

[First Reprint]

ASSEMBLY, No. 4111

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED JUNE 4, 2018

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SYNOPSIS

Allows wagering at casinos and racetracks on certain professional and collegiate sports or athletic events.

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on June 4, 2018, with amendments.

(Sponsorship Updated As Of: 6/8/2018)

A4111 [1R] HOUGHTALING, BURZICHELLI

2

1 AN ACT allowing wagering at casinos and racetracks on the results
2 of certain professional or collegiate sports or athletic events,
3 supplementing Title 5 of the Revised Statutes, amending and
4 repealing various parts of the statutory law.

5

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

8

9 1. (New section) As used in this act:

10 "casino" means a licensed casino or gambling house located in
11 Atlantic City at which casino gambling is conducted pursuant to the
12 provisions of P.L.1977, c.110 (C.5:12-1 et seq.);

13 "commission" means the Casino Control Commission
14 established pursuant to section 50 of P.L.1977, c.110 (C.5:12-50);

15 "collegiate sport or athletic event" means a sport or athletic event
16 offered or sponsored by or played in connection with a public or
17 private institution that offers educational services beyond the
18 secondary level;

19 "division" means the Division of Gaming Enforcement
20 established pursuant to section 55 of P.L.1977, c.110 (C.5:12-55);

21 "former racetrack" means any former racetrack where a horse
22 race meeting was conducted within 15 years prior to the effective
23 date of P.L.2014, c.62 (C.5:12A-7 et seq.), excluding premises
24 other than the land contained within the racecourse oval;

25 "Internet sports pool operator" means an entity that is licensed as
26 a casino service industry enterprise pursuant to section 92 of
27 P.L.1977, c.110 (C.5:12-92) and that holds a permit issued by the
28 division to operate an online sports pool;

29 "online sports pool" means a sports wagering operation in which
30 wagers on sports events are made through computers or mobile or
31 interactive devices and accepted at a sports wagering lounge
32 through an online gaming system which is operating pursuant to a
33 sports wagering permit issued by the division or racing commission
34 pursuant to P.L. , c. (C.) (pending before the Legislature as
35 this bill);

36 "operator" means a casino or a racetrack which has elected to
37 operate a sports pool, either independently or jointly, and any entity
38 with whom a casino or racetrack licensed to operate a sports pool
39 contracts to operate a sports pool or online sports pool, including an
40 Internet sports pool operator, on its behalf;

41 "professional sport or athletic event" means an event at which
42 two or more persons participate in sports or athletic events and
43 receive compensation in excess of actual expenses for their
44 participation in such event;

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AAP committee amendments adopted June 4, 2018.

1 "prohibited sports event" means any collegiate sport or athletic
2 event that takes place in New Jersey or a sport or athletic event in
3 which any New Jersey college team participates regardless of where
4 the event takes place. A "prohibited sports event" does not include
5 the other games of a collegiate sport or athletic tournament in which
6 a New Jersey college team participates, nor does it include any
7 games of a collegiate tournament that occurs outside New Jersey
8 even though some of the individual games or events are held in
9 New Jersey. A prohibited sports event includes all high school
10 sports events, electronic sports, and competitive video games but
11 does not include international sports events in which persons under
12 age 18 make up a minority of the participants;

13 "racetrack" means the physical facility and the land, as of the
14 effective date of P.L. , c. (C.) (pending before the Legislature
15 as this bill), where a permit holder conducts a horse race meeting
16 with wagering under a license issued by the racing commission
17 pursuant to P.L.1940, c.17 (C.5:5-22 et seq.), and includes any
18 former racetrack;

19 "racing commission" means the New Jersey Racing Commission
20 established by section 1 of P.L.1940, c.17 (C.5:5-22);

21 "sports event" means any professional sport or athletic event, any
22 Olympic or international sports competition event and any
23 collegiate sport or athletic event, or any portion thereof, including,
24 but not limited to, the individual performance statistics of athletes
25 in a sports event or combination of sports events, except "sports
26 event" shall not include a prohibited sports event or a fantasy sports
27 activity, as defined in section 2 of P.L.2017, c.231 (C.5:20-2);

28 "sports pool" means the business of accepting wagers on any
29 sports event by any system or method of wagering, including but
30 not limited to single-game bets, teaser bets, parlays, over-under,
31 moneyline, pools, exchange wagering, in-game wagering, in-play
32 bets, proposition bets, and straight bets; and

33 "sports wagering lounge" means an area wherein a licensed
34 sports pool is operated located in a casino hotel or racetrack.
35

36 2. (New section) a. In addition to casino games permitted
37 pursuant to the provisions of P.L.1977, c.110 (C.5:12-1 et seq.), a
38 casino which holds a sports wagering license issued by the division
39 may operate a sports pool in accordance with the provisions of this
40 act and applicable regulations promulgated pursuant to this act. A
41 racetrack which holds a sports wagering license issued by the racing
42 commission may operate a sports pool in accordance with the
43 provisions of this act and applicable regulations promulgated
44 pursuant to this act. A casino which holds a sports wagering license
45 and a racetrack which holds a sports wagering license may enter
46 into an agreement to jointly operate a sports pool at the racetrack, in
47 accordance with the provisions of this act and applicable
48 regulations promulgated pursuant to this act. A casino or racetrack

1 that holds a sports wagering license may conduct an online sports
2 pool or may authorize an internet sports pool operator licensed as a
3 casino service industry enterprise pursuant to section 92 of
4 P.L.1977, c.110 (C.5:12-92), or an applicant for such license, to
5 operate an online sports pool on its behalf provided the terms of the
6 agreement are approved by the division, in the case of a casino, or
7 the racing commission, in the case of a racetrack; provided,
8 however, that each sports wagering licensee may provide no more
9 than three individually branded websites, each of which may have
10 an accompanying mobile application bearing the same brand as the
11 website for an online sports pool, those websites and mobile
12 applications, in the case of a casino being in addition to or, in the
13 discretion of the casino, in conjunction with, any websites and
14 mobile applications that also offer other types of Internet gaming
15 pursuant to P.L.2013, c.27 (C.5:12-95.17 et seq.). No online sports
16 pool shall be opened to the public, and no sports wagering, except
17 for test purposes, may be conducted therein, until an Internet sports
18 pool operator receives from the division a permit to conduct an
19 online sports pool. Sports wagering licensees and operators may
20 provide promotional credits, incentives, bonuses, complimentaries,
21 or similar benefits designed to induce sports betters to wager. The
22 division, in consultation with the commission, shall establish by
23 rule standards governing the provision of these measures. ¹The
24 server or other equipment used by a racetrack to accept wagers at a
25 sports pool or online sports pool shall be located in that racetrack or
26 in any location in Atlantic City which conforms to the requirements
27 of section 20 of P.L.2013, c.27 (C.5:12-95.22) and any additional
28 requirements which the division may impose by regulation. The
29 server or other equipment used by a casino to accept wagers at a
30 sports pool or online sports pool shall conform to the requirements
31 of section 20 of P.L.2013, c.27 (C.5:12-95.22) and any additional
32 requirements which the division may impose by regulation.¹

