Health to . . . provide drug and alcohol addiction treatment services, including treatment for drug and alcohol addiction related to compulsive and problem gambling, as set forth in” § 1509.1. *Id.* § 1408(a.1). This transfer now likely goes to Dep’t of Drug and Alcohol Programs.

³³² *Id.* § 1509.1(b). “Eligibility to receive treatment services for treatment of drug and alcohol addiction . . . associated with . . . compulsive and problem gambling” is “determined using financial eligibility and other requirements of the single county authorities as approved by the Department of” Drug and Alcohol Programs. *Id.* § 1509.1(c). This statute references the Department of Health; after it was enacted, “[a]ll . . . appropriations . . . expended in connection with the . . . duties . . . of the Department of Health concerning drug or alcohol abuse are hereby transferred to the Department of Drug and Alcohol Programs.” Act of July 9, 2010 (P.L.348, No.50), § 11.

³³³ 4 Pa.C.S. § 1509.1(d).

PROBLEM GAMBLING BEHAVIORS

The resurgence in media attention surrounding sports betting came from an era when professional sports organizations doubted that the integrity of their sports could be maintained while wagering was legal. Athletes and athletic associations wanted spectators who watched games for the love of the sport and the love of the team. The inclusion of a financial element to sporting events would deprive the true entertainment factor and result in watching sports for the hope of making quick money or testing luck. As sports betting continues to become legal across the United States, gambling operators are marketing services that become ingrained within sporting events, making it practically impossible for a person to watch a game without any exposure to gambling-related advertisements. While this is effective marketing and generates revenue, it becomes an issue when those who suffer from gambling problems cannot distance themselves from the thought of their next bet. Additionally, concerns continue to be raised when watching sports as a family exposes underage children to the betting opportunities intended for adults. Some would say it becomes an issue when marketing and advertisements place the responsibility on those with the problem, stating that addiction stems from not being “responsible” or a lack of self-control. Ultimately, self-control is one element, but if gambling becomes an addiction, one’s ability to have self-control is no longer conscious.

This section describes problem gambling from various sources. The most current terminology seems to favor describing it as a diagnosable disorder rather than as a behavioral addiction.

[G]ambling disorder: It represents the only addiction where the affected individual can reasonably hope their addiction will solve the problems that stem from that addiction. Someone dependent on alcohol, for instance, has no reason to hope that their next drink will relieve them of their substance use disorder. A problem gambler, on the other hand, can hold on to the belief that all it takes is one big win to wipe out all of their debt, and therefore all the negative consequences of their gambling. As a result, many keep betting, and keep losing, which only makes them more desperate to bet, and so on.³³⁴

There also seems to be increasing advocacy to expand the focus from individual player responsibility toward a more comprehensive and prophylactic, public health framework, which would have a universal application—along the lines of how smoking has been addressed. In other words, the public health framework would emphasize structurally protecting consumers before harm occurs as opposed to treating individual cases. A comparison of these two paradigms appears in table 3.³³⁵

³³⁴ Jonathan D. Cohen, *Losing Big* 97 (Columbia Global Reps. 2025).

³³⁵ *Infra* pp. 65-66.

This section also covers predicting problem gambling using player data, the trends of hotline calls comparing internet gambling and slot play as the most problematic and concludes by showing the trend of self-exclusion enrollments in the Commonwealth.

Gambling Disorder

The American Society of Addiction Medicine

The American Society of Addiction Medicine (ASAM) defines an addiction as a “treatable, chronic medical disease involving complex interactions among brain circuits, genetics, the environment, and an individual’s life experiences.”³³⁶ Formerly named “Pathological Gambling” and classified under Impulse-Control Disorders in the *DSM-IV*, “Gambling Disorder” was renamed in 2016 by the *American Psychological Association’s* *DSM-V*. Now considered a “Substance-Related and Addictive Disorder,” the association also added varying degrees of severity ranging from mild to severe.³³⁷ These behaviors can include preoccupation with gambling and the need to increase the amount of money that is allocated towards gambling. This heightened risk taking is the only way a problem gambler can continue to feel the euphoria they initially experienced. Like those with substance use disorder who develop a tolerance to particular drugs, so do gamblers when the amount money wagered or the volume of games they are playing no longer provide the same dopamine rush they once had.

For an individual to be formally diagnosed with gambling disorder, however, they must have exhibited at least four of these behaviors within the past year.

- Need to gamble with increasing amounts to achieve the desired excitement
- Restlessness or irritability when trying to cut down or stop gambling
- Repeated unsuccessful efforts to control, cut back on, or stop gambling
- Frequent thoughts about gambling (such as reliving past gambling or planning future gambling)
- Often gambling when feeling distressed
- After losing money gambling, often returning to get even (This is referred to as "chasing" one's losses.)
- Relying on others to help with money problems caused by gambling³³⁸

These changes in clinical criteria define gambling as a stimulus that may surpass an individual’s boundaries of self-control. Just as those who become addicted to a drug, the brain and body become dependent on the stimulus provided by gambling to the extent that they cannot function normally without it.

³³⁶ Am. Soc’y of Addiction Med., What Is the Definition of Addiction (updated Sept. 15, 2019), <https://www.asam.org/quality-care/definition-of-addiction>.

³³⁷ Substance Abuse & Mental Health Servs. Admin., U.S. Dep’t of Health & Human Servs., *Substance Use Disorder Treatment for People with Co-Occurring Disorders*, Ch. 4 (2020), <https://www.ncbi.nlm.nih.gov/books/NBK571021/>.

³³⁸ Am. Psych. Ass’n, *Desk Reference to the Diagnostic Criteria from DSM-5 (R)* (2013).

The Brain & Gambling

Dopamine, in the most common sense, has been classified by the scientific community as the “feel good hormone.” Gambling, or wagering money, may initially start as an activity that makes a person feel good. They might enjoy the feeling of anticipation that comes from waiting for the results of a bet or the euphoria felt during a win. Regardless of what excites an individual during a wager, the brain activation pathway produces neurotransmitters. These neurotransmitters work as a lock and key method to “unlock” the mechanism that produces feel good hormones such as dopamine and oxytocin.³³⁹

Once an individual comes to associate this feel-good cycle with the behaviors of gambling, it can become difficult not to be consumed with the desire to replicate these feelings and experiences. This lock and key method is not foolproof, and the neurotransmitters might eventually lose the ability to produce the same amount of feel-good chemicals that were once released by the activity.³⁴⁰ This reduction in stimulation then causes the person to gamble to the extremes to replicate the feeling that was once experienced at the beginning of their gambling experience.³⁴¹

For individuals to understand what drives decision making, there must be consideration towards something that all humans have in common. Human behavior is generally guided by a system of rewards and punishments. When gambling, an individual might feel a “rush.”³⁴² While a gambling habit may have started as an activity that someone does during their lunchbreak or in free time, slowly the brain becomes consumed with thoughts about when the next opportunity to gamble may come around. Time that used to be spent doing typical daily activities soon becomes tainted with the urge to look at gambling sites or setting aside money that was previously used for date nights to be spent playing online casino games.

Problem Gambling

“Gambling disorder is a recognized mental health diagnosis.”³⁴³ While “[c]ertain factors can increase” one’s “risk of developing a gambling addiction,” a gambling problem can occur in “[a]nyone who gambles.”³⁴⁴ An estimated of 1 percent of “U.S. adults . . . meet the criteria for a severe gambling problem” with another 2 percent to 3 percent “would be considered to have mild or moderate gambling problems.”³⁴⁵ Treatment options include counseling, peer support, and

³³⁹ Ashley N. Krause *et al.*, *Unlocking Coherence: The Lock-and-Key Metaphor in the Psychology of Place*,” 36 *Ecological Psychology* 283, 286 (2024), doi:10.1080/10407413.2024.2397772; Am. Psych. Ass’n, *Diagnostic & Statistical Manual of Mental Disorders* (5th ed. 2022), doi:10.1176/appi.books.9780890425787.

³⁴⁰ Krause *et al.*, *supra* note 339.

³⁴¹ Robert M. Sapolsky, *Why Zebras Don’t Get Ulcers: The Acclaimed Guide to Stress, Stress-Related Diseases & Coping*, ch. 16 (Holt Paperbacks 2004).

³⁴² *Id.* at 339.

³⁴³ Nat’l Council on Problem Gambling, FAQs: What is Problem Gambling? (2026), <https://www.ncpgambling.org/help-treatment/faqs-what-is-problem-gambling/>.

³⁴⁴ *Id.* “[I]ndividuals who start gambling at a young age are also more likely to develop a gambling addiction later in life.” *Id.*

³⁴⁵ *Id.*

inpatient, outpatient, and residential treatment programs.³⁴⁶ The only “two states without legalized gambling are Hawaii and Utah.”³⁴⁷ The National Council on Problem Gambling has a national helpline;³⁴⁸ “The Council on Compulsive Gambling of Pennsylvania, Inc., is a nonprofit organization affiliated with the National Council on Problem Gambling . . . to educate and share information on problem gambling and to provide resources for help.”³⁴⁹

When you gamble, your brain releases dopamine, the feel-good neurotransmitter that makes you feel excited. The strange thing is, your body also produces dopamine when you lose.

While some of us are able to walk away when we lose, others might keep gambling to win back the money they’ve lost, fueled by that dopamine rush.³⁵⁰

Gambling online has a higher potential to lead to risky gambling behaviours, which is further increased if you are male. Young adults are the most active group in online gambling and single-event sports betting and when it comes to sports-betting, live/in-play bets are strongly associated with gambling harm. Being able to do it from almost anywhere makes gambling more accessible so it’s easy to do more frequently, which can also lead to issues. Gambling to get a “high” feeling can also lead to risky gambling behaviour.³⁵¹

During a 2025 conference hosted by “Stop Predatory Gambling,”³⁵² one panel’s speaker explained, “it’s not the dough, it’s the dopamine” when referring to individuals’ difficulty in breaking the cyclical nature of compulsive and problem gambling. The statement insinuates that those who are struggling with addictive gambling behaviors are not as influenced by the financial elements of gambling as some believe; rather, it is the brain’s response to the influx of these “feel good” chemicals that draws them back for more.

The length of time in which an individual is exposed to a stressor is key for the brain maximizing dopamine release.³⁵³ A person being exposed for a short amount of time creates anticipation that activates neural pathways. Repeated and longer exposures can lead to habituation, meaning that the individual will require increasing amounts of dopamine to get the same effect as what was previously experienced.³⁵⁴

³⁴⁶ *Id.*, Problem Gambling Treatment Options (2026), <https://www.ncpgambling.org/help-treatment/problem-gambling-treatment-options/>.

³⁴⁷ *Id.*, *supra* note 343.

³⁴⁸ *Id.*, 1-800-MY-RESET (2026), <https://www.ncpgambling.org/help-treatment/>.

³⁴⁹ Council on Compulsive Gambling of Pa., Inc., <https://pacouncil.com/> (last visited Apr. 8, 2026).

³⁵⁰ Responsible Gambling Council, All About Gambling (2026), <https://responsiblegambling.org/for-youth-and-young-adults/for-young-adults/all-about-gambling/>.

³⁵¹ *Id.*, Minimizing Risks (2026), <https://responsiblegambling.org/for-youth-and-young-adults/for-young-adults/minimizing-risk/>.

³⁵² Stop Predatory Gambling Conference (2025), “Stop the Harm: Hear from Those Who Experienced Firsthand the Predatory Tactics of the Gambling Industry,” https://www.youtube.com/watch?v=jpw_vN-hrqc.

³⁵³ Robert M. Sapolsky, *supra* note 341, at 341.

³⁵⁴ *Id.* at 344.

Gambling Addiction

“Gambling disorder is classified as a behavioral addiction in the . . . same section as drug and alcohol use disorder” with “similarities between addiction to alcohol or drugs and an addiction to gambling” along with “distinct differences that distinguish problem gambling from substance use disorders.”³⁵⁵

Table 2
Gambling & Substance Use Disorders
2026

Similarities/Differences ³⁵⁶	Gambling Problems	Substance Use Disorders
Feeling powerless to stop	X	X
Preoccupied w/behavior	X	X
Minimize extent of addictive behavior	X	X
Escalation in addiction	X	X
Withdrawal symptoms	X	X
Engage to avoid stressful experiences	X	X
Impaired decision making	X	X
Jeopardize loved ones to pursue addictive behavior	X	X
Neglect self-care	X	X
Cravings are common	X	X
Frequent relapse from abstentions	X	X
Similar psychological characteristics	X	X
Engage in criminal activity to sustain addictive behavior	X	X
Turn to others for bailouts	X	X
High from addictive behavior	X	X
Executive disfunction	X	X
Suicide risk factor	X	X
Outward physiological signs	-	X
Ingestion of substance for high	-	X
Blaming substance for behavior	-	X
Calculating advantage	X	-
Chasing behavior	X	-
Belief in positive, long-lasting effect	X	-
Socially acceptable	X	-
No. of symptoms to reach diagnostic threshold	4 of 9	2 of 11
FDA-approved med. for treatment	-	X
More reliable experience	-	X
More explainable biological mechanisms	-	X

³⁵⁵ Rory. C. Reid, Ph.D., *et al.*, *Similarities & Differences: Gambling & Substance Use Disorders 1*, <https://uclagamblingprogram.org/wp-content/uploads/2023/04/UGSP-Similarities-and-Differences-GD-and-SUDs.pdf> (last visited Mar. 31, 2026).

³⁵⁶ *Id.* at. 1-6.

Table 2
Gambling & Substance Use Disorders
2026

Similarities/Differences ³⁵⁶	Gambling Problems	Substance Use Disorders
Higher level of financial distress	X	-
Random, intermittent ratio of reinforcement	X	-
Fatal overdose	-	X
Seizure from withdrawal	-	X
Significance of funds allocated to helping	-	X

Source: Rory. C. Reid, Ph.D., *et al.*, *Similarities & Differences: Gambling & Substance Use Disorders 1*, <https://uclagamblingprogram.org/wp-content/uploads/2023/04/UGSP-Similarities-and-Differences-GD-and-SUDs.pdf> (last visited Mar. 31, 2026).

Behavioral Research on Gambling

“[B]ecause sportsbooks are regulated outside public health frameworks, data on gambling behaviors are not routinely gathered or reported by health agencies. Consequently, . . . , gambling is often overlooked in health research, clinical practice, and health policy development, with insufficient governmental efforts to prevent or mitigate harms.”³⁵⁷ The association between internet searches for gambling addiction to detect “changes in population behavioral health” was done with “aggregate internet search trends” after the U. S. Supreme Court ruling in 2018,³⁵⁸ “search volumes for queries originating from the US that mentioned *gambling* and *addiction*, *addict*, *anonymous*, or *hotline* . . . from January 1, 2016, through June 30, 2024” were retrieved.³⁵⁹ The Commonwealth was among the eight states “with sportsbooks and no changes in operation for at least 12 months.”³⁶⁰ By 2023, “online bets” accounted “for 94% (or \$113.8 billion) of total sports wagers.”³⁶¹ Searches for “gambling addiction help-seeking . . . have consistently increased year over year since 2021, when 32 states had sportsbooks.”³⁶² The Commonwealth was among the eight states with “statistically significantly more searches than expected after the opening of any sportsbooks in their state,” which means that it is “highly unlikely to be due to chance” and “higher than the aggregate national model.”³⁶³ The “results suggest that the association may be more acute with the availability of online than retail sportsbooks. These findings highlight the need for health agencies to engage in sportsbook regulation.”³⁶⁴ These “findings for online sportsbooks align with research showing that increased access to gambling is associated with

³⁵⁷ Atharva Yeola *et al.*, *Growing Health Concern Regarding Gambling Addiction in the Age of Sportsbooks*, 185 JAMA Internal Med. 382 (2025), <https://jamanetwork.com/journals/jamainternalmedicine/fullarticle/2830019>. The public health framework is compared to the responsible gambling framework in table 3, *infra* pp. 64.

