

DEPARTMENT OF REVENUE

Division of Gaming

SPORTS BETTING REGULATIONS

1 CCR 207-2

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

BASIS AND PURPOSE FOR RULE 9

The purpose of Rule 9 is to specify the requirements of Sports Betting Operations and responsible gaming, to designate certain duties of licensees and patrons related to self-restriction, and to specify requirements concerning responsible advertising and promotions. 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. and 44-30-1701, C.R.S., and 44-30-1702, C.R.S., 44-30-1703, C.R.S., and part 15 of article 30 of title 44, C.R.S.

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

9.4 Responsible advertising and promotions.

- (1) All offers and bonuses must:
 - (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; **AND**
 - (e) Not restrict the customer from withdrawing their own funds or withdrawing winnings from bets placed using their own funds; **AND**

(4) A SPORTS BETTING OPERATION AND/OR 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 RETAIL GAMING LICENSEE'S CASINO(S) AND DO NOT MARKET GAMING AND/OR SPORTS BETTING, INCLUDING GAMING AND/OR SPORTS BETTING SPACES, ARE EXEMPT FROM THIS PROVISION.

9.5 Exclusion list – Duties and responsibilities.

- (1) Database creation.

The Division shall operate a program to consolidate excluded, self-excluded and prohibited individuals in one interactive database repository in order to keep those individuals from participating in Colorado gaming. The program shall provide an interactive protected database for retail gaming licensees, Sports Betting Operations, sports leagues and individuals that participate in gaming in Colorado, **AS WELL AS ANY LICENSED THIRD-PARTY VENDORS PRE-APPROVED BY THE DIRECTOR OR THE DIRECTOR'S DESIGNEE WHICH CONTRACT WITH A LICENSEE OR SPORTS BETTING**

OPERATION. The sole purpose of the exclusion list and database is to ensure timely updates of individuals that may not participate in gaming for all gaming operations in Colorado. The exclusion list shall only be used for the purpose of identifying those individuals who are prohibited from gaming and those that may have excluded themselves because of a gambling problem. Licensees **AND 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 database and 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 **those identified SELF-EXCLUDED INDIVIDUALS** 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 individual interacts with the database.

- (a) Sports Betting Operations shall, as part of their self-exclusion and responsible gaming program, make available to the player easily identifiable within the operators application, the link to the Division's website for self-exclusion. **T**he link should take the player directly to that page from the application.
- (b) The Division shall provide database records, sent electronically to the Sports Betting Operations. **T**he Director shall provide one or more excluded or prohibited player lists to Sports Betting Operations. **D**ata records will be in a format detailed by the Director or **their** **THE DIRECTOR'S** designee.
- (c) Sports Betting Operations shall receive updates daily from the Division. Sports Betting Operations shall update all new excluded persons within their database.
- (d) Sports Betting Operations shall receive the Division database with self-excluded persons that have opted in on or after January 1, 2023, as determined by the Director. **T**he Sports betting operation shall make information for players that have self-excluded prior to January 1, 2023 upon request.

(E) A LICENSED THIRD-PARTY VENDOR MAY VIEW AND USE THE CONFIDENTIAL INFORMATION CONTAINED IN THE DIVISION'S EXCLUSION LIST AND DATABASE, 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 AND DATABASE.**
- (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 AND DATABASE. 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 DATABASE, AND ALSO AGREE 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 AND DATABASE UNTIL APPROVED IN WRITING BY THE DIRECTOR OR THE DIRECTOR'S DESIGNEE.**
- (IV) THE THIRD-PARTY MUST IMMEDIATELY INFORM THE DIVISION OF ANY CHANGES TO ITS ADDRESS, ANY CHANGES TO ITS CONTRACT OR WRITTEN AGREEMENT WITH A RETAIL GAMING LICENSEE AND/OR 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 AND DATABASE OR INAPPROPRIATE USE OF SUCH CONFIDENTIAL INFORMATION. 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) Database inclusion.

- (a) The following persons shall be included and maintained in the Division database, updated and transferred to Sports Betting Operations and, 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:
- (b) Persons on the exclusion and prohibited list may not participate or collect winnings from the gaming in Colorado on which they are prohibited. Players that self-exclude shall not, while on the exclusion list, be able to redeem points, bonuses, comps or freeplay. ANY WINNINGS OF A PERSON ON THE EXCLUSION AND PROHIBITED LIST WILL BE RETAINED BY THE APPLICABLE LICENSEE OR OPERATOR. PERSONS ON THE EXCLUSION AND PROHIBITED LIST FORFEIT ANY MONEY WAGERED, BUT MAY RETAIN ANY REMAINING FUNDS THAT HAVE NOT BEEN ACTIVELY WAGERED IN CASINO GAMES OR SPORTS WAGERING AFTER BEING PLACED ON THE EXCLUDED OR PROHIBITED LIST.

(3) Inclusion on the exclusion list.

- (a) Individual self-exclusion means that an individual has made a conscious voluntary effort to exclude themselves from not only that form of gaming but from all forms of gaming under the regulatory purview of the Colorado limited gaming control Commission and the Colorado Division of gaming. 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 of gaming. AAN 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.
 - (iii) Self-exclusion from a sports betting operator (retail sports book). An individual requesting self-exclusion from a retail sports book shall fill out a self-exclusion form provided by the sports book. The sports book shall enter the self-exclusion into the secure Division portal, direct the player to a dedicated computer on the licensee's property where the player can access the Division's website directly for self-exclusion or if the portal is not available direct the player to the Divisions website for self-exclusion at a later time or use their electronic database procedure.
 - (iv) Self-exclusion from a retail gaming licensee (casino). An individual requesting self-exclusion from a casino shall fill out a self-exclusion form provided by the casino. The casino shall enter the self-exclusion into the secure Division portal direct the player to a dedicated computer on the licensee's property where the player can access the Division's website directly for self-exclusion or if the portal

is not available direct the player to the Divisions website for self-exclusion at a later time or use their electronic database procedure.

(5) Removal from the exclusion list.

- (a) Individuals that have self-excluded or are on the excluded list will need to fill out and file the form with the ~~Division of gaming~~ Director prior to being removed from exclusion list. No person is automatically removed from the exclusion list when the selected or directed time period ends.
- (b) Sports betting individuals who are prohibited from placing wagers on certain sporting events to the extent that those individuals reside in the Division's exclusion list database may be removed from the list by their governing body/league or by filling out and filing the form with the ~~Division of gaming's~~ Director.
- (c) Individuals that are on the exclusion list and have not completed their self-selected period of self-exclusion may petition the ~~Division of gaming's~~ Director for removal from the list. The 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 ~~gaming Division~~ Director. If an individual's petition to be removed from the exclusion list prior to the self-select exclusion period is not approved by the Director, the individual may not re-petition the Director again for the period of one year.