33 With regard to this act, P.L. , c. (C.) (pending before the
34 Legislature as this bill), the duties specified in section 63 of
35 P.L.1977, c.110 (C.5:12-63) of the Casino Control Commission
36 shall apply to the extent not inconsistent with the provisions of this
37 act. In addition to the duties specified in section 76 of P.L.1977,
38 c.110 (C.5:12-76), the division or racing commission, as required
39 pursuant to this act, shall hear and decide promptly and in
40 reasonable order all applications for a license to operate a sports
41 pool. In addition to the duties specified in section 76 of P.L.1977,
42 c.110 (C.5:12-76), the division shall have the general responsibility
43 for the implementation of this act, except with respect to the
44 authority to issue sports wagering licenses to a racetrack as
45 provided by this act, and shall have all other duties specified in that
46 section with regard to the operation of a sports pool.

47 The license to operate a sports pool shall be in addition to any
48 other license required to be issued pursuant to P.L.1977, c.110

1 (C.5:12-1 et seq.) to operate a casino or pursuant to P.L.1940, c. 17
2 (C.5:5-22 et seq.) to conduct horse racing. The division and the
3 racing commission shall each have the authority to charge a casino
4 or a racetrack a fee for the issuance or renewal of a sports wagering
5 license in an amount that is based upon the expense associated with
6 such issuance or renewal. No sports wagering license shall be
7 issued by the division or racing commission to any entity unless it
8 has established its financial stability, integrity and responsibility
9 and its good character, honesty and integrity. No casino or
10 racetrack shall be permitted to operate a sports pool or accept
11 wagers via an online sports pool unless a sports wagering lounge is
12 established and has commenced operation in its facility; provided,
13 however, that an applicant for a sports wagering license may
14 petition the agency issuing the sports wagering license pursuant to
15 this act to commence operation of the sports pool at a temporary
16 facility and/or an online sports pool during the pendency of
17 construction of a sports wagering lounge in its facility. Such
18 temporary facility may include, at the discretion of the agency
19 issuing the sports wagering license pursuant to this act, the
20 utilization of designated windows at the current casino cage or
21 racetrack betting window for purposes of placing sports betting
22 wagers and self-service wagering machines located at the racetrack
23 or casino hotel complex. No license to operate a sports pool shall
24 be issued to any entity which is disqualified under the criteria of
25 section 86 of P.L.1977, c.110 (C.5:12-86) or to any person that
26 operated a sports pool in New Jersey within one year prior to the
27 enactment of this act.

28 No later than five years after the date of the issuance of a license
29 and every five years thereafter or within such lesser periods as the
30 agency issuing the sports wagering license pursuant to this act may
31 direct, a licensee shall submit to the said agency such
32 documentation or information as the division or racing commission
33 may by regulation require, to demonstrate to the satisfaction of the
34 agency that the licensee continues to meet the requirements of the
35 law and regulations.

36 The division and the racing commission following consultation
37 with the sports wagering licensees shall annually cause a report to
38 be prepared and distributed to the Governor on the impact of sports
39 wagering, including Internet wagering on sports events, on problem
40 gamblers and gambling addiction in New Jersey. The report shall
41 be prepared by a private organization or entity with expertise in
42 serving the needs of persons with gambling addictions, which
43 organization or entity shall be selected jointly by the division and
44 the racing commission. The report shall be prepared and distributed
45 under the supervision of, and in coordination with, the division and
46 the racing commission. Any costs associated with the preparation
47 and distribution of the report shall be borne by casino and racetrack
48 licensees who have been authorized by the division or the racing

1 commission to conduct Internet gaming and the division and the
2 racing commission shall be authorized to assess a fee against such
3 licensees for these purposes. The division and the racing
4 commission may also report periodically to the Governor on the
5 effectiveness of the statutory and regulatory controls in place to
6 ensure the integrity of gaming operations through the Internet.

7 b. A sports pool shall be operated in a sports wagering lounge
8 located at a casino or racetrack. A sports wagering lounge may be
9 located at a casino simulcasting facility. The lounge shall conform
10 to all requirements concerning square footage, design, equipment,
11 security measures and related matters which the division shall by
12 regulation prescribe. The space required for the establishment of a
13 lounge shall not reduce the space authorized for casino gaming
14 activities as specified in section 83 of P.L.1977, c.110 (C.5:12-83).

15 c. No sports pool or online sports pool shall be offered or made
16 available for wagering to the public by any entity other than a sports
17 wagering licensee, pursuant to P.L. , c. (C.) (pending before
18 the Legislature as this bill), an applicant for such license, operating
19 such pool on behalf of a licensee, or an Internet sports pool
20 operator, on behalf of a sports wagering licensee. Any person who
21 offers a sports pool or an online sports pool without approval of the
22 division or racing commission to do so is guilty of a crime of the
23 fourth degree and notwithstanding the provisions of N.J.S.2C:43-3,
24 shall be subject to a fine of not more than \$25,000. and in the case
25 of a person other than a natural person, to a fine of not more than
26 \$100,000. and any other appropriate disposition authorized by
27 subsection b. of N.J.S.2C:43-2.

28 d. The operator shall establish or display the odds at which
29 wagers may be placed on sports events.

30 e. An operator shall accept wagers on sports events only from
31 persons physically present in the sports wagering lounge; through
32 self-service wagering machines located in its facility as authorized
33 by the agency issuing the sports wagering license; or through an
34 online sports pool. A person placing a wager on a sports event shall
35 be at least 21 years of age.

