

SENATE, No. 2362

STATE OF NEW JERSEY 222nd LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2026 SESSION

Sponsored by:

Senator JOHN F. MCKEON

District 27 (Essex and Passaic)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

Senator Mukherji

SYNOPSIS

Requires those on self-exclusion lists to watch educational and counseling videos prior to removal from self-exclusion lists; permits third party requests for individuals to be excluded from gambling under certain circumstances.

CURRENT VERSION OF TEXT

As reported by the Senate State Government, Wagering, Tourism & Historic Preservation Committee with technical review.



(Sponsorship Updated As Of: 6/18/2026)

1 AN ACT concerning exclusion from casino gaming and racetrack
2 wagering, supplementing Title 5 of the Revised Statutes, and
3 amending P.L.2002, c.89 and P.L.2001, c.39.
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*
7

8 1. Section 1 of P.L.2002, c.89 (C.5:5-65.1) is amended to read
9 as follows:

10 1. a. The commission shall provide by regulation for the
11 establishment of a list of persons who voluntarily seek to be
12 excluded from entry into permitted racetracks and licensed off-track
13 wagering facilities located in this State and from opening or
14 maintaining a wagering account with the account wagering system,
15 with the exchange wagering system, or with the fixed odds
16 wagering system established in this State. A person may request
17 placement on the self-exclusion list by acknowledging in a manner
18 to be established by the commission that the person is a problem
19 gambler and by agreeing that, during a period of voluntary
20 exclusion, the person may not collect winnings or recover losses
21 resulting from wagering at a racetrack or off-track wagering facility
22 or from account wagering, exchange wagering, or fixed odds
23 wagering.

24 b. The commission shall promulgate regulations to: (1)
25 establish procedures for placements on, and removals from, the list
26 of self-excluded persons, which shall include a requirement that
27 those seeking removal from the list of self-excluded persons review
28 educational and counseling videos concerning the risks associated
29 with gambling, coping strategies, resources available for continued
30 support, and any other information or content as may be
31 appropriate, as determined by the commission, prior to removal; (2)
32 establish procedures for the transmittal to the permitted racetracks,
33 licensed off-track wagering facilities, the account wagering system,
34 the exchange wagering licensee, and the fixed odds wagering
35 licensee of identifying information concerning persons on the self-
36 exclusion list; and (3) require permitted racetracks, licensed off-
37 track wagering facilities, the account wagering system, the
38 exchange wagering licensee, and the fixed odds wagering licensee
39 to establish procedures designed, at a minimum, to remove persons
40 on the self-exclusion list from targeted mailings or other forms of
41 advertising or promotions and deny such persons access to credit,
42 complimentaries, check cashing privileges, club programs, and
43 other similar benefits.

44 c. The commission, a permitted racetrack, a licensed off-track
45 wagering facility, the account wagering system, the exchange
46 wagering licensee, the fixed odds wagering licensee, or an

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 employee thereof shall not be liable to a person on the self-
2 exclusion list or to another party in a judicial proceeding for harm,
3 monetary or otherwise, which may arise as a result of:

4 (1) the failure of a permitted racetrack, licensed off-track
5 wagering facility or the account wagering system or the exchange
6 wagering licensee or the fixed odds wagering licensee to withhold
7 wagering privileges from, or restore wagering privileges to, a
8 person on the self-exclusion list; or

9 (2) permitting a person on the self-exclusion list to engage in
10 wagering activity at a permitted racetrack or licensed off-track
11 wagering facility, or through the account wagering system, or
12 through the exchange wagering system, or through the fixed odds
13 wagering system.

14 d. Notwithstanding the provisions of section 8 of P.L.1940,
15 c.17 (C.5:5-28), the commission's self-exclusion list shall be
16 privileged and confidential and shall not be accessible to the public
17 pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.), as amended and
18 supplemented.

19 e. The commission, a permitted racetrack, a licensed off-track
20 wagering facility, the account wagering system, the exchange
21 wagering licensee, the fixed odds wagering licensee, or an
22 employee thereof shall not be liable to a person on the self-
23 exclusion list or to another party in a judicial proceeding for harm,
24 monetary or otherwise, which may arise as a result of disclosure or
25 publication, other than a willfully unlawful disclosure or
26 publication, of the identity of a self-excluded person.
27 (cf: P.L.2021, c.193, s.18)
28

29 2. (New Section) a. Notwithstanding any law, rule, or
30 regulation to the contrary, a third party shall be permitted to petition
31 that another person be added to a list of persons to be excluded
32 from entry into permitted racetracks and licensed off-track
33 wagering facilities located in this State and from opening or
34 maintaining a wagering account with the account wagering system,
35 with the exchange wagering system, or with the fixed odds
36 wagering system established in this State. Such petition for
37 exclusion shall demonstrate, at a minimum, the following:

38 (1) proof of the third party's sole or joint financial responsibility
39 for funds that may be used or deposited for gambling purposes;

40 (2) proof that the third party is jointly obligated on the persons
41 credit or debit card;

42 (3) proof of legal dependency of the person on the third party;

43 (4) evidence of a court order making the third party responsible
44 for the person's debts; or

45 (5) evidence of a court order requiring the person to pay unmet
46 child support obligations.

