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BASIS AND PURPOSE FOR RULE 9

The purpose of Rule 9 is to specify the requirements of Sports Betting Operations and responsible gaming, patron responsible gaming, and to specify certain duties of licensees and patrons related to self-restriction. The statutory basis for Rule 9 is found in sections 44-30-201, C.R.S., 44-30-202, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., 44-30-502, C.R.S., 44-30-510, C.R.S., 44-30-528, C.R.S., 44-30-531, C.R.S., 44-30-827, C.R.S., 44-30-833, C.R.S., 18-20-112, C.R.S., 44-30-1701, C.R.S., 44-30-1702, C.R.S., 44-30-1703, C.R.S., and part 15 of article 30 of title 44, C.R.S. (*Amended temp. 10/27/22, Amended perm. 2/14/23, Amended 1/14/2026*)

RULE 9 RESPONSIBLE GAMING AND SELF-RESTRICTION *Effective 4/14/20*

9.1 Display of responsible gaming logo.

- (1) Each sports betting website, mobile application, and self-service gaming device (kiosk) shall display a responsible gaming logo in a manner approved by the Director or Director's designee to direct a patron to the Sports Betting Operator's responsible gaming webpage or the Divisions responsible gaming webpage. Master, Sports Betting Operator, and Internet Sports Betting Operator licensees shall operate under the same responsible gaming guidelines as detailed in these Rules, where applicable. The responsible gaming webpage shall be accessible to a patron during a sports betting patron session and shall contain, at a minimum, the following: *Amended 1/14/2026*
 - (a) A prominent message that states, "Gambling problem? Call or TEXT_1-800-GAMBLER";
 - (b) A direct link to the website and other internet resources dedicated to helping people with potential gambling problems as directed by the Commission; and,
 - (c) A clear statement of the Sports Betting Operation's policy and commitment to responsible gaming along with a link to the Sports Betting Operation specific self-exclusion program along with information on self-exclusion through the Division or Division's website.
- (2) Sports Betting Operations with brick-and-mortar locations must have a policy in effect for all of its properties in addition to self-exclusion, providing opportunities for patrons to request in writing the revocation of their privileges for specific services such as:
 - (a) Direct sports betting promotions;
 - (b) Player club/card privileges related to sports betting;
 - (c) On-site check-cashing; and,
 - (d) Complimentaries.
- (3) Sports Betting Operations with brick and mortar locations must make information available promoting responsible gaming and where to find assistance, including a toll-free help line number. This information shall be available and visible in sports betting areas and at cash access devices.

9.2 Sports Betting Operations self-exclusion.

Each Sports Betting Operation shall establish and maintain a self-exclusion program for patrons consistent with Regulation 9.5. *Amended 1/14/2026*

9.3 Direct marketing to individuals on the Exclusion List. *Amended 1/14/2026*

- (1) A Sports Betting Operation shall make all reasonable efforts to ensure that individuals on the Exclusion List do not receive direct marketing from the Sports Betting Operation or marketing affiliates.
- (2) A Sports Betting Operation will satisfy this requirement if the Sports Betting Operation and/or marketing affiliates remove the name and resident address from the list of individuals on the Exclusion List patrons to whom direct marketing materials are sent.
- (3) A Sports Betting Operation directly or through their marketing affiliates shall use the current Exclusion List provided by the Division, to prevent individuals being directly advertised to. The Exclusion List shall be used to update all direct marketing lists to ensure that individuals on the Exclusion List are not directly targeted, by direct mail, phone calls, text messages, emails, or any other form of direct communication.

9.4 Responsible advertising and promotions. *Amended 1/14/2026*

- (1) All offers and bonuses must:
 - (a) Include terms and conditions that are full, accurate, clear, concise, transparent, and do not contain misleading information;
 - (b) Have advertising materials that include any material terms and conditions for that offer or bonus and have those material terms in close proximity to the headline claim of the offer or bonus and in reasonably prominent size;
 - (c) Not be described as free unless they absolutely are free. If the customer has to risk or lose their own money or has conditions attached to their own money, then the offer or bonus must disclose those terms;
 - (d) Not be described as risk free if the customer needs to incur any loss or risk their own money to use or withdraw winnings from the risk free bet;
 - (e) Not restrict the customer from withdrawing their own funds or withdrawing winnings from bets placed using their own funds;
- (2) No person may, while on the Exclusion List, redeem points, bonuses, comps or free play. *Effective 1/14/2026*
- (3) Prohibition on advertising that targets underage participants:
 - (a) A Sports Betting Operation and/or their marketing affiliates shall not target underage persons or create advertising content that is clearly meant, because of message and graphics, for an underage audience.
 - (b) A Sports Betting Operation and/or their marketing affiliates shall not advertise on media where the majority of the demographic audience or players/performers are known to be under the legal age to engage in sports betting. This does not apply to public venues where the demographics of a normal crowd in attendance cannot be determined.