36 f. (1) Any person who is an athlete, coach, referee, direct or
37 indirect legal or beneficial owner of 10 percent or greater, or
38 director of a sports governing body or any of its member teams, a
39 sports governing body or any of its member teams, a player or a
40 referee personnel member, in or on any sports event overseen by
41 that person's sports governing body based on publicly available
42 information ¹ [;] ¹ a person who holds a position of authority or
43 influence sufficient to exert influence over the participants in a
44 sporting contest, including but not limited to coaches, managers,
45 handlers, athletic trainers, or horse trainers ¹ [;] ¹ a person with
46 access to certain types of exclusive information on any sports event
47 overseen by that person's sports governing body based on publicly
48 available information, or a person identified by any lists provided

1 by the sports governing body to the division and the racing
2 commission shall not be permitted to have any ownership interest
3 in, control of, or otherwise be employed by an operator, a sports
4 wagering licensee, or a facility in which a sports wagering lounge is
5 located or place a wager on a sports event that is overseen by that
6 person's sports governing body based on publicly available
7 information. Any employee of a sports governing body or its
8 member teams who is not prohibited from wagering on a sports
9 event shall, nevertheless, provide notice to the division prior to
10 placing a wager on a sports event. Any person who violates this
11 paragraph shall be guilty of a disorderly persons offense and shall
12 be fined not less than \$500 ¹ and ¹ not more than \$1,000.

13 (2) The prohibition set forth in ¹ section f (1) paragraph (1) of
14 this subsection¹ shall not apply to any person who is a direct or
15 indirect owner of a specific sports governing body member team
16 and (i) has less than 10 percent direct or indirect ownership interest
17 in a casino or racetrack or (ii) the shares of such person are
18 registered pursuant to section 12 of the Securities Exchange Act of
19 1934, as amended (15 U.S.C. s.781), and the value of the ownership
20 of such team represents less than one percent of the person's total
21 enterprise value.

22 (3) To the extent a person does not qualify for the exemption set
23 forth in ¹ section f (2) paragraph (2) of this subsection¹, the
24 agency issuing the sports wagering license pursuant to this act ¹ [.]¹
25 may grant a sports wagering license to a person that is a direct or
26 indirect legal or beneficial owner of 10 percent or greater of a
27 sports governing body's member team or teams provided that such
28 person divests of the disqualifying asset within one year of its
29 application for a sports wagering license. Any person who fails to
30 divest of the disqualifying asset shall be required to immediately
31 surrender their sports wagering license and any profits derived from
32 the operation of the sports pool during the period of operation shall
33 be paid to the State.

34 (4) An operator shall adopt procedures to prevent persons from
35 wagering on sports events who are prohibited from placing sports
36 wagers. An operator shall not accept wagers from any person
37 whose identity is known to the operator and:

38 whose name appears on the exclusion list maintained by the
39 division pursuant to section 71 of P.L.1977, c.110 (C.5:12-71);

40 whose name appears on any self-exclusion list maintained by the
41 division pursuant to sections 1 and 2 of P.L.2001, c.39 (C.5:12-71.2
42 and C.5:12-71.3, respectively);

43 who is the operator, director, officer, owner, or employee of the
44 operator or any relative thereof living in the same household as the
45 operator;

46 who has access to nonpublic confidential information held by the
47 operator; or

48 who is an agent or proxy for any other person.

1 (5) An operator shall adopt procedures to obtain personally
2 identifiable information from any individual who places any single
3 wager in an amount of \$10,000 or greater on a sports event while
4 physically present in a racetrack facility or a casino.

5 Sections 1 and 2 of P.L.2002, c.89 (C.5:5-65.1 and C.5:5-65.2,
6 respectively) shall apply to the conduct of sports wagering under
7 this act.

8 g. The holder of a sports wagering license may contract with an
9 entity to conduct that operation, in accordance with the regulations
10 of the division. That entity shall obtain a license as a casino service
11 industry enterprise prior to the execution of any such contract, and
12 such license shall be issued pursuant to the provisions of P.L.1977,
13 c.110 (C.5:12-1 et seq.) and in accordance with the regulations
14 promulgated by the division in consultation with the commission.

15 h. If any provision of this act, P.L. , c. (C.) (pending
16 before the Legislature as this bill), or its application to any person
17 or circumstance, is held invalid, the invalidity shall not affect other
18 provisions or applications of this act which can be given effect
19 without the invalid provision or application, and to this end the
20 provisions of this act are severable.

21 i. An operator shall promptly report to the division:
22 any criminal or disciplinary proceedings commenced against the
23 operator or its employees in connection with the operations of the
24 sports pool or online sports pool;
25 any abnormal betting activity or patterns that may indicate a
26 concern about the integrity of a sports event or events;
27 any other conduct with the potential to corrupt a betting outcome
28 of a sports event for purposes of financial gain, including but not
29 limited to match fixing; and
30 suspicious or illegal wagering activities, including the use of
31 funds derived from illegal activity, wagers to conceal or launder
32 funds derived from illegal activity, use of agents to place wagers, or
33 use of false identification.

34 The division is authorized to share any information under this
35 section with any law enforcement entity, team, sports governing
36 body, or regulatory agency the division deems appropriate.

37 j. An operator shall maintain records of sports wagering
38 operations in accordance with regulations promulgated by the
39 division.

40 k. Notwithstanding any law to the contrary or any restrictions,
41 the holder of a sports wagering license, or the operator, at no cost to
42 the entity, shall be entitled to receive a plenary retail consumption
43 license for the sale of alcoholic beverages in, on or about any
44 premises licensed as a sports lounge, pursuant to the provisions of
45 R.S.33:1-12.

46 l. A sports wagering licensee may, in addition to having a
47 sports wagering lounge, conduct wagering on authorized sports
48 events through one or more kiosks or self-service wagering stations

1 located within its facility. Such self-service wagering stations
2 located at a casino may offer any game authorized under rules
3 established by the division. Such self-service wagering stations
4 located at a racetrack may offer wagering only on authorized sports
5 events and horse races.

6 m. All wagers on sports events authorized under this provision
7 shall be initiated, received and otherwise made within this State
8 unless otherwise determined by the division in accordance with
9 applicable federal and state laws. Consistent with the intent of the
10 United States Congress as articulated in the Unlawful Internet
11 Gambling Enforcement Act of 2006 (31 U.S.C. s.5361 et seq.), the
12 intermediate routing of electronic data relating to a lawful intrastate
13 wager authorized under this provision shall not determine the
14 location or locations in which such wager is initiated, received or
15 otherwise made.

16

17 3. (New section) a. Corporate applicants for and holders of a
18 sports wagering license shall be required to disclose the identity of
19 the following: each board appointed officer of the corporation; each
20 director of the corporation; each person who directly holds any
21 voting or controlling interest of 5 percent or more of the securities
22 issued by such applicant or holder; each person who directly holds
23 any non-voting or passive ownership interest of 25 percent or more
24 of the securities issued by such applicant or holder; and each
25 holding or intermediary company of an applicant for or holder of an
26 operator.

