SENATE, No. 1974

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:
Senator VIN GOPAL
District 11 (Monmouth)
Senator STEVEN V. OROHO
District 24 (Morris, Sussex and Warren)

Co-Sponsored by:
Senator Addiego

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: 7/22/2020)

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

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

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

16. a. A person shall not place an account wager **[**from within this State**]** except in accordance with this act through the account wagering licensee, and no entity, other than the account wagering licensee, shall accept an account wager **[**from a person within this State**]** except as permitted by P.L.2001, c.199 (C.5:5-127 et seq.). A person may not place an account wager unless the person has established an account with the account wagering licensee. To establish a wagering account, a person shall be a New Jersey resident at least 18 years of age. A resident of this State who has established an account with an account wagering licensee may place an account wager through the licensee while physically present in New Jersey, or while physically present in another jurisdiction if placing such a wager is not inconsistent with the law of that jurisdiction or with federal law.

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

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

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

e. Any prospective account holder who provides false or misleading information on the application is subject to rejection of the application or cancellation of the account by the account 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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

e. The account holder may place a wager in person, by direct telephone call or by communication through other electronic media.

(cf: P.L.2001, c.199, s.18)

3. This act shall take effect immediately.

STATEMENT

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