

HOUSE BILL 731

C7

6lr1561
CF SB 456

By: **Delegate Ebersole**

Introduced and read first time: February 2, 2026

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Fantasy Competitions – Alterations and Voluntary Exclusion Requirements**

3 FOR the purpose of altering the definition of “fantasy competition” for purposes of
4 provisions of law governing fantasy competitions to include certain competitions;
5 requiring, rather than authorizing, the State Lottery and Gaming Control
6 Commission to impose a certain annual fee for the registration of a fantasy
7 competition operator; requiring the Commission to establish a certain voluntary
8 exclusion program; prohibiting a fantasy competition operator from permitting an
9 individual on the mandatory exclusion list to establish a fantasy competition account
10 or participate in fantasy competitions; prohibiting a fantasy competition operator
11 from paying a prize or an award to certain excluded individuals; altering the
12 definitions of “sporting event” and “sports wagering” for purposes of provisions of law
13 governing the conduct of sports wagering; and generally relating to fantasy
14 competitions and sports wagering.

15 BY repealing and reenacting, without amendments,
16 Article – State Government
17 Section 9–1D–01(a), (b), (e), and (f) and 9–1E–01(a)
18 Annotated Code of Maryland
19 (2021 Replacement Volume and 2025 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article – State Government
22 Section 9–1D–01(d), 9–1D–02, 9–1D–03, 9–1D–05, and 9–1E–01(i) and (j)
23 Annotated Code of Maryland
24 (2021 Replacement Volume and 2025 Supplement)

25 BY adding to
26 Article – State Government
27 Section 9–1D–05
28 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2021 Replacement Volume and 2025 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – State Government

9–1D–01.

(a) In this subtitle the following words have the meanings indicated.

(b) “Commission” has the meaning stated in § 9–1A–01 of this title.

(d) “Fantasy competition” includes any online fantasy or simulated game or contest such as fantasy sports, in which:

(1) participants [own, manage, or coach] **ASSEMBLE** imaginary teams **OR ROSTERS;**

(2) **(I) THE VALUE OF** all prizes and awards offered to winning participants are established and made known to participants in advance of the game or contest;

(II) MULTIPLE WINNING PARTICIPANTS MAY SHARE A PRIZE OR AWARD; AND

(III) PRIZES MAY CONSIST OF FIXED AMOUNTS, TIERED PAYOUTS, OR ANY OTHER CONDITIONAL BONUS PAYOUTS, PROVIDED THAT ALL PRIZE STRUCTURES ARE DISCLOSED IN ADVANCE BY THE FANTASY COMPETITION OPERATOR;

(3) A PARTICIPANT COMPETES AGAINST OTHER PARTICIPANTS, INCLUDING PARTICIPATION IN CONTESTS WHERE THE PARTICIPANTS ASSEMBLE ROSTERS OR TEAMS OF TWO OR MORE INDIVIDUAL REAL–LIFE ATHLETES AND SELECT BETWEEN THE HIGHER OR LOWER OF PROJECTED OR ACTUAL PERFORMANCE STATISTICS FOR EACH ATHLETE;

[(3)] (4) the winning outcome of the game or contest reflects the relative skill of the participants and is determined by statistics generated by actual individuals (players or teams in the case of a professional sport); and

[(4)] (5) no winning outcome is based:

(i) solely on the performance of an individual athlete; or

(ii) on the score, point spread, or any performances of any single real-world team or any combination of real-world teams.

(e) (1) “Fantasy competition operator” means any person that offers services in connection with fantasy competitions to individuals by means of:

(i) the Internet;

(ii) a smart phone application; or

(iii) any other electronics, digital media, communication technology, or device.

(2) “Fantasy competition operator” includes, for purposes of the federal Bank Secrecy Act of 1970 and its related regulations, a gaming establishment having at least \$1,000,000 in annual gross revenue.

(3) “Fantasy competition operator” does not include an individual who:

(i) organizes a fantasy competition in which the individual also participates; and

(ii) receives no compensation for organizing the fantasy competition.

(f) “Fantasy competition player” means an individual who participates in a fantasy competition offered by a fantasy competition operator.

9-1D-02.

(a) [Notwithstanding the provisions of Title 12 of the Criminal Law Article or any other title, and except as provided under subsection (b) of this section, the prohibitions against] **A FANTASY COMPETITION CONDUCTED IN COMPLIANCE WITH THE PROVISIONS OF THIS SUBTITLE DOES NOT CONSTITUTE betting, wagering, [and] OR gambling [do not apply to participation in a fantasy competition] FOR ANY PURPOSE.**

(b) A person may not operate a kiosk or machine that offers fantasy competition to the public in a place of business physically located in the State.

9-1D-03.

(a) A fantasy competition operator shall register with the Commission before the fantasy competition operator may offer a fantasy competition or services in connection with a fantasy competition in the State.

(b) Unless a registration is renewed for a 1-year term, the registration expires 1 year from the initial date of registration.

(c) (1) The Commission [may] SHALL impose [a] AN ANNUAL fee OF \$50,000 for the registration of a fantasy competition operator in accordance with this section.

(2) THE COMMISSION SHALL DISTRIBUTE THE REGISTRATION FEE COLLECTED UNDER THIS SUBSECTION TO THE BLUEPRINT FOR MARYLAND'S FUTURE FUND ESTABLISHED UNDER § 5-206 OF THE EDUCATION ARTICLE.

9-1D-05.