27 b. As to each holding, intermediary and subsidiary company of
28 an applicant for or holder of a sports wagering license, such
29 applicants and holders shall be required to establish and maintain
30 the qualifications of the following: each board appointed officer of
31 the corporation; each director of the corporation; each person who
32 directly holds any voting or controlling interest of 5 percent or more
33 of the securities issued by such applicant or holder; and each person
34 who directly holds any non-voting or passive ownership interest of
35 25 percent or more in such holding or intermediary company.

36 c. The racing commission or the division shall have the
37 authority to waive any or all of the qualification requirements for
38 any person listed in subsections a. or b. of this section.

39 d. All persons employed directly in wagering-related activities
40 conducted within a casino or a racetrack in a sports wagering
41 lounge and an online sports pool shall be licensed as a casino key
42 employee or registered as a casino employee, as determined by the
43 commission, pursuant to the provisions of P.L.1977, c.110 (C.5:12-
44 1 et seq.). All other employees who are working in the sports
45 wagering lounge may be required to be registered, if appropriate, in
46 accordance with regulations of the division promulgated in
47 consultation with the commission.

48 e. Each operator shall designate one or more casino key

1 employees who shall be responsible for the operation of the sports
2 pool. At least one such casino key employee shall be on the
3 premises whenever sports wagering is conducted.

4
5 4. (New section) a. Except as otherwise provided by this act,
6 the division shall have the authority to regulate sports pools, online
7 sports pools, and the conduct of sports wagering under this act to
8 the same extent that the division regulates casino games. No casino
9 or racetrack shall be authorized to operate a sports pool or online
10 sports pool unless it has produced, to the satisfaction of the agency
11 issuing the sports wagering license, information, documentation,
12 and assurances concerning its financial background and resources,
13 including cash reserves, that are sufficient to demonstrate that it has
14 the financial stability, integrity, and responsibility to operate a
15 sports pool or online sports pool. In developing rules and
16 regulations applicable to sports wagering, the division may examine
17 the regulations implemented in other states where sports wagering
18 is conducted and may, as far as practicable, adopt a similar
19 regulatory framework. The division, in consultation with the
20 commission, shall promulgate regulations necessary to carry out the
21 provisions of this act, including, but not limited to, regulations
22 governing the:

23 (1) amount of cash reserves to be maintained by operators to
24 cover winning wagers;

25 (2) acceptance of wagers on a series of sports events;

26 (3) maximum wagers which may be accepted by an operator
27 from any one patron on any one sports event;

28 (4) type of wagering tickets which may be used;

29 (5) method of issuing tickets;

30 (6) method of accounting to be used by operators;

31 (7) types of records which shall be kept;

32 (8) use of credit and checks by patrons;

33 (9) type of system for wagering;

34 (10) protections for a person placing a wager; and

35 (11) display of the words, "If you or someone you know has a
36 gambling problem and wants help, call 1-800 GAMBLER," or some
37 comparable language approved by the division, which language
38 shall include the words "gambling problem" and "call 1-800
39 GAMBLER," in all print, billboard, sign, online, or broadcast
40 advertisements of a sports pool and online sports pool and in every
41 sports wagering lounge.

42 b. Notwithstanding any other provision of P.L. c. (C.)
43 (pending before the Legislature as this bill) or of the Administrative
44 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), to the
45 contrary, during the 90-day period following the effective date of
46 this act, the division and the racing commission may, after notice
47 provided in accordance with this subsection, summarily adopt,
48 amend, or repeal any order, rule, or regulation for a period not to

1 exceed 270 days for the purpose of ensuring the expeditious and
2 effective implementation of sports wagering at casinos or racetracks
3 in accordance with this act. Any summary rulemaking authorized
4 by this subsection shall be subject to such terms and conditions as
5 the division and the racing commission may deem appropriate.
6 Such rules shall be effective when published by the division and the
7 racing commission on their respective websites and shall allow for
8 the immediate application of ~~any~~ ^{any} racetrack licensed by the
9 racing commission, or casino licensed by the division, to the
10 respective agency by which they are ~~currently~~ licensed or
11 permitted, for a transactional waiver to immediately commence
12 sports wagering. Upon the filing of such application, these rules
13 shall further provide that, upon a showing therein that the applicant
14 is ~~presently~~ licensed or permitted by the appropriate agency
15 ~~that~~ a sports wagering license shall immediately be issued to
16 the respective applicant allowing for its immediate commencement
17 of sports wagering subject to the condition that it conform to the
18 entity and individual or other licensing, facility and any other
19 requirements set forth in the respective rules of each within 270
20 days. In the event such rules are not complied with within such time
21 period, the non-complying racetrack or casino will not thereafter be
22 eligible to conduct sports wagering until such compliance is
23 achieved. Notice of any emergency rulemaking action taken by the
24 division or the racing commission pursuant to this subsection shall
25 be published in the New Jersey Register, and provided to the
26 newspapers designated by the division and racing commission
27 pursuant to subsection d. of section 3 of P.L.1975, c.231 (C.10:4-8),
28 not later than 30 days subsequent to the implementation of the
29 emergency rules. The text of any emergency rule adopted by the
30 division and the racing commission pursuant to this section shall be
31 available in each racetrack, casino, sports wagering lounge, and
32 simulcasting facility implementing the provisions of emergency
33 rulemaking.

34 c. Any person employed on the effective date of this act,
35 P.L. , c. (C.) (pending before the Legislature as this bill), by
36 a permitholder in the admissions department or parimutuel clerk
37 department of a racetrack operated by the permitholder shall be
38 given a one-time right of first refusal offer of employment at the
39 sports pool, including an online sports pool, that opens at that
40 racetrack, for the then available positions of similar employment in
41 that sports pool, or with any vendor contracting with the licensee to
42 operate the sports pool.

43

44 5. (New section) Each operator shall adopt comprehensive house
45 rules governing sports wagering transactions with its patrons which
46 shall be approved by the division. The rules shall specify the amounts
47 to be paid on winning wagers and the effect of schedule changes. The
48 house rules, together with any other information the division deems

1 appropriate, shall be conspicuously displayed in the sports wagering
2 lounge, posted on the operator's Internet website, and included in the
3 terms and conditions of the account wagering system, and copies shall
4 be made readily available to patrons.

