

ASSEMBLY, No. 2914

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED MAY 14, 2012

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Assemblyman JOHN J. BURZICHELLI

District 3 (Cumberland, Gloucester and Salem)

Co-Sponsored by:

Assemblywomen Quijano and Wagner

SYNOPSIS

Allows State residents who are outside of New Jersey to place wagers on horse races using account wagering system.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/29/2013)

A2914 DANCER, BURZICHELLI

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1 AN ACT allowing State residents who are outside of New Jersey to
2 place wagers on horse races using the account wagering system
3 and amending P.L.2001, c.199.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

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8 1. Section 16 of P.L.2001, c.199 (C.5:5-142) is amended to
9 read as follows:

10 16. a. A person shall not place an account wager **[from within**
11 **this State]** except in accordance with this act through the account
12 wagering licensee, and no entity, other than the account wagering
13 licensee, shall accept an account wager **[from a person within this**
14 **State]** except as permitted by P.L.2001, c.199 (C.5:5-127 et seq.).

15 A person may not place an account wager unless the person has
16 established an account with the account wagering licensee. To
17 establish a wagering account, a person shall be a New Jersey
18 resident at least 18 years of age. A resident of this State who has
19 established an account with an account wagering licensee may place
20 an account wager through the licensee while physically present in
21 New Jersey, or while physically present in another jurisdiction if
22 placing such a wager is not inconsistent with the law of that
23 jurisdiction or with federal law.

24 b. The account shall be in the name of a natural person and
25 may not be in the name of any beneficiary, custodian, joint trust,
26 corporation, partnership or other organization or entity.

27 c. An account may be established by a person completing an
28 application form approved by the commission and submitting it
29 together with a certification, or other proof, of age and residency.
30 The form shall include the address of the principal residence of the
31 prospective account holder and a statement that a false statement
32 made in regard to an application may subject the applicant to
33 prosecution.

34 d. The prospective account holder shall submit the completed
35 application to the account wagering licensee, to any account
36 wagering participating permit holder or to a licensed off-track
37 wagering facility or such other person or entity as may be approved
38 by the commission. The account wagering licensee may accept or
39 reject an application after receipt and review of the application and
40 certification, or other proof, of age and residency for compliance
41 with this act.

42 e. Any prospective account holder who provides false or
43 misleading information on the application is subject to rejection of
44 the application or cancellation of the account by the account
45 wagering licensee without notice.

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 f. The account wagering licensee shall have the right to
2 suspend or close any wagering account at its discretion.

3 g. Any person not in good standing with the commission shall
4 not be entitled to maintain a wagering account.

5 h. The address provided by the applicant in the application
6 shall be deemed the proper address for the purposes of mailing
7 checks, account withdrawals, notices and other materials.

8 i. A wagering account shall not be assignable or otherwise
9 transferable.

10 j. Except as otherwise provided in this act or in regulations
11 which the commission may adopt hereunder, all account wagers
12 shall be final and no wager shall be canceled by the account holder
13 at any time after the wager has been accepted by the account
14 wagering licensee.

15 k. For the purposes of this act and notwithstanding any other
16 law to the contrary, all messages or orders to place account wagers
17 received by the licensee on behalf of a participating permit holder
18 shall be deemed made to a place within this State.

19 l. All persons accepting account wagers on behalf of the
20 account wagering licensee shall do so at a location within this State.

21 m. The account wagering licensee may at any time declare the
22 system closed for receiving any wagers on any race or closed for all
23 wagering.

24 (cf: P.L.2001, c.199, s.16)

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26 2. Section 18 of P.L.2001, c.199 (C.5:5-144) is amended to
27 read as follows:

28 18. The account wagering licensee may accept account wagers
29 only from residents of New Jersey who are physically present in
30 New Jersey or who are physically present in another jurisdiction if
31 placing such a wager while located in that jurisdiction is not
32 inconsistent with the law of that jurisdiction or with federal law,
33 and only as follows:

34 a. The account wager shall be placed directly with the account
35 wagering licensee by the holder of the wagering account.

36 b. The account holder placing the account wager shall provide
37 the licensee with the correct personal identification number of the
38 holder of the wagering account.

39 c. A licensee may not accept an account wager, or series of
40 wagers, in an amount in excess of funds on deposit in the wagering
41 account of the holder placing the wager. Funds on deposit include
42 amounts credited under section 17 of this act and in the account at
43 the time the wager is placed.

44 d. Only the holder of a wagering account shall place an account
45 wager. Unless otherwise approved by the commission, no person,
46 corporation or other entity shall directly or indirectly act as an
47 intermediary, transmitter or agent in the placing of wagers for a
48 holder of a wagering account; provided, however, that the use of

1 credit or debit cards specifically approved by the licensee or the use
2 of checks, money orders or negotiable orders of withdrawal or the
3 use of telephonic, computer or electronic means by the account
4 holder to place such wagers shall not be prohibited.

5 e. The account holder may place a wager in person, by direct
6 telephone call or by communication through other electronic media.
7 (cf: P.L.2001, c.199, s.18)

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9 3. This act shall take effect immediately.

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STATEMENT

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14 This bill amends existing law to allow New Jersey residents who
15 are in another jurisdiction to place wagers on the results of horse
16 races using this State's account wagering system as long as the
17 placing of such wagers is not inconsistent with the law of that
18 jurisdiction or with federal law. Current law allows only New
19 Jersey residents while within this State to participate in account
20 wagering.