47 The commission may request such additional verification
48 documentation as may be necessary to confirm the relationship
49 between the third party and the person to be excluded.

1 b. During the period of exclusion, the person may not collect
2 winnings or recover losses resulting from wagering at a racetrack or
3 off-track wagering facility or from account wagering, exchange
4 wagering, or fixed odds wagering.

5 c. The commission, a permitted racetrack, a licensed off-track
6 wagering facility, the account wagering system, the exchange
7 wagering licensee, the fixed odds wagering licensee, or an
8 employee thereof shall not be liable to a person on the exclusion
9 list, or to another party in a judicial proceeding for harm, monetary
10 or otherwise, which may arise as a result of:

11 (1) the failure of a permitted racetrack, licensed off-track
12 wagering facility or the account wagering system or the exchange
13 wagering licensee or the fixed odds wagering licensee to withhold
14 wagering privileges from, or restore wagering privileges to, a
15 person on the exclusion list; or

16 (2) permitting a person on the exclusion list to engage in
17 wagering activity at a permitted racetrack or licensed off-track
18 wagering facility, or through the account wagering system, or
19 through the exchange wagering system, or through the fixed odds
20 wagering system.

21 d. Notwithstanding the provisions of section 8 of P.L.1940,
22 c.17 (C.5:5-28), the exclusion list shall be privileged and
23 confidential and shall not be accessible to the public pursuant to
24 P.L.1963, c.73 (C.47:1A-1 et seq.), as amended and supplemented.

25 e. The commission, a permitted racetrack, a licensed off-track
26 wagering facility, the account wagering system, the exchange
27 wagering licensee, the fixed odds wagering licensee, or an
28 employee thereof shall not be liable to a person on the exclusion list
29 or to another party in a judicial proceeding for harm, monetary or
30 otherwise, which may arise as a result of disclosure or publication,
31 other than a willfully unlawful disclosure or publication, of the
32 identity of a excluded person.

33 f. Prior to placing the name of any person on a list pursuant to
34 this section, the commission shall serve notice of such fact to such
35 person by personal service or by certified mail at the last known
36 address of such person.

37 g. Within 30 days after service of the petition in accordance
38 with subsection f. of this section, the person named for exclusion
39 may demand a hearing before the executive director or the
40 executive director's designee, at which hearing the third party shall
41 have the affirmative obligation to demonstrate by a preponderance
42 of the evidence that the person named for exclusion satisfies the
43 criteria for exclusion established pursuant to this section. Failure to
44 demand such a hearing within 30 days after service shall be deemed
45 an admission of all matters and facts alleged in the third party's
46 petition and shall preclude a person from having an administrative
47 hearing, but shall in no way affect the person's right to judicial
48 review as provided herein.

1 h. The commission may make a preliminary placement on the
2 list of a person named in a petition for exclusion pending
3 completion of a hearing on the petition. The hearing on the
4 application for preliminary placement shall be a limited proceeding
5 at which the third party shall have the affirmative obligation to
6 demonstrate that there is a reasonable possibility that the person
7 satisfies the criteria for exclusion established pursuant to this
8 section. If a person has been placed on the list as a result of an
9 application for preliminary placement, unless otherwise agreed by
10 the executive director and the named person, a hearing on the
11 petition for exclusion shall be initiated within 30 days after the
12 receipt of a third party request for such hearing or the date of
13 preliminary placement on the list, whichever is later.

14 i. If, upon completion of the hearing on the petition for
15 exclusion, the executive director determines that the person named
16 therein does not satisfy the criteria for exclusion pursuant to this
17 section, the executive director shall issue an order denying the
18 petition. If the person named in the petition for exclusion had been
19 placed on the list as a result of an application for preliminary
20 placement, the executive director shall notify all racetracks and
21 licensed off-track wagering facilities located in this State of the
22 person's removal from the list.

23 j. If, upon completion of a hearing on the petition for
24 exclusion, the executive director determines that placement of the
25 name of the person on the exclusion list is appropriate, the
26 executive director shall make and enter an order to that effect,
27 which order shall be served on all racetracks and licensed off-track
28 wagering facilities located in this State. Such order shall be subject
29 to review by the commission in accordance with regulations
30 promulgated thereunder, which final decision shall be subject to
31 review by the Superior Court in accordance with the rules of court.