5
6 6. (New section) Whenever a casino licensee and a racetrack
7 permit holder enter into an agreement to jointly establish a sports
8 wagering lounge, and to operate and conduct sports wagering under
9 this act, the agreement shall specify the distribution of revenues
10 from the joint sports wagering operation among the parties to the
11 agreement.

12
13 7. (New section) The sums received by the casino from sports
14 wagering or from a joint sports wagering operation, less only the
15 total of all sums actually paid out as winnings to patrons^{1,1} shall not
16 be taxed as gross revenue as specified under section 24 of P.L.1977,
17 c.110 (C.5:12-24) but shall be subject to an 8.5 percent tax, except
18 that sums received from Internet wagering on sports events ¹, less
19 only the total of all sums actually paid out as winnings to patrons,¹
20 shall be subject to a 13 percent tax, which shall be paid to the
21 Casino Revenue Fund and the investment alternative tax established
22 by section 3 of P.L.1984, c.218 (C.5:12-144.1) which investment
23 alternative tax funds shall be used exclusively for the Meet Atlantic
24 City marketing program, provided, however, that the cash
25 equivalent value of any merchandise or thing of value included in a
26 jackpot or payout shall not be included in the total of all sums paid
27 out as winnings to patrons for purposes of determining revenue
28 under this paragraph.

29 The sums actually received by the horse racing permit holder
30 from any sports wagering operation, either jointly established with a
31 casino or established independently or with non-casino partners,
32 less only the total of all sums actually paid out as winnings to
33 patrons, shall be subject to an 8.5 percent tax ^{1,1} except ¹that¹ sums
34 received from Internet wagering on sports events ¹, less only the
35 total of all sums actually paid out as winnings to patrons,¹ shall be
36 subject to a 13 percent tax, to be collected by the division and paid
37 to the State General Fund and to an additional tax of 1.25 percent
38 on amounts actually received from a sports wagering operation
39 ¹**【with 0.75 percent paid】**, less only the total of all sums actually
40 paid out as winnings to patrons, to be paid to the Division of Local
41 Government Services in the Department of Community Affairs for
42 distribution, upon application by a municipality or county,¹ to the
43 municipality and ¹**【0.5 percent paid】**¹ to the county in which the
44 sports wagering lounge is located or to an economic development
45 authority of that municipality and county ¹**【**, as determined by the
46 governing body of the municipality or county,¹**】** with those amounts
47 used for economic development purposes, provided, however, that

1 the cash equivalent value of any merchandise or thing of value
2 included in a jackpot or payout shall not be included in the total of
3 all sums paid out as winnings to patrons for purposes of
4 determining revenue under this paragraph.

5 A percentage of the fee paid for a license to operate a sports pool
6 shall be deposited into the State General Fund for appropriation by
7 the Legislature to the Department of Health ¹and Senior
8 Services¹ to provide funds for ¹evidenced based¹ evidence-
9 based¹ prevention, education, and treatment programs for
10 compulsive gambling ¹programs¹ that meet the criteria developed
11 pursuant to section 2 of P.L.1993, c.229 (C.26:2-169), such as those
12 provided by the Council on Compulsive Gambling of New Jersey,
13 and including the development and implementation of programs
14 that identify and assist problem gamblers. The percentage shall be
15 determined by the division.

16

17 8. (New section) Sports wagering lounges at which a sports
18 pool is operated shall be a permitted use in all commercial, retail,
19 industrial, non-residential and mixed-use zoning districts of a
20 municipality.

21

22 9. (New section) If a patron does not claim a winning sports
23 pool wager within one year from the time of the event, the
24 obligation of the operator to pay the winnings shall expire and the
25 funds shall be distributed as follows:

26 for wagers placed with a sports pool operated by or on behalf of
27 a casino, the casino shall retain 50 percent and remit the remaining
28 50 percent to the Casino Revenue Fund;

29 for wagers placed with a sports pool operated by or on behalf of
30 a racetrack, the racetrack shall retain 50 percent and remit the
31 remaining 50 percent to the State General Fund; and

32 for wagers placed with a sports pool jointly operated by a casino
33 and a racetrack, the casino and racetrack shall retain a total of 50
34 percent which shall be apportioned among them pursuant to the
35 terms of their operation agreement, and the remaining 50 percent
36 shall be apportioned in the same manner, with the casino percentage
37 being deposited in the Casino Revenue Fund and the racetrack
38 percentage being deposited in the State General Fund.

39

40 10. (New section) Notwithstanding any other provision of
41 P.L.2013, c.27 (C.5:12-95.17 et al.), wagers may be accepted
42 thereunder or pooled with wagers from persons who are not
43 physically present in this State if the division determines that such
44 wagering is not inconsistent with federal law or the law of the
45 jurisdiction, including any foreign nation, in which any such person
46 is located, or such wagering is conducted pursuant to a reciprocal
47 agreement to which the State is a party that is not inconsistent with
48 federal law.

1 11. Section 24 of P.L.1977, c.110 (C.5:12-24) is amended to
2 read as follows:

3 24. "Gross Revenue"-- The total of all sums actually received by
4 a casino licensee from gaming operations, less only the total of all
5 sums actually paid out as winnings to patrons; provided, however,
6 that the cash equivalent value of any merchandise or thing of value
7 included in a jackpot or payout shall not be included in the total of
8 all sums paid out as winnings to patrons for purposes of
9 determining gross revenue. "Gross Revenue" shall not include any
10 amount received by a casino from casino simulcasting pursuant to
11 the "Casino Simulcasting Act," P.L.1992, c.19 (C.5:12-191 et al.) or
12 from sports wagering pursuant to P.L. , c. (C.) (pending
13 before the Legislature as this bill).
14 (cf: P.L.2014, c.62, s.3)

15

16 12. Section 104 of P.L.1977, c.110 (C.5:12-104) is amended to
17 read as follows:

18 104. a. Unless otherwise provided in this subsection, no
19 agreement shall be lawful which provides for the payment, however
20 defined, of any direct or indirect interest, percentage or share of:
21 any money or property gambled at a casino or simulcasting facility;
22 any money or property derived from casino gaming activity or
23 wagering at a simulcasting facility; or any revenues, profits or
24 earnings of a casino or simulcasting facility. Notwithstanding the
25 foregoing:

26 (1) Agreements which provide only for the payment of a fixed
27 sum which is in no way affected by the amount of any such money,
28 property, revenues, profits or earnings shall not be subject to the
29 provisions of this subsection; and receipts, rentals or charges for
30 real property, personal property or services shall not lose their
31 character as payments of a fixed sum because of contract, lease, or
32 license provisions for adjustments in charges, rentals or fees on
33 account of changes in taxes or assessments, cost-of-living index
34 escalations, expansion or improvement of facilities, or changes in
35 services supplied.