³⁵⁸ Yeola *et al.*, *supra* note 357.

³⁵⁹ *Id.*

³⁶⁰ *Id.*

³⁶¹ *Id.*

³⁶² *Id.*

³⁶³ *Id.* The searches were 50% greater than expected. *Id.*

³⁶⁴ *Id.*

raised gambling rates, including higher rates of harmful gambling for online gamblers than retail gamblers.”³⁶⁵ With these findings, the researchers recommended:³⁶⁶

- the development and evaluation of preventive countermeasures, such as educational materials on gambling, similar to campaigns against tobacco;
- advertising restrictions on sportsbooks;
- pragmatic online interventions should be scaled to reach people who gamble who are seeking help online; and
- a movement “beyond traditional responsible gambling approaches that focus on individual player responsibility toward a comprehensive public health framework that addresses sportsbook gambling through multiple intervention levels: universal (e.g., restricting availability and marketing), selective (e.g., limit setting and age restrictions), and indicated (e.g., algorithmic detection of problematic patterns).”

Lancet Public Health Commission on Gambling

Table 3
Comparison of Gambling Policy Paradigms
2024

Feature	Responsible Gambling Framework	Public Health Framework
Focus	On individuals who gamble: so-called problem gamblers	Focus on population: gambling harm
Scope	Regulation of individual behavior	Regulation of systems, products, and environment
Disorder model	Disease model	Commercial determinants of health, social determinants of health, and legal, political, and environmental determinants of health
Main emphasis	Freedom of choice, consumer sovereignty, caveat emptor regulation	Freedom from harmful commodities, consumer protection regulation
Range of interventions	Largely downstream, individual-level interventions and treatment; some education programs	Uses a range of intervention; focuses on upstream determinants of harms and also includes midstream and downstream efforts
Where effort and resources are maximized	Much effort on treatment and some education and social marketing	Incorporates treatment effort, but also emphasizes the importance of harm prevention, early intervention, and harm minimization

³⁶⁵ *Id.*

³⁶⁶ *Id.*

Table 3
Comparison of Gambling Policy Paradigms
2024

Feature	Responsible Gambling Framework	Public Health Framework
Characteristic interventions	Education, social marketing, signage, referral to therapies, codes of conduct, self-exclusion options	Limiting accessibility and availability, pricing (where applicable), focus on product characteristics, mandatory precommitment, limiting or prohibiting marketing and advertising
Evidence base	Modest or poor for responsible gambling tools; evidence base developed for efficacy of cognitive behavioral therapy for treatment and some other therapies (but note issues with high attrition)	Well developed in analogous areas (eg, alcohol), though requires adaptation to apply to gambling harms; emerging evidence of effective population-level interventions
Regulatory orientation	Self-regulation with little oversight, industry self-reporting, and voluntary codes of practice	Regulatory specificity and effective enforcement
Ecological frame	The so-called problem gambler	Environment, commercial determinants of health, social determinants of health, operators, and multiple government agencies
Priority focus	Responsible users	People with lived experience of harms, communities, and societal impacts

Source: Heather Wardle *et al.*, *The Lancet Public Health Comm'n on Gambling*, 9 Lancet Pub. Health e950, e958(2024), doi.org:10.1016/S2468-2667(24)00167-1.

The growth of gambling “is fuelled by the rise of online gambling, widespread accessibility of gambling opportunities through mobile phones, increased legalisation, and the introduction of commercial gambling to new areas.”³⁶⁷ The frequency and prevalence of online sports betting has become instantaneous with “in-game betting during live matches.”³⁶⁸ The percentage of those suffering from gambling disorder are estimates, which vary by source, but the highest estimates that staff came across are 15.8 percent of adults for online casinos and 8.9 percent of adults for sports betting.³⁶⁹ The same report cites other estimates, with regional studies estimating “rates of disordered gambling” varying “from 0.1% to 5.8%.”³⁷⁰ Elsewhere, the same article cites an estimate of “around 1% of the population” suffering from gambling disorder, asserting that the percentage would be higher among the gambling population.³⁷¹ Whatever the real rate of disordered gambling is, “[t]he proportion of the overall population affected by harmful gambling will be higher still when considering the effect on families, friends, and relatives of

³⁶⁷ Heather Wardle *et al.*, *The Lancet Pub. Health Comm'n on Gambling*, 9 Lancet e950 (2024), <https://www.thelancet.com/action/showPdf?pii=S2468-2667%2824%2900167-1>.

³⁶⁸ *Id.*

³⁶⁹ *Id.* at e951. Elsewhere, the same article applies the 15.8% to “problem gambling or gambling disorder. *Id.* at e971-72.

³⁷⁰ *Id.* at e953.

³⁷¹ *Id.* at e965.

those who gamble.”³⁷² According to estimates, “at least six other people, on average, are negatively affected by one person who is experiencing problematic gambling.”³⁷³

Universal “[m]easures with increased effectiveness” to reduce harms associated with gambling “include enforcing legal age limits, restricting gambling availability and accessibility, prohibiting or substantially limiting advertising, implementing universal and mandatory limits for gambling consumption, and placing controls on gambling product characteristics known to be harmful.”³⁷⁴ Targeted measures “to support individuals who are at risk of gambling harms . . . encompass self-exclusion policies, personalised messaging and feedback on gambling consumption, interventions based on tracking data, and therapeutic services.”³⁷⁵ Both universal and targeted measures are considered essential, the Lancet Public Health Commission on Gambling contends that universal (or population) level interventions should be specially emphasized now because policy makers have allowed those interventions to lag behind the “design and implementation” of targeted (or individual) level measures.³⁷⁶ “Regulation of gambling harms still revolves primarily around the so-called responsible gambling paradigm, which keeps the focus on individuals deemed to be gambling problematically and diverts attention away from the nature and conduct of the commercial gambling ecosystem.”³⁷⁷ Contrasting with casinos, “[d]igital and mobile technologies integrated into gambling products result in more immersive and portable games and broader availability to vast . . . audiences, traversing previous physical barriers” *via* smartphones, which have become “almost ubiquitous.”³⁷⁸ Gambling “operators use consumer data to profile behaviours and personalise marketing offers” while partnering “with other commercial entities” to “broaden the reach of the gambling industry, allowing it to contact or influence consumers through sporting arenas and social media influencers.”³⁷⁹ The increasing availability of legal gambling returns economic growth and tax revenue but also expands the risks associated with gambling.³⁸⁰ Earlier gambling scholarship focused “on intra-individual factors, such as co-occurring mental disorders, cognitive issues, and poor impulse control as the source of gambling harms” resultant in “research-informed policy initiatives . . . mostly focused on encouraging individuals to control their own behaviours by emphasising individual responsibility.”³⁸¹ More recently, “a growing body of epidemiological evidence has highlighted patterns of increased risk of gambling harms among population sub-groups . . . as well as the association of particular products and product features with increased risks of harm.”³⁸² The policies targeting “specific individuals clearly remain an important part of

³⁷² *Id.* at e954.

³⁷³ *Id.* at e972. “Negative effects on relationships might include increased conflict, erosion of trust, inattention or absenteeism to family responsibilities, role distortion, family and interpersonal violence, as well as breakdown of relationships.” *Id.* at e972-73.

³⁷⁴ *Id.* at e951. A “synthesis of . . . reviews does show promise for some of universal prevention measures, particularly those aimed at reducing access, restricting advertising, limiting bet sizes, and limiting the speed and intensity of gambling products.” *Id.* at e977. Overall, “the efficacy of various interventions remains patchy” as there has been “a paucity of research on the efficacy of interventions relating to online gambling.” *Id.*

³⁷⁵ *Id.* at e951.

³⁷⁶ *Id.* at e952.

³⁷⁷ *Id.*

³⁷⁸ *Id.*

³⁷⁹ *Id.* at e953.

³⁸⁰ *Id.* at e955.

³⁸¹ *Id.* at e956.

³⁸² *Id.*

a comprehensive approach to harm prevention and reduction” but are “insufficient to address the systemic and powerful commercial determinants of gambling harms.”³⁸³

As with some other commercial services, [t]he business model of commercial gambling relies disproportionately on a small proportion of users who consume a substantial proportion of the products and generate the majority of industry profits. . . . A US study showed that in sports betting, 5.7% of people who gamble accounted for 80% of spending, whereas for online casinos, 4.9% of those who gamble accounted for 80% of revenues.³⁸⁴

. . .
[I]n-play betting . . . offers bets on a range of events while a sports match is underway. This intensive form of betting is facilitated by an online infrastructure whereby real-time information is fed from commercial sporting data companies, supported by sports leagues and teams, to bookmakers and then from bookmakers to consumers via smartphone-based or web-based applications. Contemporary sports betting is thus transformed into a high-speed, continuous form of betting, which is likely to be associated with increased risk of harm.³⁸⁵

As with other online services, “many gambling products include design mechanics that encourage repeated and continued engagement. Termed ‘addiction by design,’ . . . [t]he aim of this design is to maximise the time spent on each product.”³⁸⁶ To protect consumers, “[t]he policy puzzle in controlling gambling harms involves finding an appropriate or judicious balance: allowing some freedom of action for corporations and providing some level of protection from harm for individuals and communities.”³⁸⁷ Part of the challenge in finding a balance is the asymmetry of more quantifiable and transparent figures of the economic benefits in tax revenue and employment figures with the more nebulous estimates of “the social costs of gambling.”³⁸⁸ Sustainable, legal gambling must effectively balance commercial interests with preventing harm. The Lancet Public Health Commission on Gambling identified three regulatory challenges:³⁸⁹

- 1) “[A] paucity of research evidence on the effectiveness of regulatory measures, especially when it comes to preventing harms and protecting public health.”
- 2) A substantial divergence of public and commercial interest.
- 3) The provision of offshore or borderless gambling.

In calling for the prioritization of protecting public health, the commission asserted that “[r]egulators need to be proactive and vigilant in identifying emerging risks and both swift and skilful in mitigating them” and must “move quicker . . . to keep pace with technological change.”³⁹⁰ The commission recommended that governmental policy prioritize “protecting health

³⁸³ *Id.* at e957.

³⁸⁴ *Id.* at e958.

³⁸⁵ *Id.* at e960.

³⁸⁶ *Id.*

³⁸⁷ *Id.* at e965.

³⁸⁸ *Id.*

³⁸⁹ *Id.* at e984.

³⁹⁰ *Id.* at e984-85.

... over competing economic motivations” to align gambling regulation more closely with “other addictive and harmful products.”³⁹¹

While governments readily appreciate revenues from the gambling industry and might even use gambling products for their own fund-raising purposes, they generally underestimate the prevalence and seriousness of social harm done and the associated public costs. . . . [A]s the scale of commercial gambling increases . . . , and as novel offerings proliferate, governments need to demonstrate that their legislative approach and regulatory structures are effective.³⁹²

Predicting Problem Gambling among Sports Bettors

“Today, sportsbook operators are increasingly focused on investing in responsible gaming tools. FanDuel and DraftKings, for example, allow customers to set deposit limits, wager limits, and cooling-off/time-out periods.”³⁹³ During a sports analytics conference in 2024, a vice-president of data for Fanatics’ Betting and Gaming mentioned that an open-sourced library for gambling operators could help them approach responsible gaming in a unified manner.³⁹⁴ Consulting firm PricewaterhouseCoopers (PwC) had done some research on “the potential usefulness of industry-held data and behavioural analytics in the online gambling sector, primarily to indicate markers and patterns of harmful or risk behaviour, and then to recommend practical ways to address it.”³⁹⁵ Building on that previous research by applying it to its customers, Fanatics Betting and Gaming was developing solutions by applying a heuristic and trending model to displayed behavior for its operational integration to intervene and by applying a predictive model to nudge customers in the right direction before making regretful decisions.³⁹⁶ Applying the PwC and Fanatics Betting and Gaming customer base analytics, approximately 20 percent of Fanatics Betting and Gaming “accounts at some point displayed high-risk behaviours.”³⁹⁷ The strongest indicators of high risk customers in its modeled data were the frequency of deposits and midweek bets.³⁹⁸ Customers with low risk and a low trend do not require intervention.³⁹⁹ Customers with high risk and a high trend might need immediately offered solutions.⁴⁰⁰ Customers with high risk

³⁹¹ *Id.* at e985.

³⁹² *Id.*

³⁹³ Rachel Epstein, *The Human Cost of the Sports Betting Boom*, Men’s Health 100 (Sept. 2023), available at <https://www.menshealth.com/health/a44652587/sports-betting-gambling-dangers/>.

³⁹⁴ Kristie Savage, “Predicting Problem Gambling Among Sports Bettors,” MIT Sloan Sports Analytics Conf. (2024), <https://www.sloansportsconference.com/event/predicting-problem-gambling-among-sports-bettors>. She is also identified as the head of data science. *Id.*

³⁹⁵ PwC, *Helping Detect & Mitigate Harm from Problem Gambling*, <https://www.pwc.co.uk/who-we-are/annual-report/annual-report-2018/stories/helping-detect-and-mitigate-harm-from-problem-gambling.html> (last visited June 13, 2026).

³⁹⁶ Savage, *supra* note 394.

³⁹⁷ *Id.* This does not mean that 20% of its customer base have a responsible gaming problem; it reflects indicative data that, in some instances, can be due to customer error or a deviation from a pattern rather than from problematic play. *Id.*

³⁹⁸ *Id.*

³⁹⁹ *Id.*

⁴⁰⁰ *Id.*

and a low trend might need more of a nudge than an immediate intervention.⁴⁰¹ By applying its heuristic and trending model, half of the accounts identified as high risk can be identified within seven days.⁴⁰² The heuristic model can help the responsible gaming staff to intervene and generate training data.⁴⁰³ The trending component allows for the detection of escalation and predictive intervention.⁴⁰⁴ The responsible gaming staff has a dashboard to “assess customer accounts efficiently, ordered by risk score.”⁴⁰⁵ The dashboard has account insights for an identified account so that the responsible gaming staff can see the risk factors, the trend direction and other relevant context including historical information.⁴⁰⁶ The goal is that the data from Fanatics Betting and Gaming can be combined with data from competitors *via* Amazon Web Services to continue to model it and apply it to each one’s customer base.⁴⁰⁷ The two models are (retrospectively) detecting harm and (prospectively) preventing harm with individualized responses.⁴⁰⁸ The open-sourced library is intended to more optimally determine which responsible gaming options are more effective, *i.e.*, wagering limits, time limits, *etc.*⁴⁰⁹ At the time of this conference, Fanatics Betting and Gaming was working on online inference for real-time risk in a given session with different resultant nudges or interference.⁴¹⁰

Using AI to Predict Problem Gambling with Online Player Data

AI algorithms require a training dataset to learn the patterns of a prespecified group. Problem gambling screens are one method for the collection of the necessary input data to train AI algorithms. . . . [P]roblem gamblers showed a distinct pattern with respect to their gambling based on the player tracking data. More specifically, problem gamblers lost more money per gambling day, lost more money per gambling session, and deposited money more frequently per gambling session. Problem gamblers also tended to deplete their gambling accounts more frequently compared to non-problem gamblers. A subgroup of problem gamblers identified as being at greater harm . . . showed even higher values with respect to the aforementioned gambling behaviors. The study showed that self-reported problem gambling can be predicted by AI algorithms with high accuracy based on player tracking data.⁴¹¹

⁴⁰¹ *Id.*

⁴⁰² *Id.*

⁴⁰³ *Id.*

⁴⁰⁴ *Id.*

⁴⁰⁵ *Id.* Staff preparing this report does not know if VIP hosts have access to this data as well.