32 k. The commission shall promulgate regulations to establish
33 procedures for placements on, and removals from, the list of
34 excluded persons, which shall include: (1) a requirement that those
35 seeking removal from the list of excluded persons review
36 educational and counseling videos concerning the risks associated
37 with gambling, coping strategies, resources available for continued
38 support, and any other information or content as may be
39 appropriate, as determined by the commission, prior to removal; (2)
40 establish procedures for the transmittal to the permitted racetracks,
41 licensed off-track wagering facilities, the account wagering system,
42 the exchange wagering licensee, and the fixed odds wagering
43 licensee of identifying information concerning persons on the
44 exclusion list; and (3) require permitted racetracks, licensed off-
45 track wagering facilities, the account wagering system, the
46 exchange wagering licensee, and the fixed odds wagering licensee
47 to establish procedures designed, at a minimum, to remove persons
48 on the exclusion list from targeted mailings or other forms of
49 advertising or promotions and deny such persons access to credit,

1 complimentary, check cashing privileges, club programs, and
2 other similar benefits.

3 1. The commission shall, in accordance with the "Administrative
4 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt rules
5 and regulations as necessary to implement the provisions of this
6 section.

7
8 3. Section 1 of P.L.2001, c.39 (C.5:12-71.2) is amended to read
9 as follows:

10 1. a. The division shall provide by regulation for the
11 establishment of a list of persons self-excluded from gaming
12 activities at all licensed casinos and simulcasting facilities. Any
13 person may request placement on the list of self-excluded persons
14 by agreeing that, during any period of voluntary exclusion, the
15 person may not collect any winnings or recover any losses resulting
16 from any gaming activity at such casinos and facilities.

17 b. The regulations of the division shall establish procedures for
18 placements on, and removals from, the list of self-excluded persons,
19 which shall include a requirement that those seeking removal from
20 the list of self-excluded persons review educational and counseling
21 videos concerning the risks associated with gambling, coping
22 strategies, resources available for continued support, and any other
23 information or content as may be appropriate, as determined by the
24 division, prior to removal. Such regulations shall establish
25 procedures for the transmittal to licensed casinos and simulcasting
26 facilities of identifying information concerning self-excluded
27 persons, and shall require licensed casinos and simulcasting
28 facilities to establish procedures designed, at a minimum, to remove
29 self-excluded persons from targeted mailings or other forms of
30 advertising or promotions and deny self-excluded persons access to
31 credit, complimentary, check cashing privileges club programs,
32 and other similar benefits.

33 c. A licensed casino or simulcasting facility or employee
34 thereof shall not be liable to any self-excluded person or to any
35 other party in any judicial proceeding for any harm, monetary or
36 otherwise, which may arise as a result of:

37 (1) the failure of a licensed casino or simulcasting facility to
38 withhold gaming privileges from, or restore gaming privileges to, a
39 self-excluded person; or

40 (2) otherwise permitting a self-excluded person to engage in
41 gaming activity in such licensed casino or simulcasting facility
42 while on the list of self-excluded persons.

43 d. Notwithstanding the provisions of P.L.1977, c.110 (C.5:12-1
44 et seq.) or any other law to the contrary, the division's list of self-
45 excluded persons shall not be open to public inspection. Nothing
46 herein, however, shall be construed to prohibit a casino licensee
47 from disclosing the identity of persons self-excluded pursuant to
48 this section to affiliated gaming entities in this State or other
49 jurisdictions for the limited purpose of assisting in the proper

1 administration of responsible gaming programs operated by such
2 gaming affiliated entities.

3 e. A licensed casino or simulcasting facility or employee
4 thereof shall not be liable to any self-excluded person or to any
5 other party in any judicial proceeding for any harm, monetary or
6 otherwise, which may arise as a result of disclosure or publication
7 in any manner, other than a willfully unlawful disclosure or
8 publication, of the identity of any self-excluded person.
9 (cf: P.L.2014, c.20, s.1)

10

11 4. (New Section) a. Notwithstanding any law, rule, or
12 regulation to the contrary, a third party shall be permitted to petition
13 that another person be added to the list of persons to be excluded
14 from all gaming activities and be ejected from any licensed casino
15 establishment and simulcasting facility. Such petition for exclusion
16 shall demonstrate, at a minimum, the following:

17 (1) proof of the third party's sole or joint financial responsibility
18 for funds that may be used or deposited for gambling purposes;

19 (2) proof that the third party is jointly obligated on the persons
20 credit or debit card;

21 (3) proof of legal dependency of the person on the third party;

22 (4) evidence of a court order making the third party responsible
23 for the person's debts; or

24 (5) evidence of a court order requiring the person to pay unmet
25 child support obligations.

26 The division may request such additional verification
27 documentation as may be necessary to confirm the relationship
28 between the third party and the person to be excluded.