36 (2) Agreements between a casino licensee and a junket
37 enterprise or junket representative licensed, qualified or registered
38 in accordance with the provisions of P.L.1977, c.110 (C.5:12-1 et
39 seq.) and the regulations of the division which provide for the
40 compensation of the junket enterprise or junket representative by
41 the casino licensee based upon the actual casino gaming or
42 simulcast wagering activities of a patron procured or referred by the
43 junket enterprise or junket representative shall be lawful if filed
44 with the division prior to the conduct of any junket that is governed
45 by the agreement.

46 (3) Agreements between a casino licensee and its employees
47 which provide for casino employee or casino key employee profit
48 sharing shall be lawful if the agreement is in writing and filed with

1 the division prior to its effective date. Such agreements may be
2 reviewed by the division under any relevant provision of P.L.1977,
3 c.110 (C.5:12-1 et seq.).

4 (4) Agreements to lease an approved casino hotel or the land
5 thereunder and agreements for the complete management of all
6 casino gaming operations in a casino hotel shall not be subject to
7 the provisions of this subsection but shall rather be subject to the
8 provisions of subsections b. and c. of section 82 of this act.

9 (5) Agreements which provide for percentage charges between
10 the casino licensee and a holding company or intermediary
11 company of the casino licensee shall be in writing and filed with the
12 division but shall not be subject to the provisions of this subsection.

13 (6) Agreements relating to simulcast racing and wagering
14 between a casino licensee and an in-State or out-of-State sending
15 track licensed or exempt from licensure in accordance with section
16 92 of P.L.1977, c.110 (C.5:12-92) shall be in writing, be filed with
17 the division, and be lawful and effective only if expressly approved
18 as to their terms by the division and the New Jersey Racing
19 Commission, except that any such agreements which provide for a
20 percentage of the parimutuel pool wagered at a simulcasting facility
21 to be paid to the sending track shall not be subject to the provisions
22 of this subsection.

23 (7) Agreements relating to simulcast racing and wagering
24 between a casino licensee and a casino service industry enterprise
25 licensed pursuant to the provisions of subsection a. of section 92 of
26 P.L.1977, c.110 (C.5:12-92) as a hub facility, as defined in joint
27 regulations of the Division of Gaming Enforcement and the New
28 Jersey Racing Commission, shall be in writing, be filed with the
29 commission, and be lawful and effective only if expressly approved
30 as to their terms by the commission and the New Jersey Racing
31 Commission, except that any such agreements which provide for a
32 percentage of the casino licensee's share of the parimutuel pool
33 wagered at a simulcasting facility to be paid to the hub facility shall
34 not be subject to the provisions of this subsection.

35 (8) Agreements relating to simulcast racing and wagering
36 between a casino licensee and a casino service industry enterprise
37 licensed pursuant to the provisions of subsection a. of section 92 of
38 P.L.1977, c.110 (C.5:12-92) to conduct casino simulcasting in a
39 simulcasting facility shall be in writing, be filed with the
40 commission, and be lawful and effective only if expressly approved
41 as to their terms by the commission, except that any such
42 agreements which provide for a percentage of the casino licensee's
43 share of the parimutuel pool wagered at a simulcasting facility to be
44 paid to the casino service industry enterprise shall not be subject to
45 the provisions of this subsection.

46 (9) Written agreements relating to the operation of multi-casino
47 or multi-state progressive slot machine systems between one or
48 more casino licensees and a casino service industry enterprise

1 licensed pursuant to the provisions of subsection a. of section 92 of
2 P.L.1977, c.110 (C.5:12-92), or an eligible applicant for such
3 license, which provide for an interest, percentage or share of the
4 casino licensee's revenues, profits or earnings from the operation of
5 such multi-casino or multi-state progressive slot machines to be
6 paid to the casino service industry enterprise licensee or applicant
7 shall not be subject to the provisions of this subsection if the
8 agreements are filed with and approved by the division.

9 (10) A written agreement between a casino licensee and a casino
10 service industry enterprise licensed pursuant to subsection a. of
11 section 92 of P.L.1977, c.110 (C.5:12-92), or an eligible applicant
12 for such license, relating to the construction, renovation or
13 operation of qualifying sleeping units, as defined in section 27 of
14 P.L.1977, c.110 (C.5:12-27), or of non-gaming amenities, as
15 defined by the division, within the limits of the city of Atlantic
16 City, regardless of whether such qualifying sleeping units or non-
17 gaming amenities are connected to a casino hotel facility, which
18 provides for an interest, percentage or share of the casino licensee's
19 revenues, profits or earnings, not to exceed 5% of the casino
20 licensee's revenues, to be paid to the casino service industry
21 enterprise licensee or applicant in return for the construction,
22 renovation or operation of such qualifying sleeping units or non-
23 gaming amenities shall not be subject to the provisions of this
24 subsection provided that: (i) the agreement requires a capital
25 investment, at least 10% of which shall be made by the casino
26 service industry enterprise licensee or applicant over the term of the
27 agreement, of not less than \$30 million, which minimum amount
28 shall be adjusted periodically by the division for inflation; (ii) the
29 division finds that the total amount of casino revenues, profits or
30 earnings that can be paid to the casino service industry enterprise
31 licensee or applicant pursuant to this agreement is commercially
32 reasonable under the circumstances; and (iii) the agreement is filed
33 with and approved by the division.

34 (11) A written agreement between a casino licensee holding an
35 Internet gaming permit and a casino service industry enterprise
36 licensed pursuant to subsection a. of section 92 of P.L.1977, c.110
37 (C.5:12-92), or an eligible applicant for such a license, in
38 connection with the conduct of Internet gaming under P.L.2013,
39 c.27 (C.5:12-95.17 et al.), which provides for a percentage of the
40 casino licensee's Internet gaming gross revenue to be paid to the
41 casino service industry enterprise licensee shall not be subject to the
42 provisions of this subsection, provided that the agreement shall be
43 in writing, filed with the division, and shall be lawful and effective
44 only if the terms thereof are expressly approved by the division.