⁴⁰⁶ *Id.*

⁴⁰⁷ *Id.*

⁴⁰⁸ *Id.*

⁴⁰⁹ *Id.*

⁴¹⁰ *Id.*

⁴¹¹ Michael Auer & Michael D. Griffiths, *Using Artificial Intelligence Algorithms to Predict Self-reported Problem Gambling with Account-based Player Data in an Online Casino Setting*, 39 J. Gambling Studies 1273 (2023), available at https://pmc.ncbi.nlm.nih.gov/articles/PMC10397135/pdf/10899_2022_Article_10139.pdf.

Risk factors in

[a] recent meta-analysis . . . were ranked in regard to their association with problem gambling. The risk factor with the highest odds ratio was online gambling. They also reported that continuous forms of gambling (such as slot machines and casino games) were most associated with problem gambling. There are also features of the internet that provide reasons as to why users can spend so long online including the perceived anonymity, affordability, easy accessibility, interactivity, immersion/dissociation, convenience, and disinhibition facilitation.

Most reviews of online gambling suggest it is a more ‘dangerous’ or ‘harmful’ medium than offline gambling. . . .

One of the innovations in gambling research over the past 15 years is the increasing use of high-quality account-based behavioral tracking data provided by the gambling industry to academic researchers. Both researchers and the gambling industry have utilized player tracking data as a way to try to identify problem gambling.⁴¹²

A recent study using two data sets from an online sportsbook

found that on an average day, less than 1% of players had risk scores high enough to trigger an intervention. They also found that male gender and younger age were not positively correlated with the risk score. They also reported that there were strong associations between the highest risk score during the study period and being a top 6% or top 1% user in terms of number of bets or money wagered.⁴¹³

Account-based behavioral tracking data allows gambling operators to observe customers increasing amount and frequency of bets in hopes of recovering lost money, *i.e.*, chasing loses, which is indicated by frequent deposits.⁴¹⁴ Some European regulators “require license holders to identify problem gambling and regularly report the number of problem gamblers to regulators. However, there is little research into the actual playing behavior of problematic online gamblers.”⁴¹⁵

“The findings regarding frequent depositing and depleting the gambling account balance” as among the most important variables predicting problem gambling

are particularly interesting because they are fundamental to most online gambling operators’ marketing practices. Players have to deposit before they can play and . . . online gambling operators are trying to make this process as easy and as frictionless as possible. Often players can deposit with one click and/or are reminded when their account balance decreases. The present study’s findings

⁴¹² *Id.* at 1274-75. (citations omitted)

⁴¹³ *Id.* at 1275-76.

⁴¹⁴ *Id.* at 1278.

⁴¹⁵ *Id.*

question these practices and suggest that frequent depositing should be made more difficult. . . . The findings provide empirical evidence concerning the most important behavioral indicators of problem gambling which could be used by (i) the gambling industry to help identify problem gamblers using account-based data, (ii) gambling policymakers and regulators to make evidence-based informed decisions and policies in the area of player protection and harm-minimization, and (iii) researchers in the gambling studies field to replicate and/or build on the findings reported here with other samples⁴¹⁶

As with other studies, this study had limitations, including that the data were from one operator, but “the main findings are in line with the findings from previous research which identified that frequent session deposits were correlated with higher gambling intensity.”⁴¹⁷ Nonetheless, “[t]he . . . study showed that self-reported problem gambling can be predicted by AI algorithms with high accuracy based on player tracking data. . . . The results also supported” the authors’ previous “assertion that not all” problem gamblers “self-exclude and vice versa. . . . [N]umerous jurisdictions require operators to identify problem gambling based on behavioral tracking data.”⁴¹⁸

Internet Gambling Versus Other Most Popular Forms of Gambling

To evaluate the impact of gambling online, Commission staff compared the most popular gambling modalities against the more recently established online gambling. Pennsylvania has several organizations that conduct annual reports on consumer gambling behaviors, including the popularity of gambling modalities, how frequently individuals are gambling, the amount of revenue generated from each mode, and how these impact consumers.

The Council on Compulsive and Problem Gambling of Pennsylvania reports its helpline data annually. With the collection of callers’ demographic information, the council provides a list of the forms of gambling that callers report as the “most difficult time controlling.”⁴¹⁹ Since 2015, the modes of gambling with the highest volume of calls were “slots,” “unspecified casino,” “blackjack,” “internet – general,” and “unspecified sports.” Evaluating the trends of these modalities against emergence of internet gambling allows for a comparison at rate and speed at which customers develop problematic gambling habits, which appear in graphs 1 and 2.⁴²⁰

⁴¹⁶ *Id.* at 1288. Other important variables “were age, amount of money deposited, amount of money bet, number of gambling days, average monetary loss per gambling day, average monetary loss per session, average number of monetary deposits per session, account depletion, and number of play breaks.” *Id.*

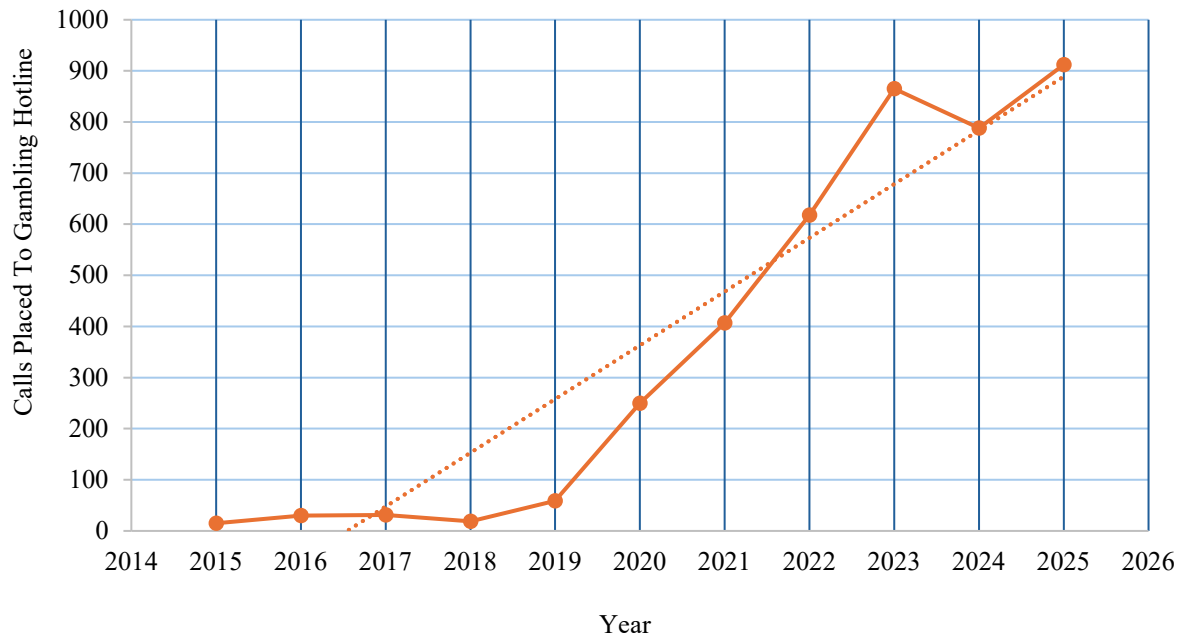
⁴¹⁷ *Id.* at 1289.

⁴¹⁸ *Id.*

⁴¹⁹ Council on Compulsive & Problem Gambling of Pa., *Helpline Data Ann. Rep.* 14 (2025), <https://pacouncil.com/wp-content/uploads/2025-CCGP-Annual-Report-FINAL.pdf>.

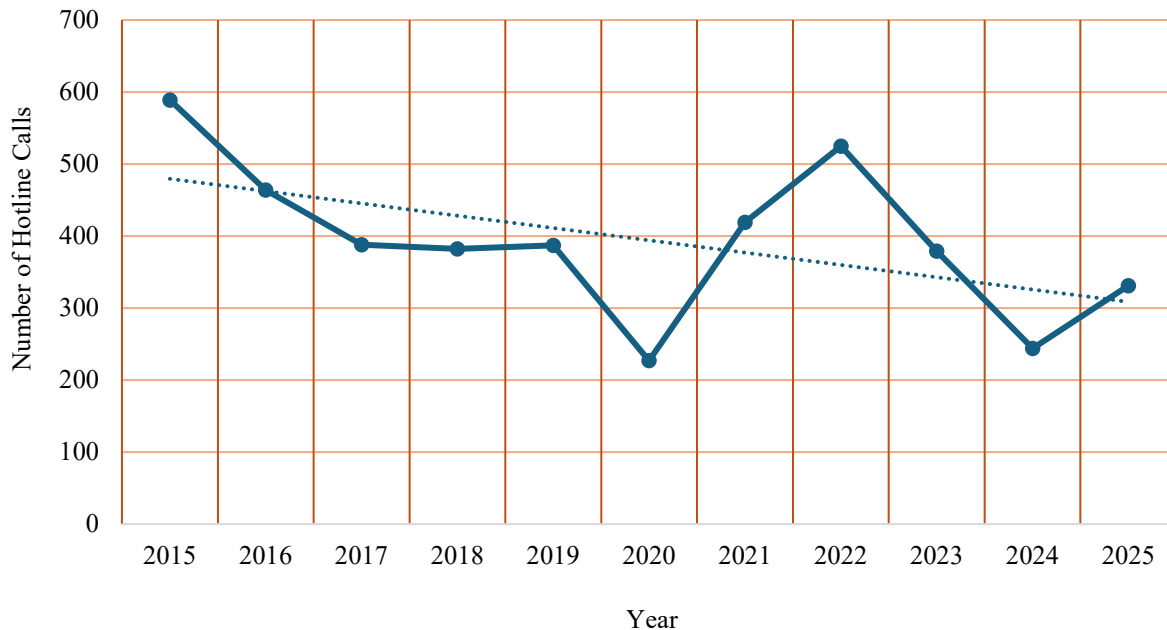
⁴²⁰ *Infra* pp. 73-74.

Graph 1
Number of Calls Placed to Gambling Hotline with Internet Gambling Reported as
“Most Problematic Form of Gambling”
Pennsylvania
2015-2025



Source: Compiled by JSGC staff using the Council on Compulsive & Problem Gambling of Pa. Ann. Reps. (2015-2025).

Graph 2
Number of Calls Placed to Gambling Hotline with Slot Machines Reported as
“Most Problematic Form of Gambling”
Pennsylvania
2015-2025



Source: Compiled by JSGC staff using the Council on Compulsive & Problem Gambling of Pa. Ann. Reps. (2015-2025).

Self-Exclusion

“Self-exclusion” is a process by which “individuals voluntarily ban themselves from casinos, internet-based gambling, video gaming terminals and fantasy sports wagering.”⁴²¹ By filling out a request form digitally or in-person, an individual who has identified that their gambling is problematic can choose to ban any participation. Opting for self-exclusion prohibits that individual from collecting winnings, recovering losses, or accepting items of value from gambling operators.⁴²² It additionally can be one of the most beneficial ways to remove the opportunity to gamble, as violation of self-exclusion is a criminal offense.⁴²³

⁴²¹ Pa. Gaming Control Bd., Self-Exclusion, <https://responsibleplay.pa.gov/self-exclusion/> (last visited May 27, 2026).

⁴²² *Id.*

⁴²³ *Id.*

The Commonwealth established the ability to self-exclude from land-based casino games *ab initio*.⁴²⁴ During the program’s first four years, there were 2,000 requests to self-exclude.⁴²⁵ Enrollment in the program remained relatively consistent between 2011 and 2018, with an expected linear increase that can be accounted for as more gambling locations were created and more individuals spread word about the program. Internet-based gambling (including slots, poker, and table games) was legalized in 2017.⁴²⁶ While this legalization meant that the number of people and opportunities to gamble was likely to increase the number of self-exclusions, the rate and volume of requests warrants additional concern.

The program has proven an effective tool at curbing problem and compulsive gambling but relies upon an individual’s ability to recognize having a problem in the first place. It often comes much too late for gamblers, as barring themselves from gambling only, “is designed to pull people from, the river once they are drowning rather than requiring guardrails to make sports gambling products less dangerous.”⁴²⁷ Though gambling operators in this metaphor have “saved” the consumer, it does not prevent the earlier harm.

Tardy self-recognition of a problem is common among individuals experiencing an addiction, as a byproduct of the disorder causes the person to have a diluted perception of its severity and is one reason interventions can become necessary. “[T]he industry’s campaigns are framed around ‘education’ and ‘awareness,’ implying consumer ignorance is the main driver of gambling addiction.”⁴²⁸

Self-exclusion can be a final effort for an individual with a gambling addiction to be liberated from his addiction. After spending a significant amount of time and mental effort on the process to self-exclude within one’s own state, an individual who lives by a state border only needs to drive a few minutes up the road and to regain access to another gambling fix. This is only a single instance where holes in the self-exclusion process could open the door for someone to relapse. Think about individuals who travel frequently for work. They might be attending conferences around the county several times a month, with no pattern as to where they will be sent next.

⁴²⁴ 4 Pa.C.S. § 1514.

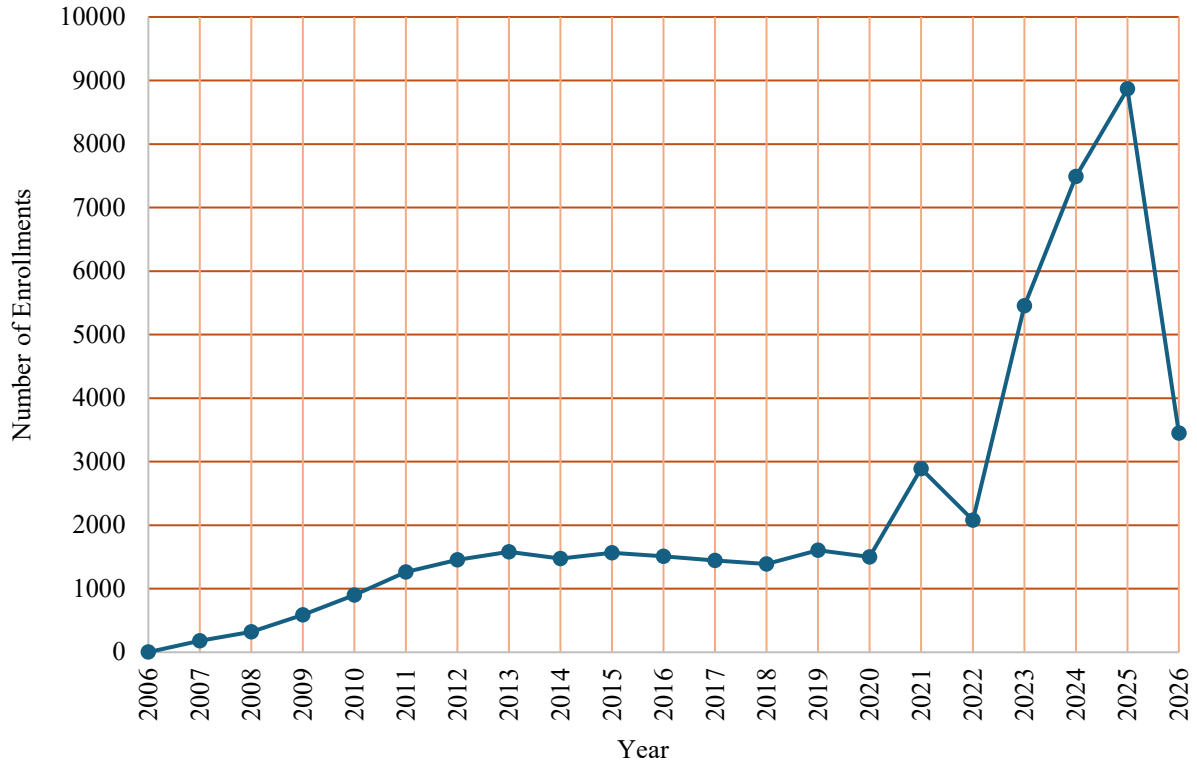
⁴²⁵ Pa. Gaming Control Bd., Press Release, *Two-thousand Persons Now Helped Through PA Gaming Control Bd.’s Casino Self-Exclusion List* (Jan. 26, 2011), <https://gamingcontrolboard.pa.gov/news-and-transparency/press-release/two-thousand-persons-now-helped-through-pa-gaming-control>.