- (4) Sports Betting Operations on or before October 1st each year shall submit to the Director a report that describes the efforts of the licensee in the preceding state fiscal year (July 1st through June 30th) to promote responsible gaming in the state via advertising and other promotional methods and the licensee's plans concerning such promotional efforts in the current state fiscal year. *(Effective temp. 10/27/22, perm. 2/14/23)*
- (5) A Sports Betting Operation directly or through their marketing affiliates shall include a prominent message, which states, "Gambling problem? Call or TEXT 1-800- GAMBLER" on all forms of media advertisement to Colorado consumers, including but not limited to: electronic mail (email), video advertisements, digital/online advertising, television advertisements, radio advertisement, letters, pamphlets and newspaper/magazine advertisements. The written message of "Gambling problem? Call or TEXT 1-800- GAMBLER" shall appear in conspicuous and legible type in contrast by typography, layout, or color with all other printed material on the advertisement. Verbal messaging of "Gambling problem? Call or TEXT 1-800- GAMBLER" shall be audible and understandable. Advertisements that only reference restaurants and/or the hotel at a sports betting licensee's retail location(s) and do not market gaming and/or sports betting, including gaming and/or sports betting spaces, are exempt from this provision. The words "or text" may be excluded upon the Director's prior approval. Any gaming-related communication that will entice a Colorado consumer to gamble and any gaming-related materials shall have the prominent message of "Gambling Problem? Call or text 1-800-GAMBLER." *Amended 3/16/24*
- (a) Entice means to attract, invite, and/or promote for purposes of the provision. *Effective 1/14/2026*

9.5 Exclusion list – Duties and responsibilities. *Amended 1/14/2026*

- (1) Division Exclusion List.

The Division shall operate a program to consolidate excluded and, self-excluded individuals in one Exclusion List in order to keep those individuals from participating in Colorado gaming. The program shall provide an Exclusion List for retail gaming licensees, Sports Betting Operations, as well as any licensed third-party vendors pre-approved by the Director or the Director's designee which contract with a licensee. The sole purpose of the Exclusion List is to ensure timely updates of individuals that may not participate in gaming and sports betting in Colorado. The Exclusion List shall only be used for the purpose of identifying those individuals who have been excluded from gaming and those that may have excluded themselves. Licensees including Sports Betting Operations that receive data from the Division shall use it solely to update their database whether directly or through a Division-approved third-party vendor. The information contained in the Exclusion List updates provided to the licensees are confidential and shall only be used for its intended purpose. Limited information may be shared with affiliates and Division-approved third-party vendors for the purpose of ensuring individuals on the Exclusion List do not receive direct marketing. It is a violation for any licensee to use the confidential data in any other way. The Director shall determine how each licensee, league or person interacts with the database.

- (a) Internet Sports Betting Operators shall, make available a self-exclusion application to a patron requesting to self-exclude. This self-exclusion application must include an easily identifiable link to the Division's Self Exclusion website and the link must take the player directly to the webpage from the application.
- (b) The Sports Betting Operators shall provide either a hard copy of the Division's self-exclusion application, provide a dedicated computer in the sportsbook where a patron can access the Division's self-exclusion website, or direct the patron to the Division's self-exclusion website.
- (c) The Division shall provide a list of excluded Players (the Exclusion List) to the Sports Betting Operations. The Exclusion List will be in a format determined by the Director or

the Director's designee, updated as needed, and sent electronically. All new and existing licensees shall update all new excluded persons within their own database or through a Division approved third-party vendor within three business days, Monday thru Friday, excluding holidays, from receiving an updated Exclusion List from the Division. Licensees must review the Exclusion List prior to issuing a new account.