45 (12) A written agreement between a casino licensee and a casino
46 service industry enterprise licensed pursuant to subsection a. of
47 section 92 of P.L.1977, c.110 (C.5:12-92), or an eligible applicant
48 for such a license, in connection with the conduct of mobile gaming

1 under section 100 of P.L.1977, c.110 (C.5:12-100), or mobile sports
2 pool operations within a casino hotel facility in areas in which
3 mobile gaming under section 100 of P.L.1977, c.110 (5:12-100) is
4 authorized, which provides for a percentage of the casino licensee's
5 gross revenue from mobile gaming to be paid to the casino service
6 industry enterprise licensee shall not be subject to the provisions of
7 this subsection, provided that the agreement shall be in writing,
8 filed with the division, and shall be lawful and effective only if the
9 terms thereof are expressly approved by the division.

10 (13) A written agreement between a casino licensee and a casino
11 service industry enterprise licensed pursuant a. of
12 section 92 of P.L.1977, c.110 (C.5:12-92), or an eligible applicant
13 for such a license, in connection with the conduct of a sports pool,
14 including an online sports pool, mobile sports pool operations
15 within a casino hotel facility in areas in which mobile gaming under
16 section 100 of P.L.1977, c.110 (5:12-100) is authorized, or both,
17 which provides for a percentage of the casino licensee's gross
18 revenue from the operations of a sports pool, including online
19 sports pool and mobile operations, to be paid to the casino service
20 industry enterprise licensee shall not be subject to the provisions of
21 this subsection, provided that the agreement shall be in writing,
22 filed with the division, and shall be lawful and effective only if the
23 terms thereof are expressly approved by the division.

24 b. Each casino applicant or licensee shall maintain, in
25 accordance with the rules of the division, a record of each written or
26 unwritten agreement regarding the realty, construction,
27 maintenance, or business of a proposed or existing casino hotel or
28 related facility. The foregoing obligation shall apply regardless of
29 whether the casino applicant or licensee is a party to the agreement.
30 Any such agreement may be reviewed by the division on the basis
31 of the reasonableness of its terms, including the terms of
32 compensation, and of the qualifications of the owners, officers,
33 employees, and directors of any enterprise involved in the
34 agreement, which qualifications shall be reviewed according to the
35 standards enumerated in section 86 of P.L.1977, c.110 (C.5:12-86).
36 If the division disapproves such an agreement or the owners,
37 officers, employees, or directors of any enterprise involved therein,
38 the division may require its termination.

39 Every agreement required to be maintained, and every related
40 agreement the performance of which is dependent upon the
41 performance of any such agreement, shall be deemed to include a
42 provision to the effect that, if the commission shall require
43 termination of an agreement pursuant to its authority under
44 P.L.1977, c.110 (C.5:12-1 et seq.), such termination shall occur
45 without liability on the part of the casino applicant or licensee or
46 any qualified party to the agreement or any related agreement.
47 Failure expressly to include such a provision in the agreement shall
48 not constitute a defense in any action brought to terminate the

1 agreement. If the agreement is not maintained or presented to the
2 commission in accordance with division regulations, or the
3 disapproved agreement is not terminated, the division may pursue
4 any remedy or combination of remedies provided in this act.

5 For the purposes of this subsection, "casino applicant" includes
6 any person required to hold a casino license pursuant to section 82
7 of P.L.1977, c.110 (C.5:12-82) who has applied to the division for a
8 casino license or any approval required under P.L.1977, c.110
9 (C.5:12-1 et seq.).

10 c. Nothing in this act shall be deemed to permit the transfer of
11 any license, or any interest in any license, or any certificate of
12 compliance or any commitment or reservation.

13 (cf: P.L.2013, c.27, s.14)

14

15 13. Section 1 of P.L.2008, c.12(C.5:12-38a) is amended to read
16 as follows:

17 1. "Promotional gaming credit" - A slot machine credit, sports
18 wagering credit or other item approved by the division that is issued
19 by a licensee to a patron for the purpose of enabling the placement
20 of a wager at a slot machine or in a sports pool in the licensee's
21 casino or through the licensee's Internet gaming system. No such
22 credit shall be reported as a promotional gaming credit unless the
23 casino licensee can establish that the credit was issued by the casino
24 licensee and received from a patron as a wager at a slot machine or
25 in a sports pool in the licensee's casino or Internet gaming system.

26 (cf: P.L. 2013, c.27, s.34)

27

28 14. Section 3 of P.L.2016, c.5 (C.52:27BBBB-20) is amended to
29 read as follows:

30 3. a. As used in P.L.2016, c.5 (C.52:27BBBB-18 et al.):

31 "Atlantic City" means the City of Atlantic City, in Atlantic
32 County;

33 "Base amount" means the amount of the payment in lieu of taxes
34 as determined by subparagraph (d) of paragraph (3) of subsection c.
35 of this section;

36 "Casino gaming property" means one or more parcels of real
37 property located in Atlantic City, and any adjacent property utilized
38 in connection with such property, upon which there is located a
39 facility licensed to be used for casino gaming in 2014 or thereafter,
40 whether or not in actual operation, which has more than 500 guest
41 hotel rooms, and is not subject to recorded covenants prohibiting
42 casino gaming;

43 "Division" means the Division of Gaming Enforcement in the
44 Department of Law and Public Safety;

45 "Gross gaming revenue" (GGR) means the total amount of
46 revenue raised through casino gaming, including revenue from
47 sports pool operations, from all of the casino gaming properties
48 located in Atlantic City as determined by the division;

1 "Local Finance Board" means the Local Finance Board in the
2 Division of Local Government Services in the Department of
3 Community Affairs; and

4 "Treasury" means the Department of the Treasury.

5 b. Beginning with calendar year 2017, and for the next
6 succeeding nine calendar years, casino gaming properties located in
7 Atlantic City shall be exempt from local property taxation on real
8 property and improvements, including accessory hotels, conference
9 centers, parking garages, and other appurtenant facilities, except
10 that any new improvement developed on a casino gaming property
11 that is made outside of the perimeter footprint of any improvement
12 existing as of the effective date of this act and any real property, not
13 formerly qualified as casino gaming property, acquired after such
14 date by an owner of casino gaming property shall not be exempt
15 from local property taxation in any calendar year and shall be
16 subject to local property taxation annually at Atlantic City's general
17 property tax rate. The provisions of this section shall not apply to
18 any casino property that operates under a small scale casino facility
19 license or a staged casino facility license pursuant to section 1 of
20 P.L.2010, c.115 (C.5:12-80.1).