⁴²⁶ Act of Oct. 30, 2017 (P.L.419, No.42).

⁴²⁷ Richard A. Daynard *et al.*, *Mass. Makes a Losing Bet on Gambling*. The Boston Globe, <https://www.bostonglobe.com/2022/08/15/opinion/massachusetts-makes-losing-bet-gambling/> (updated Aug. 15, 2022).

⁴²⁸ Campaign for Accountability. *The Online Gambling Industry’s Two-Faced Effort to Kill Consumer Protections* 9 (2025), <https://campaignforaccountability.org/wp-content/uploads/2025/04/Campaign-for-Accountability-Gambling-Report-4.15.25.pdf>.

Graph 3
Number of Gambling Self-Exclusion Program Enrollments
Pennsylvania
2006-2026¹



1. As of April 2026.

Source: Pa. Gaming Control Bd., Self-Exclusion Enrollment Data, Microsoft Power BI,
<https://app.powerbigov.us/view?r=eyJrIjojYWWRmYmIzZDQtNjAwYS00MTFhLTBlNmQtMGU5MGJhM2FmMjY4IiwidCI6IjQxOGUyODQxLTAxMjgtNGRkNS05YjZjLTQ3ZmM1YTlhMWJkZS99> (last visited Ap. 30, 2026).

Gambling-related debt is a major contributor associated with the mental health repercussions of problem gambling. Many of those who acquire this type of debt tend to gamble more to make up for their losses only to add losses rather than recover them. Previous research highlights a unique relationship behind problem gamblers and their ability to problem solve once they begin to accumulate debt. “[P]articularly in the case of indebtedness, continued gambling is not only the cause but also the perceived solution to financial problems.”⁴²⁹ One study by researchers Marionneau and Nikkinen included categorization of previous literature surrounding suicide and gambling, by evaluating an individual suicide or attempt, the confounding variables that may have also contributed to the suicide, and the treatment that was received in response to the individuals’ gambling issues.⁴³⁰ “The qualitative research evidence summarized in this study indicates that the two main processes that connect gambling to suicide or suicidality are indebtedness and shame.”⁴³¹ In 19 of 20 studies reviewed, “gambling-related harms were seen as the main reason for a suicide;” however, “14 . . . of the 20 studies included discussion on confounding factors or co-occurring diagnoses that may have also contributed to suicidal behavior.”⁴³² The shame of indebtedness and the perceived solution of continued gambling to solve that financial problem combine to form a barrier to treatment.⁴³³

The only way to effectively prevent extreme gambling related harms, such as suicidality, and the processes of indebtedness and shame that connect to it, appears to be shifting perspective in regulation toward a more comprehensive public health approach and prevention at a population level to relieve the blame on individuals. Gambling has become widely accessible across the world.⁴³⁴

Gambling as a Financial Risk

In an analysis of the California Consumer Credit Panel, researchers from the University of California, Los Angeles, and the University of Southern California found an increase in the number of individuals filing for bankruptcy when sports betting was made more accessible.⁴³⁵ Other determinants of an individual’s financial security could be changes to one’s credit score,

⁴²⁹ Virve Marionneau & Janne Nikkinen, *Gambling-Related Suicides & Suicidality: A Systematic Rev. of Qualitative Evidence* 9, *Frontiers in Psychiatry* (Oct. 2022), 980303, <https://doi.org/10.3389/fpsy.2022.980303>.

⁴³⁰ *Id.* at 5-7.

⁴³¹ *Id.* at 8.

⁴³² *Id.* at 3, 7.

⁴³³ *Id.* at 9.

⁴³⁴ *Id.*

⁴³⁵ Brett Hollenbeck *et al.*, *The Financial Consequences of Legalized Sports Gambling 18-20* (Feb. 22, 2026), <https://papers.ssrn.com/abstract=4903302>.

having credit card or loan payment delinquencies, or even the opening of a debt consolidation loan.⁴³⁶ From analyzing a database of approximately seven million individuals, “when we focus on the effects of online access to sports gambling relative to retail, we find increases in bankruptcy rates (roughly 25%), credit card and auto loan delinquencies (roughly 25% and 27%, respectively), and collections on accounts (9%).”⁴³⁷

Legalized Sports Betting Impact on Consumption

A recent paper was published on a study of “the impact of legalized sports betting on betting intensity and consumer credit outcomes across U.S. states, with a particular focus on spillovers across state lines into states where betting remains illegal.”⁴³⁸ Legalization of sports betting was estimated to “increase total sportsbook spending roughly tenfold . . . that continue to grow over time.”⁴³⁹ Spillovers from “neighboring counties located in states where betting is illegal” are substantial.⁴⁴⁰ The study found “some evidence that legalization lowers credit scores, but the effect is delayed and takes several years to be realized in the overall average.”⁴⁴¹ “[L]egalization” also “increases delinquency rates.”⁴⁴² While the increases in the delinquency rates were small, a calculation of the active sports bettors after legalization “implies delinquency increases of 10 percentage points among induced bettors.”⁴⁴³ Among younger customers, “the increase in delinquency is driven primarily by auto loan and credit card delinquencies.”⁴⁴⁴ With “much of the betting-related financial distress . . . already occurring through cross-border access” in states with spillover bettors from neighboring states that have not legalized sports betting, new tax revenue can be substantial “while adding relatively few new delinquencies.”⁴⁴⁵ The “optimal corrective taxes must account not only for external harms imposed others, but also for harms that consumers with self-control problems impose on their future selves.”⁴⁴⁶ There have been “a small number of studies estimating the causal effects of betting access on economic and financial outcomes.”⁴⁴⁷ One published in 2024 found “only small effects of sports betting legalization on consumption, but larger crowd-out effects on investment.”⁴⁴⁸ Another one published the same year, found “worsening credit outcomes after sports betting legalization, especially for online sports betting.”⁴⁴⁹ A third published in 2024 found “that legalization mechanically raises tax and

⁴³⁶ *Id.* at 11-13.

⁴³⁷ *Id.* at 1, 3. “The rise in bankruptcy rates translates to . . . roughly 30,000 more personal bankruptcies in the U.S. per year.” *Id.* at 3.

⁴³⁸ Jacob Goss & Daniel Mangrum, *Sports Betting Across Borders: Spatial Spillovers, Credit Distress, & Fiscal Externalities* 1, Fed. Reserve Bank of N. Y. Staff Reports, no. 1184, (Mar. 2026), https://www.newyorkfed.org/medialibrary/media/research/staff_reports/sr1184.pdf?sc_lang=en.

⁴³⁹ *Id.*

⁴⁴⁰ *Id.* at 1-2.

⁴⁴¹ *Id.* at 2.

⁴⁴² *Id.*

⁴⁴³ *Id.* The assumption is an impact “through betting take-up” rather than “systematic different financial trajectories” from “prior to legalization.” *Id.*

⁴⁴⁴ *Id.*

⁴⁴⁵ *Id.* at 3. “This asymmetry may push states toward legalization even when the social costs of betting may exceed tax revenues in isolation, because each state compares legalization to a status quo in which it already bears costs without revenue.” *Id.* at 5.

⁴⁴⁶ *Id.* at 3. (citation omitted)

⁴⁴⁷ *Id.* at 4.

⁴⁴⁸ *Id.*

⁴⁴⁹ *Id.* “This includes reductions in credit scores, delinquencies, bankruptcies and collections.” *Id.*

sportsbook revenue and document increases in irresponsible betting behavior driven by lower income households.”⁴⁵⁰

“The rapid expansion of” sports betting “has prompted growing concern about its potential negative externalities, particularly in an era of ubiquitous digital access.”⁴⁵¹

⁴⁵⁰ *Id.*

⁴⁵¹ *Id.* at 7.

GAMBLING EMPLOYEE PROTOCOL

The Pennsylvania Code outlines the topics that gambling operators are required to include within their employee training protocols. However, the operators' have discretion over how this training is presented. The code's rules are extensive and encompass general requirements, a compulsive and problem gambling plan, employee training program, responsible gaming self-limits, reports, and website requirements for gambling operators. The Pennsylvania Gaming Control Board provides oversight to ensure that employees are being provided with the information needed to serve gambling consumers. However, the way that employees conduct themselves on a day-to-day basis cannot be directly supervised by the Gaming Control Board.

The gap between identifying problem gambling behaviors and effective intervention resultant in continued interactive wagering can lead to gambling disorder. To evaluate where there are gaps in employee-led intervention for gambling consumers, it is necessary to evaluate whether it is a failure to intervene or if the intervention itself is flawed. Despite employees having a legal obligation to engage in responsible gambling training and being shown the signs that an individual may be experiencing problem gambling behaviors, the infrequency of audits and other reviews in this area may cause some individuals to fall through the cracks.

The current rules applicable to gambling operators that relate to compulsive and problem gambling are detailed below. They are extensive but will become even more robust if the gaming control board's proposed amendments to these rules are promulgated.⁴⁵²

Current Rules in 58 Pa. Code pt. VII that Address Compulsive and Problem Gambling

Interactive gaming operators must commit to training appropriate employees as part of their compulsive and problem gambling plan.⁴⁵³ "The duties and responsibilities of the employees designated to implement or participate in the plan" must be included in the plan's policies and procedures.⁴⁵⁴ The plan must include "[p]rocedures to identify registered players and employees with suspected or known compulsive and problem gambling behavior."⁴⁵⁵ The plan must include "[a]n employee training program . . . including training materials to be utilized and a plan for annual reinforcement training."⁴⁵⁶ The plan must also have "[a] certification process established by the interactive . . . gaming operator to verify that each employee has

⁴⁵² 56 Pa. Bull. 4133 (July 11, 2026), https://www.pacodeandbulletin.gov/secure/pabulletin/data/vol56/56-28/56_28_prm.pdf.

⁴⁵³ 58 Pa. Code § 814a.3(b)(3)(i).

⁴⁵⁴ *Id.* § 814a.3(b)(3)(ii).

⁴⁵⁵ *Id.* § 814a.3(b)(3)(iv).

⁴⁵⁶ *Id.* § 814a.3(b)(5).

completed the” required training.⁴⁵⁷ These compulsive and problem gambling plans must “be approved by the Director of the Office of Compulsive and Problem Gaming” at the Pennsylvania Gaming Control Board.⁴⁵⁸ “Compliance with the” approved “plan” is “a condition of interactive gaming . . . license renewal.”⁴⁵⁹ Amendments to these plans must be submitted to the Director of the Office of Compulsive and Problem Gaming at least 30 days prior to their implementation to give the Director time to object or delay their implementation (unless they are approved).⁴⁶⁰

The annually required employee training program . . . must include instruction on . . . :

- (1) Characteristics and symptoms of compulsive behavior, including compulsive and problem gambling.
- (2) The relationship of gambling disorders to other addictive behavior.
- (3) The social and economic consequences of a gambling disorder, including debt, treatment costs, suicide, criminal behavior, unemployment and domestic issues.
- (4) Techniques to be used when a gambling disorder is suspected or identified.
- (5) Techniques to be used to discuss a gambling disorder with registered players and advise registered players to contact 1-800-GAMBLER to receive information regarding community, public and private treatment services.
- (6) Procedures for suspending an interactive gaming account belonging to an underage individual or a person on the interactive gaming self-exclusion list, if necessary, procedures that include obtaining the assistance of appropriate law enforcement personnel.
- (7) Procedures for preventing an excluded person or a person on the interactive gaming self-exclusion list from being mailed any advertisement, promotion or other target mailing no later than 5 business days after receiving notice from the Board that the person has been placed on the interactive gaming self-exclusion list.
- (8) Procedures for preventing an individual under 21 years of age from receiving any advertisement, promotion or other target mailing.
- (9) Procedures to prevent an individual under 21 years of age or a person on the interactive gaming self-exclusion list from having access to or from receiving complimentary services, or other like benefits.⁴⁶¹

“Training and training materials” must “be updated annually and include current research and information on responsible and problem gambling.”⁴⁶² Prior to an employee’s “start of . . . job duties,” training on responsible and problem gambling must “be conducted by a person with specialized knowledge, skill, training and experience in responsible gaming employee training programs.”⁴⁶³ If the orientation training is online, “the training” must “be created and maintained by a person with specialized knowledge, skill, training and experience in responsible gaming

⁴⁵⁷ *Id.* § 814a.3(b)(6).

⁴⁵⁸ *Id.* § 814a.3(c).

⁴⁵⁹ *Id.* § 814a.3(d).

⁴⁶⁰ *Id.* § 814a.3(f), (g).

⁴⁶¹ *Id.* § 814a.4(a).

⁴⁶² *Id.* § 814a.4(b).

⁴⁶³ *Id.* § 814a.4(c).

employee training programs.”⁴⁶⁴ The interactive gaming operator must certify its trained employees “upon completion of the training.”⁴⁶⁵ Starting the next year after the year of hire, employees must “receive periodic reinforcement training at least once every calendar year” with “[t]he date of the reinforcement training . . . recorded in each employee’s personnel file.”⁴⁶⁶ Employees must “report persons with a suspected or identified gambling disorder to a . . . supervisory employee.”⁴⁶⁷ An “interactive gaming operator” may have “policies or procedures . . . that are more stringent than those listed in these regulations, including stricter rules for those who sign up for a self-exclusion list.”⁴⁶⁸

Reports summarizing interactive gaming operators’ compulsive and gambling programs must be submitted annually “to the Director of the Office of Compulsive and Problem Gaming” minimally containing:⁴⁶⁹

- (1) Dates of training, the number of employees trained and who conducted the training.
- (2) The amount spent on the Compulsive and Problem Gambling Plan for all of the following:
 - (i) Employee training.
 - (ii) Outreach including community training and sponsorships.
- (3) Additional information including all of the following:
 - (i) The number of underage individuals who were denied interactive gaming access.
 - (ii) The number of self-excluded individuals who were denied interactive gaming access.
 - (iii) A summary of any community outreach conducted by the certificate holder/operator licensee.

“A sports wagering . . . operator must comply with the compulsive and problem gambling provisions of” 58 Pa. Code Subparts I (relating to compulsive and problem gambling) and L (relating to interactive gaming) “regarding its retail and interactive or mobile sportsbooks.”⁴⁷⁰ The provisions in subpart L are summarized in the preceding pages covering interactive gaming operators.⁴⁷¹ Subpart I applies to slot machine licensees, and, by extension, to sports wagering operators.

Sports wagering operators must commit to training appropriate employees as part of their compulsive and problem gambling plan.⁴⁷² “The duties and responsibilities of the employees designated to implement or participate in the plan” must be included in the plan’s policies and procedures.⁴⁷³ The plan must also include “[p]rocedures to identify patrons and employees with

⁴⁶⁴ *Id.*

⁴⁶⁵ *Id.* § 814a.4(d).

⁴⁶⁶ *Id.* § 814a.4(e).

⁴⁶⁷ *Id.* § 814a.4(f).

⁴⁶⁸ *Id.* § 814a.4(i).

⁴⁶⁹ *Id.* § 814a.5.

⁴⁷⁰ *Id.* § 1410a.1(a).