- (d) A licensed third-party vendor may view and use the confidential information contained in the Division's Exclusion List, so long as the third-party vendor has complied with the following:
 - (i) The third-party vendor has entered into a contract or written agreement with a licensee outlining the third-party vendor's access and use of the confidential information contained in the Division's Exclusion List.
 - (ii) The third-party vendor has completed and submitted a form prepared by the Director or the Director's designee. As part of the form, the third-party vendor must disclose all retail gaming licensees and Sports Betting Operations that it is providing services to related to the Division's Exclusion List. As part of the form, the third-party vendor must affirmatively agree not to disclose the confidential information contained in the Division's Exclusion List and to only use such confidential information for its intended purpose.
 - (iii) The third-party vendor may not access and/or use the confidential information contained in the Division's Exclusion List until approved in writing by the Director or the Director's designee.
 - (iv) The third-party vendor must immediately inform the Division of any changes to its address, any changes to its contract or written agreement with a Sports Betting Operation, or its cessation of services relating to the provision of this regulation within five (5) calendar days of the changes or cessation of services.
 - (v) The third-party vendor must immediately disclose to the Division within five (5) calendar days any disclosure of the confidential information contained in the Division's Exclusion List or inappropriate use of such confidential information.
- (e) In the event the third party vendor violates any or all of the requirements in Rule 9.5(d), The license with which the third-party vendor has contracted and/or entered into a written agreement may be subject to discipline in accordance with the provisions of Article 30 of Title 44, C.R.S., and/or the Gaming and Sports Betting rules and regulations under 1 C.C.R. 207-1 and 1 C.C.R. 207-2 respectively.

(2) Exclusion List.

- (a) The following persons shall be included and maintained in the Exclusion List, updated and transferred to Sports Betting Operations, retail gaming licensees, and licensed third-party vendors approved by the Director or the Director's designee which contract with a licensee or a Sports Betting Operation:
 - (i) Individuals that have voluntarily self-excluded from any operator, retail casino or through the Division.
 - (ii) Individuals who are required by the Commission to be excluded or ejected from licensed gaming establishments, to the extent that those individuals are listed in the Divisions Exclusion List.

- (b) Individuals on the Exclusion List may not participate or collect winnings from gaming in Colorado. For purposes of this provision, “winnings” only applies to bets made after the individual was added to the Exclusion List. Individuals on the Exclusion List, shall not be able to redeem points, bonuses, comps or free play. The Sports Betting Operation will retain or keep any winnings of a person on the Exclusion. Individuals on the Exclusion List forfeit any money wagered, but may retain any remaining funds that have not been actively wagered sports wagering after being placed on the Exclusion List.
 - (i) Sports Betting Operators must check whether a patron is on the exclusion list during the following transactions: comp issuance, reward item issuance, cage transactions requiring ID, PIN change, jackpot pay out, issuing/reissuing a players card, front money opening a players card account.
 - (ii) Sports Betting Operators must respond to any alerts their system might provide, including but not limited to audible and visual alerts that indicate a patron is on the self-exclusion list. Example of alerts may include but are not limited to alerts from the player management systems, technology, or any other methods assigned by the Director. Systems that have the capability to provide the alert are required to utilize it, both audible and visual versions, if available.
 - (A) A response includes:
 - (1) Individuals on the exclusion list who continue to enter retail sports betting establishments and participate in sports betting will be escorted out of the retail sports betting establishment and may be subject to prosecution. Sports Betting Operators are required to report each incident to the Division.
 - (iii) Internet Sports Betting Operators must review all patron accounts to determine whether any patrons are on the Exclusion List upon receiving the lists from the Division. In the event an individual on the Exclusion List has an account with the Internet Sports Betting Operator, the Internet Sports Betting Operator may not accept any sports wagers from the patron during the duration of the patron's inclusion on the Exclusion List.
 - (c) A Sports Betting Operation that allows individuals on the Exclusion List to gamble may be subject to disciplinary action in accordance with the provisions of Article 30, of Title 44, C.R.S., and/or the Gaming and Sports Betting Rules and Regulations under 1 C.C.R. 207-1 and 1 C.C.R. 207-2.
- (3) Self-Inclusion on the Exclusion List.
- (a) Individual self-exclusion means that an individual has made a conscious voluntary effort to exclude themselves from all forms of gaming, including limited gaming and sports betting under the regulatory purview of the Commission and the Division. Self-exclusion may only be accomplished by an individual acting in their own interest, in the following ways:
 - (i) Self-exclusion by an individual through the Division. An individual self-excluding either in person or through a web-based application. All self-exclusions by individuals through the Division, either in person or web-based, will have their identity verified prior to being included on the Exclusion List.
 - (ii) Self-exclusion through an Internet Sports Betting Operator. An Internet Sport Betting Operator shall direct any individual who chooses an option to

electronically self-exclude on the Internet Sports Betting mobile app to the Division's self-exclusion website.