(A) EACH FANTASY COMPETITION OPERATOR SHALL:

(1) DEVELOP AND MAINTAIN A PROGRAM TO MITIGATE AND CURTAIL COMPULSIVE PLAY; AND

(2) INCLUDE A STATEMENT REGARDING OBTAINING ASSISTANCE WITH REAL-MONEY GAMING PROBLEMS ON:

(I) THE FANTASY COMPETITION OPERATOR'S PORTAL, WEBSITE, OR COMPUTER OR MOBILE APPLICATION; AND

(II) ALL MARKETING MATERIALS AND ADVERTISEMENTS OF THE FANTASY COMPETITION OPERATOR.

(B) (1) THE COMMISSION SHALL:

(I) ESTABLISH A VOLUNTARY EXCLUSION LIST OF INDIVIDUALS WHO HAVE REQUESTED TO BE EXCLUDED FROM ANY FANTASY COMPETITION LICENSED UNDER THIS SUBTITLE; AND

(II) PROVIDE A SIMPLE MECHANISM FOR AN INDIVIDUAL WHO IS SOBER AND INFORMED TO REQUEST PLACEMENT ON THE VOLUNTARY EXCLUSION LIST FOR A SPECIFIED PERIOD OF TIME.

(2) THE COMMISSION SHALL INCORPORATE THE VOLUNTARY SELF-EXCLUSION PROGRAM ESTABLISHED IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION INTO ANY OTHER SELF-EXCLUSION PROGRAM THAT THE COMMISSION OPERATES.

(C) A FANTASY COMPETITION OPERATOR:

(1) MAY NOT PERMIT AN INDIVIDUAL ON THE VOLUNTARY EXCLUSION LIST TO ESTABLISH A FANTASY COMPETITION ACCOUNT OR PARTICIPATE IN FANTASY COMPETITIONS; AND

(2) MAY PERMIT AN INDIVIDUAL ON THE VOLUNTARY EXCLUSION LIST WHO PREVIOUSLY ESTABLISHED A FANTASY COMPETITION ACCOUNT TO ACCESS THE ACCOUNT ONLY FOR THE PURPOSE OF VIEWING AND DOWNLOADING THE INDIVIDUAL'S TRANSACTION HISTORY.

(D) IF A SELF-EXCLUDED INDIVIDUAL PARTICIPATES IN A FANTASY COMPETITION, THE FANTASY COMPETITION OPERATOR SHALL REPORT TO THE COMMISSION, AT MINIMUM:

(1) THE NAME OF THE SELF-EXCLUDED INDIVIDUAL;

(2) THE DATE OF THE PARTICIPATION;

(3) THE AMOUNT OR VALUE OF ANY MONEY, PRIZES, OR AWARDS FORFEITED, IF ANY; AND

(4) ANY OTHER ACTION TAKEN BY THE FANTASY COMPETITION OPERATOR.

(E) (1) A FANTASY COMPETITION OPERATOR MAY NOT PAY ANY PRIZE OR AWARD TO AN INDIVIDUAL WHO IS ON THE COMMISSION'S SELF-EXCLUSION LIST.

(2) ANY PRIZE OR AWARD WON BY AN INDIVIDUAL ON THE SELF-EXCLUSION LIST IS FORFEITED AND SHALL BE TRANSFERRED BY THE FANTASY COMPETITION OPERATOR TO THE PROBLEM GAMBLING FUND ESTABLISHED UNDER § 9-1A-33 OF THIS TITLE ON A QUARTERLY BASIS, AS SPECIFIED BY THE COMMISSION.

(F) THE COMMISSION MAY IMPOSE SANCTIONS ON A FANTASY COMPETITION OPERATOR THAT KNOWINGLY FAILS TO EXCLUDE AN INDIVIDUAL ON THE VOLUNTARY EXCLUSION LIST FROM PARTICIPATING IN FANTASY COMPETITIONS.

[9-1D-05.] 9-1D-06.

[(a)] The Commission shall adopt regulations to carry out the provisions of this subtitle.

[(b)] The regulations adopted under this section may include requirements for the establishment of a voluntary exclusion list.]

9-1E-01.

(a) In this subtitle the following words have the meanings indicated.

(i) (1) “Sporting event” means:

(i) a professional sports or athletic event;

(ii) a collegiate sports or athletic event;

(iii) an Olympic or international sports or athletic event;

(iv) an electronic sports or video game competition in which each participant is at least 18 years old;

(v) a motor race event sanctioned by a motor racing governing entity;

(vi) except as otherwise prohibited under Title 11 of the Business Regulation Article or the federal Interstate Horse Racing Act, a horse race, held in or out of the State, if consented to and approved by:

1. the horse racing licensee of the applicable breed;

2. the organization representing the majority of the owners and trainers of the applicable breed in the State;

3. the organization representing the majority of the applicable breeders in the State; and

4. the State Racing Commission;

(vii) **EXCEPT AS PROVIDED IN SUBTITLE 1D OF THIS TITLE**, any portion of a sporting event, including the individual performance statistics of athletes or competitors in a sporting event; or

(viii) an award event or competition of national or international prominence if expressly authorized by the Commission.

(2) “Sporting event” does not include:

(i) a high school sports or athletic event; or

(ii) a fantasy competition regulated under Subtitle 1D of this title.

(j) **(1)** “Sports wagering” means the business of accepting wagers on any sporting event by any system or method of wagering, including single-game bets, teaser bets, parlays, over-under, moneyline, pools, exchange wagering, in-game wagering, in-play bets, proposition bets, and straight bets.

1 **(2) “SPORTS WAGERING” DOES NOT INCLUDE A FANTASY**
2 **COMPETITION CONDUCTED IN COMPLIANCE WITH SUBTITLE 1D OF THIS TITLE.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2026.