⁴⁷¹ *Supra* pp. 81-83.

⁴⁷² 58 Pa. Code § 501a.2(d)(3)(i).

⁴⁷³ *Id.* § 501a.2(d)(3)(ii).

suspected or known compulsive and problem gambling behavior.”⁴⁷⁴ The plan must include “[a]n employee training program . . . including training materials to be utilized and a plan for periodic reinforcement training.”⁴⁷⁵ The plan must also have “[a] certification process established by the . . . licensee to verify that each employee has completed the” required training.⁴⁷⁶ These compulsive and problem gambling plans must be approved by the Director of the Office of Compulsive and Problem Gambling at the Pennsylvania Gaming Control Board.⁴⁷⁷ “Compliance with the” approved “plan” is “a condition of license renewal.”⁴⁷⁸ Amendments to these plans must be submitted to the Director of the Office of Compulsive and Problem Gambling at least 30 days prior to their implementation to give the director time to object or delay their implementation (unless they are approved).⁴⁷⁹

The periodically required employee training program must include instruction in . . . :

- (1) Characteristics and symptoms of compulsive behavior, including compulsive and problem gambling.
- (2) The relationship of compulsive and problem gambling to other addictive behavior.
- (3) The social and economic consequences of compulsive and problem gambling, including debt, treatment costs, suicide, criminal behavior, unemployment and domestic issues.
- (4) Techniques to be used when a compulsive and problem gambling is suspected or identified.
- (5) Techniques to be used to discuss compulsive and problem gambling with patrons and advise patrons regarding community, public and private treatment services.
- (6) Procedures designed to prevent serving alcohol to visibly intoxicated gaming patrons.
- (7) Procedures designed to prevent persons from gaming after having been determined to be visibly intoxicated.
- (8) Procedures for the dissemination of written materials to patrons explaining the casino self-exclusion program, described in Chapter 503a (relating to casino self-exclusion).
- (9) Procedures for removing an excluded person, an underage individual or a person on the casino self-exclusion list from a licensed facility including, if necessary, procedures that include obtaining the assistance of appropriate law enforcement personnel.
- (10) Procedures for preventing an excluded person or a person on the casino self-exclusion list from being mailed any advertisement, promotion or other target mailing no later than 5 business days after receiving notice from the Board that the person has been placed on the excluded person or casino self-exclusion list.

⁴⁷⁴ *Id.* § 501a.2(d)(3)(iv).

⁴⁷⁵ *Id.* § 501a.2(d)(5).

⁴⁷⁶ *Id.* § 501a.2(d)(6).

⁴⁷⁷ *Id.* § 501a.2(b).

⁴⁷⁸ *Id.* § 501a.2(c).

⁴⁷⁹ *Id.* § 501a.2(g), (h).

(11) Procedures for preventing an individual under 21 years of age from receiving any advertisement, promotion or other target mailing.

(12) Procedures to prevent an excluded person, an individual under 21 years of age or a person on the casino self-exclusion list from having access to or from receiving complimentary services, or other like benefits.

(13) Procedures to prevent an excluded person, an individual under 21 years of age or a person on the casino self-exclusion list from cashing checks.⁴⁸⁰

“Training and training materials” must “be updated annually and include current research and information on responsible and problem gambling.”⁴⁸¹ “[A]s part of an employee’s orientation,” the training on responsible and problem gambling must “be conducted by a person with specialized knowledge, skill, training and experience in responsible gaming employee training programs.”⁴⁸² The licensee must certify its trained employees “upon completion of the training.”⁴⁸³ Starting the next year after the year of hire, employees must “receive periodic reinforcement training at least once every calendar year” with “[t]he date of the reinforcement training . . . recorded in each employee’s personnel file.”⁴⁸⁴ Employees must “report suspected or identified compulsive or problem gamblers to a . . . supervisory employee.”⁴⁸⁵

Reports summarizing licensees’ compulsive and gambling programs must be submitted annually to the Director of the Office of Compulsive and Problem Gambling minimally containing:⁴⁸⁶

Dates of training for compulsive gambling, the number of employees trained and who conducted the training; and, the same information for responsible alcohol training.

(2) An estimated amount of printed materials provided to patrons regarding:

- (i) Compulsive and problem gambling.
- (ii) The casino self-exclusion program.
- (iii) Responsible gaming.
- (iv) Available treatment services.

(3) The amount spent on the Compulsive and Problem Gambling Plan for:

- (i) Employee training.
- (ii) Printed materials.
- (iii) Outreach including community training and sponsorships.

(4) Additional information including:

- (i) The number of underage individuals who were denied access to the gaming floor.
- (ii) The number of casino self-excluded individuals who were discovered on the gaming floor at the licensed facility.

⁴⁸⁰ *Id.* § 501a.3(a).

⁴⁸¹ *Id.* § 501a.3(b).

⁴⁸² *Id.* § 501a.3(c).

⁴⁸³ *Id.* § 501a.3(d).

⁴⁸⁴ *Id.* § 501a.3(e).

⁴⁸⁵ *Id.* § 501a.3(f).

⁴⁸⁶ *Id.* § 501a.4.

- (iii) The number of signs within the licensed facility that contain the approved problem gambling statement and helpline number.
- (iv) A summary of any community outreach conducted by the licensee.

FURTHER REGULATION

This section covers the constitutionality of advertising restrictions.⁴⁸⁷ It also summarizes proposed rule amendments from the Pennsylvania Gaming Control Board that are published for public comment.⁴⁸⁸

Advertising

Any attempt to regulate sports betting advertisements in the Commonwealth must survive intermediate, judicial scrutiny under U.S. Const. amend. I and Pa. Const. art. I, § 7. The Commonwealth's constitutional right of free speech is generally considered coextensive with the same constitutional freedom nationally, though it has occasionally been interpreted to offer even broader protections for commercial speech.

For any commercial speech regulation to survive a constitutional challenge, "a four-part analysis has developed" and was articulated in *Cen. Hudson Gas & Elec. Corp. v. Pub. Serv. Comm'n of N. Y.*: (1) the commercial speech must concern lawful activity and not be misleading, (2) the government asserts a substantial interest for the regulation, (3) the regulation directly advances that interest, and (4) the regulation is not more extensive than necessary to serve that interest.⁴⁸⁹

The fourth prong is often the most heavily litigated. The restrictions do not need to be the "least restrictive means conceivable," but there must be a "reasonable" fit between the restriction and the government's interest.⁴⁹⁰ "Accordingly, the government must consider alternatives to regulating speech to achieve its ends. In this regard, any commercial speech restrictions must be 'necessary as opposed to merely convenient means of achieving [the government's] interests' The scope of the restriction is permissible, however, if the government 'carefully calculated' the costs and benefits associated with the burden on speech imposed by its prohibition."⁴⁹¹ In *W. Va. Ass'n of Club Owners & Fraternal Servs. v. Musgrave*, a federal appellate court upheld advertising restrictions largely because the state had already implemented numerous non-speech alternatives, such as cash machine limits, educational campaigns, and compulsive gambling treatment.⁴⁹²

⁴⁸⁷ *Infra* pp. 87-92.

⁴⁸⁸ *Supra* note 452.

⁴⁸⁹ 447 U.S. 557, 566 (1980).

⁴⁹⁰ *W. Va. Ass'n of Club Owners & Fraternal Servs. v. Musgrave*, 553 F.3d 292, 305 (4th Cir. 2009) (citing *Greater New Orleans Broadcasting Ass'n v. U.S.*, 527 U.S. 173, 188 (1999)).

⁴⁹¹ *Id.*, 553 F.3d at 305 (quoting *Thompson v. W. States Med. Cen.*, 535 U.S. 357, 373, (2002)).

⁴⁹² *Id.*, 553 F.3d at 306.

Targeting Minors

When it comes to minors, the courts have consistently recognized that preventing youth exposure to advertising for age-restricted products is a substantial governmental interest. For example:

- In *Anheuser-Busch v. Schmoke*, the court upheld a Baltimore ordinance prohibiting advertising of alcoholic beverages in areas where children are likely to walk to school or play.⁴⁹³ The court concluded that this outdoor advertising ban “in limited areas directly and materially advanced Baltimore’s interest in promoting the welfare . . . of minors” and “concluded that the regulation” was “not more extensive than necessary” because “numerous other means of advertising” means remained available to reach adults.⁴⁹⁴
- In *Seattle Events v. Wash.*, the court upheld 1,000-foot buffer zones for marijuana advertisements, finding it directly minimized youth exposure in areas where children congregate.⁴⁹⁵

Targeted restrictions on sports betting ads are constitutionally viable. Because preventing youth exposure to age-restricted products is a recognized substantial government interest, Pennsylvania can enact tighter regulations, provided they are narrowly tailored to protect children without unnecessarily burdening commercial speech. Tighter regulations addressing this are being proposed by the Pennsylvania Gaming Control Board.⁴⁹⁶

Currently, several states have explicit regulations addressing betting ads targeting minors. However, the *status quo* is likely to face tougher restrictions nationwide. The current landscape includes these states:

- **Colorado:** Bans operations from targeting underage persons or creating content whose message and graphics are clearly meant for an underage audience and in media where the majority of the audience are known to be underage.⁴⁹⁷
- **Maine:** Offers comprehensive rules, prohibiting ads that appeal specifically to those under 21, prohibiting ads at a university campus in a way to reach an audience primarily under age 21 (unless it is generally available advertising), banning the distribution of flyers to minors, prohibiting wagering logos on toys or clothing intended for youth, and requiring a strict 21+ disclaimer.⁴⁹⁸

⁴⁹³ 101 F.3d 325, 327-30 (4th Cir. 1996).

⁴⁹⁴ *Id.* at 327-28.

⁴⁹⁵ 512 P.3d 926, 928, 936-38 (Wash. App. 2022).

⁴⁹⁶ Pa. Gaming Control Bd., Proposed Rulemaking 125-258, *supra* note 452.

⁴⁹⁷ 1 Colo. Code Regs. § 207-2:9.4(3).

⁴⁹⁸ 16-633 Code Me. R. ch. 64, (3)(D-J).

- **Missouri:** Constitutionally requires operators to employ "commercially reasonable methods" to ensure ads do not purposefully target minors.⁴⁹⁹
- **Ohio:** Bans sports gaming ads from depicting someone under age 21, unless it is an athlete in a sporting event that is legal on which to bet, and may not target individuals under age 21.⁵⁰⁰
- **Virginia:** Explicitly prohibits ads from targeting "persons under the age of 21."⁵⁰¹

The massive influx of sports betting advertising during live sports broadcasts has saturated the market. Because sports naturally attract a substantial underage audience, the line between general advertising and advertising that appeals to minors is blurring. Under the *Cen. Hudson Gas & Elec. Corp.* framework, protecting minors is an established priority. Also, as gambling addiction rates rise with the prevalence of gambling, states possess the requisite "substantial interest" to justify moving from passive regulations in which they mandate ads "not to purposefully target" to active, structural restrictions.

University Campus Advertisements and the Ohio Model

Targeting college and university campuses with sports betting advertisements raises significant constitutional and regulatory concerns regarding underage exposure. For example, Ohio explicitly prohibits sports gaming proprietors from advertising or promoting on college or university campuses within the state, excepting generally available television, radio, and digital advertising.⁵⁰² Any advertisement shown to target a university campus in Ohio violates the Ohio Administrative Code.⁵⁰³ Restricting ads on Pennsylvania university campuses is likely legally sound because of the congregation of underage students and could directly advance the state's recognized substantial interest in preventing illegal underage gambling. In 2024, the Pennsylvania Gaming Control Board's director for its Office of Compulsive and Problem Gambling issued industry guidance to operators (including interactive and sports wagering) in the Commonwealth after becoming aware of advertising and sponsorships at universities that could entice underage individuals to gamble.⁵⁰⁴ Accordingly, the office concluded that this advertising and sponsorships "could adversely impact the public" and notified the operators to discontinue this marketing.⁵⁰⁵ In doing so, the office cited 58 Pa. Code 501a.7(b) as its authority for the notification. This effectively interprets the broadly worded rule relating to advertising similarly to the specifically worded rule in Ohio. If the board promulgates an explicit rule relating to advertising at university campuses and events as proposed, it would likely be constitutional because it is calculated to prevent marketing to the underage population congregating there.

⁴⁹⁹ Mo. Const. art. III, § 39(g)14.b(1).

⁵⁰⁰ Ohio Admin. Code § 3775-16-08(B).

⁵⁰¹ Va. Code Ann. § 58.1-4034(E)(1-4).

⁵⁰² Ohio Admin. Code 3775-16-08(E).

⁵⁰³ Ohio Admin. Code 3772-13-02(C).

⁵⁰⁴ Letter from Elizabeth Lanza, Dir. Office of Compulsive & Problem Gambling, Pa. Gaming Control Bd., to slot machine licensees *et al.* (Sept. 24, 2024) (on file with J. State Gov't Comm'n).

⁵⁰⁵ *Id.* It is staff's understanding that the Pa. Gaming Control Board allows permanently affixed signage at university venues that attract general audiences instead of more student-centered audiences.

Direct Gambling Marketing

Digital Extension of Floor Prohibitions (Logged-in Promos). The proposal to prohibit marketing notifications or promotional incentives communicated to players by text, email, or other means while a player is logged into an account could be recommended as a digital extension of existing physical restrictions. Under 58 Pa. Code § 501a.7(a), licensees are forbidden from contracting with an entity to persuade a person on a gaming floor from playing a particular table or slot. Interactive gaming operators in the Commonwealth must comply with § 501a.7⁵⁰⁶ and sports wagering operators must comply with the advertising requirements of 58 Pa. Code subpt. I, which includes ch. 501a. Implementing a digital equivalent targets the localized environment of a user's active session. Evaluated under the *Cen. Hudson Gas & Elec. Corp.* framework, this would likely be constitutionally viable. By preventing targeted push notifications while a user is actively engaging with the platform, the restriction directly advances the government's substantial interest in mitigating compulsive in-play gambling behaviors without entirely prohibiting the operator's ability to advertise outside the application.

Logged-off Promos. “[I]ndividuals with a current or past gambling disorder frequently receive direct marketing messages, often several times a day, through emails, text messages and phone calls.”⁵⁰⁷ Previous correlational data existed between “direct marketing appeals and gambling behaviours that put people at risk of harm.”⁵⁰⁸ A randomized experiment in Australia designed to provide evidence of a causal role, found that “those who opted out of direct messages placed 23% fewer bets than those who had not opted out” and “those who had opted out of direct messages spent 39% less than those in the control group.”⁵⁰⁹ There was “a decrease of 67% in short-term harm for those who opted out of receiving direct messages. . . . Across all outcomes, the opt-out intervention was associated with significantly lower gambling intensity.”⁵¹⁰ The findings in this study “show that direct marketing amplifies betting and harm within a customer base that operators already have. Moreover, the size of the effects suggests that direct marketing is likely to be a highly cost-effective means of extracting more spend from gambling customers and that this spending results in additional harm.”⁵¹¹ While some gamblers more deliberately engage in promotional offers, others escalate their betting volume and intensity.⁵¹² These observations led to a suggestion of opting in rather than opting out of direct marketing, capping the frequency of direct marketing messages, and restricting limited-time inducements.⁵¹³ This study was limited to online sports and race betting over a 14-day period using those with an active online wagering account.⁵¹⁴

⁵⁰⁶ 58 Pa. Code § 813a.2(a).

⁵⁰⁷ Matthew Rockloff *et al.*, *Direct Gambling Marketing, Direct Harm: A Randomized Experiment*, 121 *Addiction* 1907, 1908 (2026), <https://onlinelibrary.wiley.com/doi/epdf/10.1111/add.70369>.

⁵⁰⁸ *Id.* at 1909.