- (iii) Self-exclusion through a Sports Betting Operator. A Sports Betting Operator shall direct any individual who requests self-exclusion through the Sports Betting Operator to the Division's website directly for self-exclusion. In the alternative, a Sports Betting Operator may direct any individual requesting self-exclusion through the Sports Betting Operator to complete a self-exclusion form provided by the Sports Betting Operator.
 - (b) Individuals wishing to self-exclude in person or through the Division's web-based application shall fill out all required information on the form. Incomplete forms may not be processed.
 - (c) Individuals that self-exclude from Sports Betting Operations in other states may be included on their corporate exclusion list and may be included in other state exclusion programs. An individual self-excluding in Colorado shall be informed prior to being placed on a corporate exclusion list.
- (4) Self-exclusion period.
- (a) Individuals who voluntarily self-excluded shall select the period of exclusion to include:
 - (i) One (1) year
 - (ii) Three (3) years; or
 - (iii) Five (5) years
 - (b) An individual who is on the Exclusion List may submit a request to the Division, to increase the minimum length of exclusion.
- (5) Removal from the Exclusion List after self-exclusion.
- (a) No person is automatically removed from the Exclusion List when the selected or directed period ends. Individuals that have self-excluded and are on the Exclusion excluded List must file the Request for Removal from the Exclusion List form with the Division prior to being removed from the Exclusion List.
 - (b) Individuals that are on the Exclusion List and have not completed their self-selected period of self-exclusion may petition the Director for removal from the list. The Director or the Director's designee Division may require self-evaluation or evaluation by a professional to ensure the problem gambling or financial issues that led to the self-exclusion have corrected themselves. Removal from the Exclusion List prior to the self-selected time period is at the complete discretion of the Director. If an individual's petition to be removed from the Exclusion List prior to the self-selected exclusion period is not approved by the Director, the individual may not re-petition the Director again for the period of one year from the date of the Director's decision, regardless of any subsequent petition(s) or proceeding(s) under Rule 2.8.

9.6 Establishment of responsible gaming best practices. *Amended 1/14/2026*

- (1) Prior to beginning sports betting activity, a Sports Betting Operation shall submit for approval to the Division its strategy for the implementation of a responsible gaming program. On or before

October 1st each year, each Sports Betting Operation shall submit to the Division any updates to its strategy for the implementation of a responsible gaming program.

- (2) The strategy for the implementation of a responsible gaming program shall include but is not limited to the following:
 - (a) The options available for patrons to set self-directed limits on all aspects of their deposits, withdrawals, limits on betting and time frames those limits take place.
 - (b) All responsible gaming tools that are at the player's disposal.
 - (c) The staffing level, including the lead staff position for the responsible gaming program, staffing positions dedicated to responsible gaming, employee education and outreach to players identified as problem gamblers or players that are at risk or show signs of problems gaming.
 - (i) The lead staff position or their designee shall be required to provide responsible gaming training for team members who directly engage with sports betting patrons continually and/or as needed with the turnover of team members.
 - (d) A detail of the use of player data and technology to aid in identifying potential problem gamblers. Detail should be provided on how the operators or a contracted third party's technology will provide automated triggers on potential problem gamblers. The List should provide detail on what triggers are being identified and how the operator has identified those as critical matrices to follow. Additionally, what plans the operator is engaged in to continually update and learn the best way to identify problem gamblers on their site.
 - (e) The levels of intervention and education provided to identified at risk players. Provide examples of materials and/or media used for intervention and education.
 - (f) Internal controls to identify any individuals on the Exclusion List who engage in sports betting activity through the Sports Betting Operation. Internal controls should include prohibiting individuals on the Exclusion List from engaging in sports betting through the Sports Betting Operation and controls in place to prevent collection of winnings by individuals on the Exclusion List and,
 - (g) Any information relevant to the company as a whole on strategic direction for responsible gaming.
- (3) The Sports Betting Operation shall ensure compliance with its internal responsible gaming policies and procedures, and the strategy for implementation of a responsible gaming program submitted to the Division. An Operations failure to adhere to its own responsible gaming policies and procedures and its plan provided to the Division may subject the operation to regulatory discipline.
- (4) The Sports Betting Operation shall audit the play account management system or any system or database that houses excluded patron information on a quarterly basis each calendar year for duplicate accounts to ensure that individuals on the Exclusion List self-excluded patrons are flagged appropriately.
 - (a) The Sports Betting Operator or Internet Sports Betting Operator shall ensure the player account management system or any system or database that houses excluded patron information is accessed during any patron gaming interaction that requires identification.

- (i) Examples include: cash advances, check cashing, PIN number changes, taxable accumulated credits or free play, front money, cash club transactions, audible and visual alerts, and any gaming transaction requiring an ID.