21 c. (1) In exchange for the property tax exemption granted in
22 subsection b. of this section, each owner of each casino gaming
23 property shall sign a 10-year financial agreement with Atlantic City
24 for each casino gaming property promising to make quarterly
25 payments to the city of its allocated portion of the annual amount of
26 the payment in lieu of taxes as determined by this section. The
27 owner of each casino gaming property shall be responsible for the
28 payments allocated to that property and shall be subject to the lien
29 provisions of R.S.54:5-6 if those payments are not made.

30 (2) Any new owner of a casino gaming property following the
31 effective date of P.L.2016, c.5 (C.52:27BBBB-18 et al.) shall
32 immediately become responsible for signing a financial agreement
33 with Atlantic City promising to make payments consistent with this
34 section.

35 (3) (a) The total amount of the payment in lieu of property
36 taxes owed to Atlantic City for calendar year 2017 shall be \$120
37 million. To the extent that any owner of a casino gaming property
38 has paid property taxes for calendar year 2017 prior to the date
39 P.L.2016, c.5 (C.52:27BBBB-18 et al.) becomes operative, the
40 amount of property taxes so paid shall be credited toward that
41 owner's allocated share of the \$120 million total payment in lieu of
42 property taxes.

43 (b) For calendar year 2018 and for each calendar year thereafter,
44 the amount of the payment in lieu of property taxes owed to
45 Atlantic City shall increase by two percent per year in every year in
46 which there is no upward adjustment to the base amount of the
47 payment in lieu of taxes from the previous calendar year as
48 determined by subparagraph (d) of this paragraph.

1 (c) For calendar year 2018 and for each calendar year thereafter,
2 the total amount of the payment in lieu of property taxes owed to
3 Atlantic City shall be the base amount as determined by
4 subparagraph (d) of this paragraph and the total amount of the
5 annual increases to date as determined by subparagraph (b) of this
6 paragraph.

7 (d) For calendar year 2018 and for each calendar year thereafter,
8 the base amount of the payment in lieu of taxes shall be determined
9 as follows:

10 If the amount of the GGR in the preceding calendar year is
11 between \$3.4 billion and \$3.8 billion, the base amount shall be \$165
12 million, or in the case of an upward adjustment, \$15 million more
13 than the PILOT in the previous year, whichever is greater;

14 If the amount of the GGR in the preceding calendar year is
15 between \$3.0 billion and \$3.4 billion, the base amount shall be \$150
16 million, or in the case of an upward adjustment, \$20 million more
17 than the PILOT in the previous year, whichever is greater;

18 If the amount of the GGR in the preceding calendar year is
19 between \$2.6 billion and \$3.0 billion, the base amount shall be \$130
20 million, or in the case of an upward adjustment, \$10 million more
21 than the PILOT in the previous year, whichever is greater;

22 If the amount of the GGR in the preceding calendar year is
23 between \$2.2 billion and \$2.6 billion, the base amount shall be \$120
24 million, or in the case of an upward adjustment, \$10 million more
25 than the PILOT in the previous year, whichever is greater;

26 If the amount of the GGR in the preceding calendar year is
27 between \$1.8 billion and \$2.2 billion and the aggregate gross
28 revenues from all of the casino gaming properties located in
29 Atlantic City from all revenue streams, excluding GGR, have not
30 increased compared to the prior calendar year by more than the
31 amount by which GGR is less than \$2.2 billion, as determined by
32 the division, the base amount shall be \$110 million, or in the case of
33 an upward adjustment, \$20 million more than the PILOT in the
34 previous year, whichever is greater;

35 If the amount of the GGR in the preceding calendar year is \$1.8
36 billion or less and the aggregate gross revenue from all of the casino
37 gaming properties located in Atlantic City from all revenue streams,
38 excluding GGR have not increased compared to the prior calendar
39 year by more than the amount by which GGR is less than \$1.8
40 billion as determined by the division, the base amount shall be \$90
41 million.

42 (4) The amount of the payment in lieu of property taxes owed
43 pursuant to this subsection shall be calculated annually each
44 calendar year for each casino gaming property using a formula
45 implemented by the Local Finance Board, in consultation with the
46 division, using the following criteria:

47 The geographic footprint of the real property, expressed in acres,
48 owned by each casino gaming property;

1 The number of hotel guest rooms in each casino gaming
2 property; and

3 The gross gaming revenue of the casino in each casino gaming
4 property from the prior calendar year.

5 Each of these three criteria shall bear equal weight in the formula
6 implemented by the Local Finance Board, in consultation with the
7 division, pursuant to this paragraph, provided that during calendar
8 years 2017, 2018, 2019, 2020, and 2021, if the formula results in
9 any individual casino gaming property being allocated an amount
10 that is in excess of the total real property taxes due and payable by
11 the casino gaming property in calendar year 2015, then that casino
12 gaming property shall receive a credit against the obligation of the
13 operator of that property under paragraph (2) of subsection a. of
14 section 3 of P.L.1984, c.218 (C.5:12-144.1) in the amount of such
15 excess. If, after that credit against the obligation of the operator of
16 that property under paragraph (2) of subsection a. of section 3 of
17 P.L.1984, c.218 (C.5:12-144.1), that casino gaming property would
18 still be liable for a payment in lieu of property taxes in excess of the
19 total real property taxes due and payable by the casino gaming
20 property in calendar year 2015, the casino gaming property shall not
21 be required to make any additional payment in lieu of property tax
22 payment. Instead, any additional amount that would have been
23 owed by that casino gaming property shall be added, by
24 proportional share, to the payment in lieu of property taxes to be
25 paid by every other casino gaming property in order to provide
26 Atlantic City the total amount of the payment in lieu of property
27 taxes due and owing for that calendar year.

28 d. When a new casino gaming property is added or when an
29 existing casino gaming property no longer qualifies as a casino
30 gaming property as defined in subsection a. of this section, Atlantic
31 City's financial agreement with each owner of each casino gaming
32 property shall be amended to reflect the change and the allocation
33 of the payment in lieu of property taxes between the casino gaming
34 properties.

35 e. The provisions of R.S.54:5-6 shall apply to any amount
36 required to be paid under this section, and the municipality shall
37 have the same rights against any casino gaming property for such
38 unpaid amounts relating to that property as if such amounts were
39 unpaid property taxes.

40 (cf: P.L.2016, c. 5, s.3)

41

42 15. Sections 1, 2, and 4 of P.L.2014, c.62 (C.5:12A-7 through
43 C.5:12A-9) are repealed.

44

45 16. This act shall take effect immediately ¹, except that
46 provisions allowing online or Internet sports wagering shall take
47 effect 30 days thereafter¹.