⁵⁰⁹ *Id.* at 1912.

⁵¹⁰ *Id.* at 1912-1913.

⁵¹¹ *Id.* at 1915-1916.

⁵¹² *Id.* at 1916.

⁵¹³ *Id.*

⁵¹⁴ *Id.* at 1909.

Frequency Capping & "Back-to-Back" Ad Bans

Sportsbook commercials frequently run back-to-back ads during television timeouts to capture consumer attention.⁵¹⁵ Capping advertising frequency could directly advance public health goals by reducing the repetitive exposure that might exacerbate problem gambling. If restricting back-to-back ads directly advances the interest of protecting consumers (and minors) from problem gambling, this restriction would be a reasonable fit under *Cen. Hudson Gas & Elec. Corp.* because it lessens saturation without completely silencing the operator's commercial speech. All media channels might not be subject to state regulation on this. Broadcasters are federally licensed, which could result in federal preemption of state-mandated restrictions on their broadcasts. "National standards represent the only realistic way to address the quantity or the content of ads."⁵¹⁶

House Resolution No. 60 mentions marketing including:

- In-game advertisements
- Promotional offers
- The use of celebrity endorsements and professional athletes⁵¹⁷

The concerns outlined in the resolution are constitutionally actionable. If empirical data showing that in-game advertisements and celebrity endorsements disproportionately appeal to minors and increase underage gambling, the Commonwealth would have the evidentiary backing required by *Cen. Hudson Gas & Elec. Corp.* to regulate those specific practices. Gathering this information would ensure that any subsequent restrictions are "carefully calculated" and not merely a convenient regulatory shortcut that could otherwise be unconstitutional.

Constitutional Viability:

Based on constitutional standards, the following list is a breakdown of what would be more or less likely viable.

Highly Viable (Likely to Survive Intermediate Scrutiny):

- Buffer Zones to minimize exposure to an underage audience (similar to *Anheuser-Busch*)
- Content and Merchandise Restrictions: Banning the use of cartoons, celebrities, or placing betting logos on toys and youth clothing (similar to Maine's regulations)

⁵¹⁵ Charles Gillespie, *The New Age of Sports Betting Marketing*, Nasdaq (Feb 1, 2023), <https://www.nasdaq.com/articles/the-new-age-of-sports-betting-marketing#:~:text=Performance%20marketing%20also%20works%20hand,back%20during%20a%20TV%20timeout.>

⁵¹⁶ Cohen, *supra* note 334, at 147.

⁵¹⁷ Sess. of 2025, app. A, *infra* p. 109, at 4.

- Disclaimer Requirements: Mandating clear 21+ disclaimers and addiction resources.

Moderately Viable (Requires Careful Tailoring):

- Frequency Caps (*e.g.*, Banning Back-to-Back Ads): It is viable if the state can demonstrate that it directly mitigates problem gambling or youth exposure without unduly burdening the operator's ability to reach adults.
- "Whistle-to-Whistle" Broadcast Bans: Banning ads entirely during a live sporting event is constitutionally riskier because it heavily suppresses adult-directed speech. To survive, the state must demonstrate that a significant proportion of the audience is underage and that non-speech alternatives are insufficient.

Not Viable (Likely Unconstitutional):

Blanket Bans on all Sports Betting Advertising: Completely banning sports betting ads across a medium, similar to the statutory ban of broadcast “advertisements of private casino gambling that are broadcast by radio or television stations located in Louisiana, where such gambling is legal” are unenforceable and would fail the fourth prong of *Cen. Hudson Gas & Elec. Corp.* for being more extensive than necessary.⁵¹⁸

The Commonwealth attempts to minimize the social costs of gambling while it simultaneously encourages gambling. Commercial speech can be constitutionally restricted in the U.S. but not to the extent it is in other countries because they do not have a commensurate level protection of speech. During the last half century in the U.S., the overall judicial trend has been to expand rather than contract the protection of commercial speech. “There surely are practical and nonspeech-related forms of regulation—including a prohibition or supervision of gambling on credit; limitations on the use of cash machines on casino premises; controls on admissions; pot or betting limits; location restrictions; and licensing requirements—that could more directly and effectively alleviate some of the social costs of casino gambling.”⁵¹⁹ Constitutionally, it is more sound to prohibit underlying conduct than it is to restrict “accurate and nonmisleading information about lawful conduct.”⁵²⁰

⁵¹⁸ *Greater New Orleans Broadcasting Ass’n v. U.S.*, 527 U.S. 173, 176, 188-89 (U.S. 1999).

⁵¹⁹ *Id.* at 192.

⁵²⁰ *Id.* at 195.

***Proposed Rule Amendments
Relating to Compulsive & Problem Gambling***

The Pennsylvania Gaming Control Board proposed rulemaking to update and clarify expectations for the development and implementation of licensees' compulsive and gaming programs.⁵²¹ These proposed amendments are expected to be published soon in the Pennsylvania Bulletin and have a time period so that the public and Independent Regulatory Review Commission may convey any comments.

"[S]ports wagering" operators "must comply with the compulsive and problem gambling provisions of" 58 Pa. Code Pt. VII, "Subparts I and L (relating to compulsive and problem gambling; and interactive gaming) regarding its retail and interactive or mobile sportsbooks."⁵²²

The proposed amendments would amend 58 Pa. Code Pt. VII, subpt. I, ch. 501a (relating compulsive and problem gambling requirements) by adding a section relating to cashless gaming responsible gaming self-limits. Minimally, cashless gaming systems⁵²³ would be required to offer daily, weekly, and monthly limits for deposits for an amount of money, the number of deposits, and the amount of money spent. A temporary suspension of the player's cashless gaming account would have to be offered lasting from 72 hours to at least one year. The player could change these limits but not while the cashless gaming account is suspended.⁵²⁴ Decreases in the limits would have to be effective upon the next login, but increases would not become effective until after the previously limited time period expires and the registered player reaffirms the requested increase. Proposed amendments to § 501a.7 (relating to advertising) would add a subsection to forbid licensees from advertising by targeting individuals removed from suspended or excluded gaming *status*. It would also forbid licensees' advertisements from encouraging players to engage in problematic play, imply that gambling can be a way to pay bills, guaranteeing success, suggesting that longer play or more spending increases the chance of winning, imply skill is a factor if the outcome is not determined by skill, suggest that gambling is free of risk or misrepresents the odds of winning. Advertisements would not be allowed to be so excessively frequent as to saturate the medium or location. Direct advertising would not be allowed if it disproportionately targets groups that have a higher, empirical risk of gambling related harm. Advertisements would be forbidden for audiences with a majority below the legal age to participate in gambling. Advertisements could not describe credit as free if a patron must risk his own money as a condition of being awarded the free credit. Advertisements would also not be allowed to describe a bet as risk-free if the player would have to risk his own money to withdraw winnings on the bet. The proposed amendment would also add subsections to limit exposure of advertising to underage persons by technology limiting access on social media and to electronically notify registered players monthly about available self-imposed limits but not otherwise promote the licensee's commercial offerings. Licensees would have to offer persons the ability to opt out of direct marketing, effective within five business days. The allowance to resume direct marketing could

⁵²¹ Supra note 452. In various places, the amendments would replace the terminology, compulsive and problem gambling, with the term, gambling disorder.

⁵²² 58 Pa. Code § 1410a.1(a).

⁵²³ These include electronic wallets.

⁵²⁴ The player could continue to withdraw funds from the account.

not be accompanied with a promotion to encourage the resumption. Another proposal would amend ch. 501a by adding a section relating to responsible gaming page. This would be required on licensees' webpages and include instructions on where the win/loss statement is on a registered player's account, a phone number for customer assistance to assist individuals to obtain those statements, an e-mail address for the same assistance and a sample win/loss statement to instruct a player how to understand it.

The proposed amendments to 58 Pa. Code ch. 814a (relating to compulsive and problem gambling requirement) are in the subpart for interactive gaming. Proposed rule amendments in the interactive gaming subpart would amend 58 Pa. Code § 812a.9(e) (relating to player account controls). It would replace the current, minimal requirements with more prescriptively required, minimal contents for a responsible gaming page. That page would not require one to log in to an account to access it and would include instructions and a phone number and e-mail address for assistance in obtaining one's win/loss statements. The required self-limitation mechanism in § 812a.9(g)(2) would add a requirement to have a maximum number of deposit transactions in addition to the current deposit limit that a player can specify for a daily, weekly or monthly basis. The proposed amendment to § 812a.9(g)(5) would add required time-based limits for a player to specify for weekly and monthly periods in addition to the current, daily time-based limit. Subsection (g) is proposed to be further amended to add a requirement for an auto-play limit for number of rounds and amount wagered or to totally disallow autoplay. Subsection (g) is proposed to be further amended to add a requirement for a player to opt out of promotions for the time period the player elects. The proposed rule amendment would apply the self-limitations in player account controls jointly or separately for interactive and sports wagering as the player sets.

Additional, proposed rule amendments in the interactive gaming subpart would amend 58 Pa. Code § 812a.11(a) (relating to player account statements). The proposed amendment would double the minimal period from the immediately preceding six to 12 months for detailed account activity to be required to be included in a player's requested interactive gaming account statement. Consistent with 4 Pa.C.S. § 13B27⁵²⁵ (relating to information provided at login), the amended rule would require the summary statement to extend beyond the past year to the account's creation making the win and loss data available in daily, weekly, monthly and yearly breakdowns. Additionally, the data would have to clearly provide real money gaming activity regardless of promotional or bonus play that did not result in real money effects. Aside from the beginning and ending account balances, a current account balance would have to be included in the summary statement. The proposed rule amendment would add a subsection requiring that annual win loss tax documentation be made available to players consistent with the Internal Revenue Service timetable.

Additional, proposed rule amendments in the interactive gaming subpart would amend 58 Pa. Code § 814a.1(e) (relating to general requirements). Currently, interactive gaming software must notify at least hourly *via* pop-up the amount of time since a player's log-in and the amount of money wagered since the log-in. The proposed amendment would require the player to actively

⁵²⁵ This requires an interactive gaming website to include a link (upon login) to access a registered player's interactive gaming account information on: the current amount of funds in the account, wins and losses since the account was established, wins and losses at the beginning and end of the current gaming session, and rules of each interactive game offered.

dismiss the pop-up notification rather than allow the software to automatically dismiss it. Similar to the proposed rule amendment to 58 Pa. Code § 812a.9(e) addressing the responsible gaming page, a proposed amendment to § 814a.1(g)(3) would require compliance with the proposed requirement for a responsible gaming page that would be added to the subpart relating to compulsive and problem gambling. The proposed amendment to § 814a.2(4) (relating to responsible gaming self-limits) would add weekly and monthly time-based limits required to be offered to registered players (in addition to the current daily offer). The proposed amendment to § 814a.2(6) would specify a maximal 12 months for which a registered player must be offered to select for a temporary suspension. The proposed amendment to § 814a.3(b)(5) (relating to compulsive and problem gambling plan) would require the interactive gaming operator to maintain a record of the dates that employees received their annual reinforcement training. The proposed amendment to § 814a.3(f) would double the amount of time from 30 to 60 days for the director of the gaming control board's office of compulsive and problem gambling review and approve interactive gaming operators' compulsive and problem gambling plans. The proposed amendment to § 814a.4(b) (relating to employee training program) would require the gambling disorder training and training material to be evaluated for effectiveness with the annual review done by an appropriately experienced and knowledgeable individual. The proposed amendment to § 814a.4(d) would require interactive gaming operators to maintain records of new and reinforcement training completed by their employees. The proposed amendment to § 814a.4(e) would require interactive gaming operators to maintain a comprehensive training ledger covering all employees in addition to the currently required reinforcement training dates in an employee's personnel file. The proposed amendment to § 814a.4 would also add subsections to minimally specify which employees are subject to the training program upon being hired and then recurrently annually⁵²⁶ and subject the employee training program to the Pennsylvania Gaming Control Board's approval. The proposed amendment to 58 Pa. Code § 814a.5 (relating to reports) would add a subsection to require interactive gaming operators to submit monthly updates on self-imposed limits and responsible gaming to the Pennsylvania Gaming Control Board's director of its office of compulsive and problem gaming. This monthly update would have to include statistics for the number of: self-excluded individuals denied access to interactive gaming, accounts closed for problem gambling, times the interactive gaming operator's problem gaming page was accessed, communications between the operator and players related to responsible gaming, and the number of Pennsylvania accounts using self-imposed limits. The proposed amendment to 58 Pa. Code § 815a.5(a) (relating to certificate holder and operator duties) would require interactive gaming operators to ensure that a self-excluded person's account is closed within two days of notification of that enrollment. It would also require that account to remain deactivated until the person's removal from self-exclusion and that individual requests reactivation of the account. The proposed amendment would also add a subsection to this rule to forbid interactive gaming operator licensees from directly marketing to an individual removed from self-exclusion until that individual requests to receive communications from the licensee or reopens his interactive gaming account.

⁵²⁶ Employees interacting with the public; employees with duties relating to the compulsive and problem gambling plan; employees with gaming related duties; supervisors of these employees.

RECOMMENDATIONS

House Resolution No. 60 directed that this study includes “recommended methods to further regulate” sports betting and related interactive gambling “to reduce problem gambling . . . , gambling debt and the exposure of children to . . . gambling advertisements.”⁵²⁷ If there is sufficient concern now, the General Assembly can enact any number of amendments to address problem gambling. One of the proposals would not have an immediate impact but would likely lead to further amendments.

The primary objective of the Pennsylvania Race Horse Development and Gaming Act “is to protect the public through the regulation and policing of all activities involving gaming.”⁵²⁸ Secondly, authorized “gaming is intended to provide a significant source of new revenue to the Commonwealth,” the success of which depends “upon a regulatory environment which promotes and fosters technological advances and encourages the development and delivery of innovative gaming products.”⁵²⁹ Accompanying the authorization of interactive gaming “to ensure the sustainability and competitiveness of the commercial gaming industry” is the Commonwealth’s declared objective “to take steps to increase awareness of compulsive and problem gambling and to develop and implement effective strategies for prevention, assessment and treatment of this behavioral disorder.”⁵³⁰ Consequently, the declared objective is to “ensure the provision of adequate resources to identify, assess and treat both compulsive and problem gambling and drug and alcohol addiction,” the two of which “are related.”⁵³¹ There are 24 numbered paragraphs of declared objectives of the legislative intent, eight of which address potential problematic outcomes of the enactment and 11 of which encourage continued development of the commercial sector or ensure the benefits of the enactment. Although protecting the public is primary, the benefits are pursued in the recognition that negative outcomes will likely occur but will be addressed both prophylactically and responsively.

In recent years, accessibility of certain resources was adapted to digital platforms due to commercial and technological developments. Although online commerce, including gambling, was accessible pre-pandemic, the resultant digital uptick of commerce during the pandemic has persisted and continues to impact in-person businesses. The ease and ability to trade virtually anywhere has made in-person trade relatively less convenient, with a similar trend extending to brick-and-mortar casinos. Table 4 shows that total gaming revenue continues to trend upward in the Commonwealth, but this is attributable to iGaming revenue with a flattening trend among the other sources of gaming revenue.⁵³² There is no denying that the revenue from online gambling and sports betting can be economically beneficial overall for the states where iGaming is legal.

⁵²⁷ App. A, *infra* p. 109.

⁵²⁸ 4 Pa.C.S. § 1102(1).

⁵²⁹ *Id.*, § 1102(3), (12.1).

⁵³⁰ *Id.*, § 1102(12.2), (13).

⁵³¹ *Id.*, § 1102(14).

⁵³² *Infra* p. 98.

