

# GUIDANCE ON SPORTS WAGERING LOBBYING

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**REMINDER:** The Lobbying Act and the Joint Commission on Public Ethics' regulations at 19 NYCRR 943 require registration and reporting of activities designed to influence certain government actions, such as legislation, rules and regulations; however, applications for permits and licenses are generally excluded. With the start of a new legislative session, the Joint Commission on Public Ethics reminds interested parties of the scope of the Lobbying Act and the regulations as they relate to sports wagering.

The notes below should be included when reviewing the attached "Am I Lobbying?" guidance document.

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- Section 1367 of the Racing, Pari-Mutuel Wagering and Breeding Law was added in 2013 to require the State Gaming Commission to adopt a regulatory framework overseeing wagering on professional and certain collegiate sporting events. **Attempts to influence the Gaming Commission in the promulgation of such regulations are covered by the Lobbying Act.**
  - Section 1367 also provides that any license applications for regulated casinos to offer wagering on sporting events must be approved by the Gaming Commission. **This licensing process IS NOT covered by the Lobbying Act, pursuant to the exception at Section 1-c(N).**
  - Legislation regarding an expansion of sports wagering has been introduced in the state senate, and additional bills may follow in both houses. **Attempts to influence the terms of any legislation or resolution, including appropriations bill, Article VII bills, and legislative proposals for constitutional amendments are covered by the Lobbying Act.**
  - Finally, Section 1329 of the Racing, Pari-Mutuel Wagering and Breeding Law requires that before engaging in lobbying activity on behalf of a client or a client's interest before the Gaming Commission, a lobbyist must first register with the Secretary of the Gaming Commission. This requirement is IN ADDITION to all requirements of the Lobbying Act; **registration with the Gaming Commission does not satisfy Lobbying Act requirements, and registration with JCOPE does not satisfy Section 1329 requirements.**
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