29 b. During a period of exclusion, the person may not collect any
30 winnings or recover any losses resulting from any gaming activity
31 at such casinos and facilities.

32 c. A licensed casino or simulcasting facility or employee thereof
33 shall not be liable to any excluded person or to any other party in
34 any judicial proceeding for any harm, monetary or otherwise, which
35 may arise as a result of:

36 (1) the failure of a licensed casino or simulcasting facility to
37 withhold gaming privileges from, or restore gaming privileges to,
38 an excluded person; or

39 (2) otherwise permitting an excluded person to engage in
40 gaming activity in such licensed casino or simulcasting facility
41 while on the list of excluded persons.

42 d. Notwithstanding the provisions of P.L.1977, c.110 (C.5:12-1
43 et seq.) or any other law to the contrary, the division's list of
44 excluded persons shall not be open to public inspection. Nothing
45 herein, however, shall be construed to prohibit a casino licensee
46 from disclosing the identity of persons excluded pursuant to this
47 section to affiliated gaming entities in this State or other
48 jurisdictions for the limited purpose of assisting in the proper

1 administration of responsible gaming programs operated by such
2 gaming affiliated entities.

3 e. A licensed casino or simulcasting facility or employee thereof
4 shall not be liable to any excluded person or to any other party in
5 any judicial proceeding for any harm, monetary or otherwise, which
6 may arise as a result of disclosure or publication in any manner,
7 other than a willfully unlawful disclosure or publication, of the
8 identity of any excluded person.

9 f. Prior to placing the name of any person on a list pursuant to
10 this section, the division shall serve notice of such fact to such
11 person by personal service or by certified mail at the last known
12 address of such person.

13 g. Within 30 days after service of the petition in accordance
14 with subsection f. of this section, the person named for exclusion
15 may demand a hearing before the director or the director's designee,
16 at which hearing the third party shall have the affirmative obligation
17 to demonstrate by a preponderance of the evidence that the person
18 named for exclusion satisfies the criteria for exclusion established
19 pursuant to regulations established pursuant to this section. Failure
20 to demand such a hearing within 30 days after service shall be
21 deemed an admission of all matters and facts alleged in the third
22 party's petition and shall preclude a person from having an
23 administrative hearing, but shall in no way affect the person's right
24 to judicial review as provided herein.

25 h. The division may make a preliminary placement on the list of
26 a person named in a petition for exclusion pending completion of a
27 hearing on the petition. The hearing on the application for
28 preliminary placement shall be a limited proceeding at which the
29 third party shall have the affirmative obligation to demonstrate that
30 there is a reasonable possibility that the person satisfies the criteria
31 for exclusion established pursuant to this section. If a person has
32 been placed on the list as a result of an application for preliminary
33 placement, unless otherwise agreed by the director and the named
34 person, a hearing on the petition for exclusion shall be initiated
35 within 30 days after the receipt of a third party request for such
36 hearing or the date of preliminary placement on the list, whichever
37 is later.

38 i. If, upon completion of the hearing on the petition for
39 exclusion, the director determines that the person named therein
40 does not satisfy the criteria for exclusion pursuant to regulations
41 established pursuant to this section, the director shall issue an order
42 denying the petition. If the person named in the petition for
43 exclusion had been placed on the list as a result of an application
44 for preliminary placement, the director shall notify all licensed
45 casino establishments and simulcasting facilities of the person's
46 removal from the list.

47 j. If, upon completion of a hearing on the petition for exclusion,
48 the director determines that placement of the name of the person on
49 the exclusion list is appropriate, the director shall make and enter an

1 order to that effect, which order shall be served on all licensed
2 casino establishments and simulcasting facilities. Such order shall
3 be subject to review by the Casino Control Commission in
4 accordance with regulations promulgated thereunder, which final
5 decision shall be subject to review by the Superior Court in
6 accordance with the rules of court.

7 k. The division shall promulgate regulations to establish
8 procedures for placements on, and removal from, the list of
9 excluded persons pursuant to this section, which shall: (1) include a
10 requirement that those seeking removal from the list of excluded
11 persons review educational and counseling videos concerning the
12 risks associated with gambling, coping strategies, resources
13 available for continued support, and any other information or
14 content as may be appropriate, as determined by the division, prior
15 to removal; (2) establish procedures for the transmittal to licensed
16 casinos and simulcasting facilities of identifying information
17 concerning excluded persons; and (3) require licensed casinos and
18 simulcasting facilities to establish procedures designed, at a
19 minimum, to remove excluded persons from targeted mailings or
20 other forms of advertising or promotions and deny excluded persons
21 access to credit, complimentaries, check cashing privileges club
22 programs, and other similar benefits.

23 l. The division shall, in accordance with the "Administrative
24 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt rules
25 and regulations as necessary to implement the provisions of this
26 section.

27

28 5. This act shall take effect immediately.