In a July 2025 press release, the Pennsylvania Gaming Control Board reported record-breaking revenue of almost \$6.4 billion from legal gambling during the 2024-2025 fiscal year, almost 39 percent of which was from iGaming.⁵³³ From fiscal years 2023-24 to 2024-25, iGaming revenue increased by 27.09 percent.⁵³⁴ Between the same two fiscal years, the differences in revenue from the other categories of gaming ranged from a decrease of 3.04 percent for retail table games to an increase of 0.7 percent for video gaming terminals (VGT).⁵³⁵

Table 4
The Pennsylvania Gaming Control Board
Fiscal Years 2012-2013 through 2024-2025

Fiscal Year	Slot Machine Revenue	iGaming Revenue	Table Games Revenue	Sports Wagering Revenue	VGT Revenue	Fantasy Sports Contests	Total Gaming Revenue
2012-13	\$2,428,887,430	-	\$713,107,163	-	-	-	\$3,141,994,593
2013-14	2,319,890,598	-	731,874,861	-	-	-	3,051,765,460
2014-15	2,335,787,919	-	779,738,065	-	-	-	3,115,525,984
2015-16	2,388,658,549	-	839,177,086	-	-	-	3,227,835,635
2016-17	2,336,152,508	-	866,518,820	-	-	-	3,202,671,328
2017-18	2,352,320,937	-	895,278,806	-	-	\$2,349,569	3,249,949,311
2018-19	2,378,859,341	-	885,588,231	\$21,730,113	-	23,588,490	3,309,766,175
2019-20	1,697,955,473	\$240,894,852	644,543,736	113,724,759	\$6,798,123	20,868,176	2,724,785,117
2020-21	1,887,573,437	897,216,020	721,763,471	308,849,184	31,334,744	28,186,529	3,874,923,386
2021-22	2,410,313,212	1,232,309,138	1,015,735,661	315,716,247	41,584,158	27,308,976	5,042,967,392
2022-23	2,452,239,440	1,532,761,065	974,018,112	491,960,612	42,114,593	20,668,195	5,513,762,017
2023-24	2,438,537,357	1,949,017,248	958,027,818	486,566,429	41,105,387	19,262,568	5,892,516,807
2024-25	2,440,474,767	2,477,083,825	928,915,940	487,639,844	41,392,843	19,134,601	6,394,641,819

Source: Pa. Gaming Control Bd., Press Release, Pa. Gaming Control Bd. Reports Record Rev. of Nearly \$6.4 Billion from Legal Gambling in State Fiscal Yr. (July 18, 2025), <https://gamingcontrolboard.pa.gov/news-and-transparency/press-release/pennsylvania-gaming-control-board-reports-record-revenue-nearly>.

The recommendations are divided between a more deliberate measure and more immediate ones. The deliberate measure would use actual player data to generate responses to more precisely protect gamblers while continuing to maximize revenue. The more immediate measures would target indicators of problem gambling that would protect gamblers but diminish revenue less precisely than the deliberate recommendation. Regardless which if any of the recommendations are fulfilled, the Pennsylvania Gaming Control Board's proposed regulatory amendments targeting compulsive and problem gambling would likely advance its efforts to address this problem as well.⁵³⁶

⁵³³ Pa. Gaming Control Bd., Press Release, Pa. Gaming Control Bd. Reports Record Rev. of Nearly \$6.4 Billion from Legal Gambling in State Fiscal Yr. (July 18, 2025), <https://gamingcontrolboard.pa.gov/news-and-transparency/press-release/pennsylvania-gaming-control-board-reports-record-revenue-nearly>.

⁵³⁴ *Id.*

⁵³⁵ *Id.*

⁵³⁶ *Supra* note 452.

***A Deliberate Recommendation:
Analysis of Actual Player Data***

There is plenty of information to stimulate statutory amendments to curtail problematic gambling, but there is one proposal that would provide a more deliberate effort that could reliably balance the protection of the public with the continued pursuit of commerce and its resultant benefits. “[B]ecause every transaction leaves an electronic data trail, online gambling may allow researchers to draw more valid conclusions about the gambling industry, and about gambling behaviour, than was possible when gambling took place, usually anonymously, only at land venues.”⁵³⁷ **Actual player data from the licensees should be collected, anonymized and independently evaluated to distinguish the more harmful offerings from the less harmful offerings so that the Commonwealth can be more precise in its pursuit of objectives that are contradictory for its regulators, licensees, and adult consumers.** The analysis of this data must be conducted by a party independent from operators or any entity with a vested interest in its outcome.

Colorado recently amended its law by adding a statutory section relating to internet sports betting operations—data submission requirement—report by the division.⁵³⁸ It will require sports betting operators to annually provide Colorado’s Division of Gaming “all transactional data and metrics” that is anonymized and “exempt from the ‘Colorado Open Records Act’” for the division to compile the data and report on it every three years.⁵³⁹

Mass. Senate Bill no. 302⁵⁴⁰ would amend Mass. Gen. Laws ch.23N, § 23 (relating to ann. research agenda to understand soc. & econ. effects of sports wagering) by adding a subsection to read:

Annually, each holder of an operator license that accepts wagers on sports events and other events authorized pursuant to this chapter from individuals physically located in the commonwealth using mobile applications or digital platforms approved by the commission shall supply the commission with customer tracking data collected for each player’s online gambling. The commission shall contract with an experienced nonprofit research entity to develop an anonymizing system that automatically removes from the customer tracking data personally identifying information including player name, street address, bank or credit information and the last 4 digits of a player’s zip code. The customer tracking data shall report on player characteristics including, but not limited to, gender, age and region of residence; player behavior including, but not limited to, frequency of play, length of play, speed of play, local time of play, amounts wagered and, for each wager, whether the wager was (i) made during the sports contest or before the contest

⁵³⁷ David Forrest & Ian G. McHale, *The Dependence of Online Gambling Businesses on High-Spending Customers: Quantification & Implications*, 41 J. Gambling Studies 693, 694 (2025), available at <https://link.springer.com/article/10.1007/s10899-024-10329-z>.

⁵³⁸ Colo. Rev. Stat. § 44-30-1507.5. This amendment will become effective later this year.

⁵³⁹ *Id.*

⁵⁴⁰ 194th Gen. Ct. of Commw. of Mass. (2025-26), <https://malegislature.gov/Bills/194/S302>.

began, or (ii) a parlay wager. The commission shall convey the anonymized data to an experienced nonprofit research entity that shall make the data available to qualified researchers to (i) conduct analyses that improve understanding of how gambling addiction develops and progresses; (ii) develop evidence-based harm minimization strategies; and (iii) develop evidence-based systems to monitor, detect and intervene in high-risk gambling. The commission shall request reports on the customer tracking data to improve oversight of sports gambling operations.

Pa. House Bill no. 2557 would amend 4 Pa.C.S. (relating to amusements) by adding a part relating to skill games.⁵⁴¹ In doing so, it would add a section relating to research that is similar to Mass. Senate Bill no. 302:

§ 5503. Research.

(a) Requirement.--A covered device shall supply the board with customer tracking data collected or generated by loyalty programs, player tracking software, player card systems or any other information system. The board shall contract with an experienced nonprofit research entity to develop an anonymizing system that automatically removes from the data:

(1) Personally identifying information, including player name, street address and the last 4 digits of a player's zip code.

(2) Game identifying information, including the game name and the manufacturer company that developed the covered device.

(b) Retention of player characteristic information.--The data collected under this section shall retain information on player characteristics, including, but not limited to:

(1) Gender.

(2) Age.

(3) Region of residence.

(c) Retention of player behavior information.--The data collected under this section shall retain information on player behavior including:

(1) Frequency of play.

(2) Length of play.

(3) Speed of play.

(4) Amounts wagered.

(5) Other information as required by the board.

(d) Use of anonymized data.--The board shall convey the anonymized data to a research facility, and the research facility shall make the data available to qualified researchers for the purposes of:

(1) Conducting analyses that improve understanding of how gambling addiction develops and progresses.

(2) Developing evidence-based harm minimization strategies.

(3) Developing evidence-based systems to monitor, detect and intervene in high-risk gambling.

(e) Reports.--The commission shall request reports on researcher analyses of the data collected under this section and may directly initiate studies

⁵⁴¹ Sess. of 2026.

assessing the effectiveness of any specific measures, programs or interventions through which the Commonwealth has implemented in gaming operations.

Similarly, the National Council of Legislators from Gaming States' Responsible Gaming and Problem Gambling Resolution "[e]mphasizes the need to include access to anonymized player data, research components, and funding for responsible gaming and problem gambling policies to gauge trends, program efficacy, adapt to current conditions, and expand evidence-based best practices and new prevention and treatment techniques."⁵⁴²

Commission staff preparing this report have found only two published reports using actual player data⁵⁴³ that disclose how much revenue is generated by a precise percentage of gamblers. In Connecticut, "population surveys show that 75% of all reported gambling expenditure was accounted for by 5.1% of Connecticut gamblers (3.5% of CT adults)."⁵⁴⁴ The Wall Street Journal reviewed "internal company documents" from PointsBet and reported that "VIP sports bettors representing 0.5% of the customer base generated more than 70% of the company's revenue in 2019 and 2020."⁵⁴⁵ British researchers accessed "one year of transactional data from . . . 140,000 online accounts held by residents of Great Britain. The accounts were spread across seven different operators" that accounted for 85.5 percent of the national online sports betting market and 37.5 percent of the national online casino market.⁵⁴⁶ Aggregately, "the top-10% of customers provided 79.0% of operator revenue and the top-5% just over two-thirds . . . [A]lmost regardless of product, gambling companies extract a large proportion of their revenue from a small proportion of customers who tend to be gambling to levels associated with elevated risk of gambling harm." Somewhat similarly, the French gambling regulator "developed an algorithm to identify problem gamblers within the account-based players."⁵⁴⁷ The regulator "has access to all online gambling data generated through player accounts held with a licensed operator."⁵⁴⁸ The algorithm showed an upward trend of problem gamblers,⁵⁴⁹ "representing 8.7% of the total

⁵⁴² Comm. on Responsible Gaming, Nat'l Council of Legislators from Gaming States, Responsible Gaming & Problem Gambling Resolution ¶ 15 (July 2023), <https://nclgs.org/wp-content/uploads/2026/01/NCLGS-Final-RG-Resolution-July-2023.pdf>.

⁵⁴³ The British and the French data.

⁵⁴⁴ Gemini Research, *Impacts of Legalized Gambling in Conn.* 16 (Jan. 2024), <https://portal.ct.gov/-/media/dmhas/publications/2023-ct-final-report-jan312024.pdf?rev=efe41f9d7f2d49079f045a6a8f04bc49&hash=1A5C2841C104D21C7CC18FE709441804>. This data from Connecticut was based on population surveys and covered all reported gambling expenditure rather than just interactive an sports betting. *Id.* at 117.

⁵⁴⁵ Katherine Sayre, *A Psychiatrist Tried to Quit Gambling. Betting Apps Kept her Hooked*, Wall St. J. (Feb. 18, 2024), <https://www.wsj.com/business/hospitality/gambling-addiction-sports-betting-apps-4463cde0>.

⁵⁴⁶ Forrest & McHale, *supra* note 537. "Estimates from our sample are that 60.8% of accounts with the seven operators in the study were used only for" sports "betting, 14% only for" casino "gaming and 25.1% for both. But evidently gaming was the more lucrative sector for the businesses. *Id.* at 705.

⁵⁴⁷ *Autorité Nationale des Jeux*, The Algorithm Developed by the ANJ Reveals an Alarming & Rising No. of Problem Gamblers, <https://anj.fr/algorithm-developed-anj-reveals-alarming-and-rising-number-problem-gamblers> (last visited July 6, 2026). "[S]imilar initiatives are underway in other countries such as Spain and the Netherlands." *Id.*

⁵⁴⁸ *Id.*

⁵⁴⁹ "[R]ising faster than the total number of gamblers." *Id.*

population of registered players” and “accounting for 60% of total” gross gaming revenue.⁵⁵⁰ The French

algorithm uses **23 risk indicators** or criteria to generate a single score for each player. These indicators relate to financial transactions, gambling moderators, gambling activity and frequency, as well as the player’s history. Depending on their score, players are divided into **four categories**: recreational players, moderate-risk players, excessive players and clearly excessive players.⁵⁵¹

This information along with the data proposed to be collected and analyzed by the proposed statutory amendments in Massachusetts and Pennsylvania is in the licensees’ possession. This research could be funded through the same means as the Compulsive and Problem Gambling Treatment Fund is funded.⁵⁵²

More Immediate Recommendations: A Focus on Indicators or Problem Gambling

There is plenty of information to stimulate statutory amendments to curtail problematic gambling now, but these proposals would be a less measured response than basing amendments on actual player data.

Credit Card Payment

Slot machine licensees may “not accept credit cards . . . from a patron . . . for the exchange . . . of slot machine credits . . . or extend credit in any manner to . . . enable the player to play slot machines.”⁵⁵³ However, “deposits to interactive gaming accounts shall be made in accordance with regulations promulgated by the” Pennsylvania Gaming Control Board,⁵⁵⁴ which authorize those accounts to “be funded through the use of . . . [a] player’s credit card.”⁵⁵⁵ The same regulation applies “to sports wagering accounts used by a patron to participate in interactive . . . sports wagering.”⁵⁵⁶

These provisions could be harmonized to uniformly prohibit deposits by credit card to wager. Pa. Senate Bill no. 265 would amend 4 Pa.C.S. (relating to amusements) to accomplish this.⁵⁵⁷ A similar prohibition has been enacted elsewhere.⁵⁵⁸ Several operators have also stopped

⁵⁵⁰ *Id.*

⁵⁵¹ *Id.* (emphasis in original)

⁵⁵² 4 Pa.C.S. §§ 13B54(1), 13C64(1). If more funding is required to treat compulsive and problem gambling, the statutory multiplier could be adjusted.

⁵⁵³ *Id.* § 1504. “Prepaid access instruments . . . are not prohibited.” *Id.*

⁵⁵⁴ *Id.* § 13B23(a)

⁵⁵⁵ 58 Pa. Code § 812a.7(a)(3).

⁵⁵⁶ *Id.* § 1408a.14.

⁵⁵⁷ Sess. of 2025.

⁵⁵⁸ *E.g.*, Mass. Gen. Laws, ch.23N, § 13(d)(ii).

accepting deposits by placed by credit cards.⁵⁵⁹ Colorado’s recently enacted amendment forbids “deposits using a credit card, either directly or indirectly, including through an account funded by a credit card.”⁵⁶⁰

Limiting Play

Instead of optional self-limits, self-limits could be mandated to apply to losses, continuous duration of play, and number of deposits within a specified period of time.⁵⁶¹ A statutory or regulatory limit could apply to anybody, but that would be close to picking a number out of a hat. Proposed amendments to the rules would mandate that these expanded self-limits be offered to gamblers, but **the rules could mandate that players self-limit rather than have the option to do so.**⁵⁶² Also, autoplay could be forbidden.

Advertising

It would be unconstitutional to flatly prohibit advertising of legal commerce. The Pennsylvania Gaming Control Board is proposing to transform its earlier guidance on advertising that is exposed to audiences that are mostly underage into a formal rule and intends to address saturation advertising.⁵⁶³ Pa. House Bill no. 2631 would prevent interactive and sports wagering on public school properties.⁵⁶⁴ **If the geospatial technologies are reliable enough to do this, the proposal could be extended to public universities** (rather than just limiting advertising). Many students who live on campus are too young to legally gamble and the ones who are old enough to legally gamble are at an age that might be disproportionately drawn to problematic gambling.

If conduct is sought to be regulated, it is more constitutionally sound to regulate that conduct than it is to restrict speech about permitted conduct. With that in mind, direct gambling marketing is discussed, *supra* p. 90. It would be unconstitutional to forbid both logged-in and logged-off promos; however, forbidding one of the two might be constitutional. Examples of both have been proposed, **but the one that might make more sense would be to forbid the logged-off promo.**

Another proposal would forbid promos to be generated and individualized by artificial intelligence. While mandating one-size fits all promotional offers might have appeal, it could also generate offers that are unsuitable for some gamblers who do not bet as heavily as others. Similar to this would be to prohibit some behavioral design elements. Staff preparing this report recognizes that promotional offers are largely automated by some level of artificial intelligence so that it might be unrealistic to forbid that in generating communications with account holders. Also, behavioral design elements are the subject of litigation against providers of social media that are being sued for providing a defective service. Regardless, the artificial

⁵⁵⁹ *E.g.*, Fanduel, Credit Card Restrictions (2026), <https://support.fanduel.com/s/article/Credit-card-restrictions>.

⁵⁶⁰ Colo. Rev. Stat. § 44-30-1511(d). This amendment adding subsection (d) will become effective later this year.

⁵⁶¹ *E.g.*, two/24 hours or 10/week.

⁵⁶² *Supra* note 452.

⁵⁶³ *Id.*

⁵⁶⁴ Sess. of 2026.

intelligence and behavioral design elements aspects are something that is impacting unrelated commerce as well.

In-Game Betting

Proposition bets can be made pre-game but are likely far more frequently made during the course of a game. The speed of play can be indicative of problem gambling, and being able to bet on every pitch might be more problematic than betting on a game's total number of runs. For sports betting, **the in-game bets** (microbets) might be the most problematic wagers and these **could be prohibited**. Parlay wagers tend to be terrible bets but probably do not impact the speed of play the same way that the in-game bets do.

VIP Programs

At some level, these programs are directly or indirectly connected to a customer's deposits, gambling activity, gambling wins, gambling losses, or level, amount, frequency, scope, pace, duration, or rate of gambling activity. **If logged-out promos are forbidden, these programs should be prohibited or sharply curtailed.**

Brick-and-mortar casino: A betting establishment with a physical location for players rather than existing exclusively on the internet; sometimes referred to as a “land-based” casino.

Gambling: Placing something of value at risk for the chance of greater monetary gain.⁵⁶⁵

Interactive game: “Any gambling game offered through the use of communications technology that allows a person, utilizing money, checks, electronic checks, electronic transfers of money, credit cards or any other instrumentality to transmit electronic information to assist in the placement of a bet or wager and corresponding information related to the display of the game, game outcomes or other similar information.”⁵⁶⁶ Also known as iGaming.

In-game bet: A wager made after an event has started and is ongoing.⁵⁶⁷ The odds actively change while the event unfolds. Also known as live betting or in-play betting.

Live-flash props: A wager that allows the better to take part in a play-by-play action during an event such as, “will the next play cross the 15-yard line?”⁵⁶⁸

Microbet: A subcategory of prop betting where a wager can be resolved within seconds, such as a bet on the type of next pitch thrown in a baseball game.⁵⁶⁹

Moneyline bet: A bet wherein the wager is simply on choosing the winner of a game or event.

Odds: A ratio that represents the likelihood of something occurring.

Operator: The entity or authority providing the gambling product; players often refer to an operator as the “House.”

Online casino: A digital platform where players can place wagers and play casino games on the internet.

⁵⁶⁵ Ty W. Lostutter *et al.*, “College Student Gambling,” in *Interventions for Addiction*, Elsevier, 2013, doi:10.1016/B978-0-12-398338-1.00089-0.

⁵⁶⁶ 4 Pa.C.S. § 1103.

⁵⁶⁷ DraftKings Sportsbook, “DraftKings: What Is a Live Bet?,” https://support.draftkings.com/dk/en-us/what-is-a-live-bet?id=kb_article_view&sysparm_article=KB0010659 (last visited July 8, 2026).

⁵⁶⁸ *Id.*

⁵⁶⁹ Jenny Vrentas, *Microbets, Parlays & Prop Bets: A Guide to the M.L.B. Gambling Scandal*, N. Y. Times (Nov. 10, 2025), <https://www.nytimes.com/2025/11/10/nyregion/mlb-nba-gambling-microbets.html>.

Parlay: A type of bet that combines two or more wagers into a single combined bet.⁵⁷⁰ All bets added to the parlay must win to receive any payout.⁵⁷¹

Prediction market: An online platform where individuals trade contracts that pay out based on a binary outcome. These contracts can be about virtually any type of event whether it be a sports game, election, or even the engagement of a celebrity.⁵⁷²

Prop bet: Or proposition bet, is a wager on specific details of a sporting event not directly tied to the outcome of a game. This could include the number of yards a player rushes in a game (player prop), how much time it takes a team to score (game prop), or even the color of Gatorade that will be dumped on a coach following a game.⁵⁷³

Sports betting: A form of gambling in which an individual wagers money on the outcome of a sporting event or an aspect of that event.⁵⁷⁴

Sportsbook: A venue, either brick and mortar or virtual, where a person can place bets on sporting events.

⁵⁷⁰ DraftKings Sportsbook, “DraftKings: What Is a Parlay Bet?,” https://support.draftkings.com/dk/en-us/what-is-a-parlay-bet?id=kb_article_view&sysparm_article=KB0010683 (last visited July 8, 2026).

⁵⁷¹ Jenny Vrentas, *supra* note 567.

⁵⁷² Bruce Blythe, “Prediction Markets: The Intersection of Forecasting and Investing,” in *Encyclopedia Britannica* (2026), <https://www.britannica.com/money/money/prediction-markets>.

⁵⁷³ ESPN Sports Betting, “Sports Betting Glossary: Odds, Lines, Spreads, Futures and More,” (Nov. 14, 2023), https://www.espn.com/espn/betting/story/_/id/38897025/sports-betting-glossary-odds-lines-spreads-futures-more.

⁵⁷⁴ Richard Sheposh, “Sports Betting, Sports and Leisure,” EBSCO (2023), <https://www.ebsco.com/research-starters/sports-and-leisure/sports-betting#full-article>.

APPENDIX

HOUSE RESOLUTION 60

PRIOR PRINTER'S NOS. 505, 1115

PRINTER'S NO. 1719

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 60 Session of
2025

INTRODUCED BY KHAN, HARKINS, McANDREW, WEBSTER, WAXMAN, GIRAL,
HILL-EVANS, SANCHEZ, NEILSON, DONAHUE, GREEN, MALAGARI,
DAVIDSON, CURRY, BOROWSKI AND T. DAVIS, FEBRUARY 5, 2025

AS AMENDED, HOUSE OF REPRESENTATIVES, MAY 14, 2025

A RESOLUTION

- 1 Directing the Joint State Government Commission to conduct a
2 study on sports betting and related interactive gambling in
3 this Commonwealth, including recommended methods to further
4 regulate the industry in order to reduce problem gambling
5 behaviors, gambling debt and the exposure of children to
6 sports betting and related interactive gambling
7 advertisements.
- 8 WHEREAS, In May 2018, the United States Supreme Court struck
9 down a Federal law that prohibited commercial sports betting,
10 and in November 2018, the first legal sports bet was placed in
11 this Commonwealth; and
- 12 WHEREAS, As of January 2025, 38 states and the District of
13 Columbia have legalized sports betting, and sports betting has
14 become a multi-billion-dollar industry; and
- 15 WHEREAS, A major change to Pennsylvania's gambling industry
16 has been the increased availability of interactive gaming,
17 including greater access to online and mobile betting platforms,
18 which has become the fastest method of gambling for both
19 traditional casino-style gambling and sports betting; and
- 20 WHEREAS, In 2024, it was projected that \$35 billion would be

1 wagered on the National Football League, with bets being
2 available on all sports and other competitions; and

3 WHEREAS, Despite its clear popularity and economic benefits,
4 some experts have correlated the growth of the sports betting
5 industry to increases in problem gambling rates and expressed
6 concerns regarding minors being exposed to sports betting
7 content; and

8 WHEREAS, According to the University of California Los
9 Angeles Gambling Studies Program, younger people are at higher
10 risk of developing gambling disorders than adults and there is
11 an increase in access to casino-style gambling and sports
12 betting, with a multitude of online platforms offering online
13 and mobile betting; and

14 WHEREAS, Due to the high level of accessibility and comfort
15 with which bets can be placed, concerns have been expressed that
16 interactive gaming and sports betting increases rates of problem
17 and addictive gambling; and

18 WHEREAS, Problem gambling may lead to repeated, uncontrolled
19 gambling that can result in negative consequences to an
20 individual, leading to the loss of relationships, jobs and other
21 opportunities; and

22 WHEREAS, While 2% to 3% of adults are believed to experience
23 problem gambling, rates as high as 10% have been estimated in
24 college students; and

25 WHEREAS, Some sports bettors believe sports betting to be a
26 unique form of gambling due to their knowledge of the sports,
27 players and teams, but some experts believe that sports betting
28 portrays an illusion of control that may lead to higher rates of
29 problem gambling; and

30 WHEREAS, Sports betting is often based on online platforms

1 making it more accessible than physical gambling locations where
2 traveling or cash payments may be necessary; and

3 WHEREAS, The viewing of sports is immensely popular in our
4 culture, including among young audiences, and in 2022, more than
5 \$300 million was spent on sports betting television
6 advertisements; and

7 WHEREAS, Some experts believe that sports betting
8 advertisements during sports broadcasts, particularly through
9 the endorsement of professional athletes, could normalize and
10 encourage sports betting to young viewers, possibly leading to
11 problem gambling in the future; and

12 WHEREAS, THE PENNSYLVANIA RACE HORSE DEVELOPMENT AND GAMING <--
13 ACT CONTAINS NUMEROUS PROVISIONS EVIDENCING THE INTENT OF THE
14 GENERAL ASSEMBLY TO PROTECT AGAINST GAMBLING PROBLEMS AND TO
15 PROHIBIT LICENSED ENTITIES FROM FURTHER INJURING RESIDENTS OF
16 THIS COMMONWEALTH SUFFERING FROM GAMBLING ADDICTION THROUGH THE
17 LICENSED GAMING OPERATIONS; AND

18 WHEREAS, Several states have enacted laws and regulations
19 prohibiting the advertisement of sports betting targeted to
20 minors, with Federal legislation being introduced that would
21 prohibit all sports betting advertisements on television, radio
22 and the Internet; and

23 WHEREAS, Sports betting is a novel, popular industry with
24 many benefits but also many potential concerns that have led to
25 some experts declaring it a potential public health crisis; and

26 WHEREAS, According to public data provided by the
27 Pennsylvania Gaming Control Board, as of January 2025, 95% of
28 all sports betting wagers and 60% of all slot machine wagers in
29 Pennsylvania were made online; and

30 WHEREAS, This Commonwealth has been a leading state in

1 addressing problem gambling, and its methods may serve as a
2 model for other states to follow; therefore be it

3 RESOLVED, That the House of Representatives direct the Joint
4 State Government Commission to conduct a study on sports betting
5 and related interactive gambling in this Commonwealth, including
6 recommended methods to further regulate the industry in order to
7 reduce problem gambling behaviors, gambling debt and the
8 exposure of children to sports betting and related interactive
9 gambling advertisements; and be it further

10 ~~RESOLVED, That the study include information regarding~~ <--
11 ~~marketing strategies by sports betting and related interactive~~
12 ~~gambling licensees, such as promotions, in game advertising,~~
13 ~~advertising during sports broadcasts and webcasts, as well as~~
14 ~~the usage of celebrities and animated spokespersons; and be it~~
15 ~~further~~

16 RESOLVED, THAT THE STUDY INCLUDE: <--

17 (1) INFORMATION REGARDING MARKETING STRATEGIES BY SPORTS
18 BETTING AND RELATED INTERACTIVE GAMBLING LICENSEES, SUCH AS
19 PROMOTIONS, IN-GAME ADVERTISING, ADVERTISING DURING SPORTS
20 BROADCASTS AND WEBCASTS, AS WELL AS THE USAGE OF CELEBRITIES
21 AND ANIMATED SPOKESPERSONS;

22 (2) INFORMATION ON LOAN, BONUS, INCENTIVE AND VIP
23 PROGRAMS ISSUED BY THE SPORTS BETTING AND RELATED INTERACTIVE
24 GAMBLING INDUSTRY IN THIS COMMONWEALTH;

25 (3) RECOMMENDATIONS ON METHODS TO FURTHER REGULATE THE
26 SPORTS BETTING AND RELATED INTERACTIVE GAMBLING INDUSTRY, IF
27 NEEDED, IN ORDER TO REDUCE PROBLEM GAMBLING BEHAVIORS AND
28 GAMBLING DEBT; AND

29 (4) INFORMATION REGARDING WHAT PROTOCOL MAY BE
30 IMPLEMENTED FOR EMPLOYEE TRAINING IN THE SPORTS BETTING AND

1 RELATED INTERACTIVE GAMBLING INDUSTRY WITH CONSIDERATION OF
2 THE IMPACT OF SUSTAINING MAJOR LOSSES AND SUFFERING FROM
3 GAMBLING ADDICTION;
4 AND BE IT FURTHER
5 RESOLVED, That, in developing their recommendations to
6 address these concerns, the Joint State Government Commission
7 consult with qualified legal counsel to ensure that the proposed
8 recommendations would not conflict with the Constitution of the
9 United States or the Constitution of Pennsylvania, including the
10 First Amendment right to free speech; and be it further
11 RESOLVED, That as part of the study, the Joint State
12 Government Commission collect information regarding the impact
13 of sports betting upon the mental health and well-being of
14 college student athletes in this Commonwealth, including
15 instances of harassment, coercion or retaliation by bettors; and
16 be it further
17 RESOLVED, That the Joint State Government Commission issue a
18 report of its findings and recommendations and submit the report
19 to the General Assembly no later than 12 months after the
20 adoption of this resolution.

QUALTRICS SURVEY

The Joint State Government Commission *Qualtrics* survey was created and distributed *via* email to all Pennsylvania NCAA Division I university athletic directors and programs. The survey was sent to the following 15 schools: Bucknell University, Drexel University, Lehigh University, Pennsylvania State University, Saint Francis University, Villanova University, University of Pennsylvania, University of Pittsburgh, LaSalle University, Temple University, Duquesne University, Robert Morris University, Lafayette College, Saint Joseph's University, and Mercyhurst University.

Survey Informed Consent

You are invited to take part in the research process of the Joint State Government Commission. The Commission is the primary non-partisan research organization that serves the General Assembly and provides the legislature with ways of conducting interdisciplinary studies. You may read about JSGC and see previously published reports at our website: <https://jsg.legis.state.pa.us/>.

As directed by the House of Representatives for the Commonwealth of Pennsylvania under House Resolution No. 60 (Sess. of 2025), the Commission is studying sports betting and related interactive gambling in the Commonwealth. Page 5 of SR 60 directs Joint State Government Commission to "collect information regarding the impact of sports betting upon the mental health and well-being of college student athletes in this Commonwealth, including instances of harassment, coercion or retaliation by bettors."

Your participation is completely voluntary, and we will not ask for your name or any information that will make you identifiable. Overall, this survey should take no more than 5 minutes. The risks to participating are no greater than those encountered in everyday life.

Survey Questions

1. Do you provide gambling-related education to your student athletes? Y/N
2. Is dealing with gambler harassment covered in this education? Y/N
 - ↳ What is included in the education? Please be as specific as possible.
3. During the past year, did you or your staff become aware of any student athletes on your campus who were harassed (either online or in-person) due to a sports bet? Y/N
 - ↳ Please provide information about the incident and the process after an incident is reported.
4. Do you have any information on the impact of sports betting on the mental health/well-being of your student athletes? We are particularly interested in instances involving harassment, coercion, or retaliation by bettors. If so, please explain below.

