

## 2023 Kansas Statutes

### **74-8787. Duties and obligations of lottery gaming facility managers when managing sports wagering operations; restrictions on access to personally identifiable information of bettor. (a)**

Lottery gaming facility managers shall use reasonable methods to:

(1) Prohibit such manager, and any director, officer, owner and employee of the manager, and any relative living in the same household as such persons, from placing wagers with the manager at the manager's location or through the manager's interactive sports wagering platform;

(2) prohibit an interactive sports wagering platform, any director, officer, owner and employee of such platform and any relative living in the same household as such persons from placing any wager through such platform or at the manager's location, except that nothing in this paragraph shall be construed to prohibit any such person from placing any wager through a lottery gaming facility manager or interactive sports wagering platform with which such person has no affiliation;

(3) prohibit any director, officer, owner and employee of the sports wagering platform, and any relative living in the same household as such persons, from placing wagers with the manager;

(4) prohibit athletes, coaches, referees, team owners, employees of a sports governing body or its member teams, and player and referee union personnel from placing wagers on any sporting event overseen by such sports governing body. In determining which persons are excluded from placing wagers under this paragraph, lottery gaming facility managers shall use publicly available information and any list of such persons that the sports governing body may provide to the Kansas lottery and the Kansas racing and gaming commission;

(5) prohibit any person with access to nonpublic confidential information held by the lottery gaming facility manager from placing wagers with such manager;

(6) prohibit persons from placing wagers as agents or proxies for other persons;

(7) prohibit any person convicted of any felony or misdemeanor offense involving sports wagering, including, but not limited to, the use of funds derived from illegal activity to make wagers, placing wagers to conceal money derived from illegal activity, the use of other individuals to place wagers as part of any wagering scheme to circumvent any provision of federal or state law and the use of false identification to facilitate the placement of any wager or the collection of any prize in violation of federal or state law, from placing wagers; and

(8) maintain the security of wagering data, customer data and other confidential information from unauthorized access and dissemination, provided that nothing in this act shall preclude the use of internet or cloud-based hosting of such data and information or disclosure as required by court order, state or federal law or as otherwise required by this act.

(b) Lottery gaming facility managers shall cooperate with any investigations conducted by the Kansas lottery, the Kansas racing and gaming commission or law enforcement agencies, including, but not limited to, providing or facilitating the provision of account-level betting information and audio or video files relating to persons placing wagers.

(c) Lottery gaming facility managers shall immediately report to the Kansas lottery and the Kansas racing and gaming commission any information relating to:

(1) Criminal or disciplinary proceedings commenced against such manager in connection with such manager's operations in any jurisdiction in which such manager operates;

(2) abnormal wagering activity or patterns that may indicate a concern with the integrity of a sporting event in any jurisdiction in which such manager operates;

(3) any potential breach of the relevant sports governing body's internal rules and codes of conduct pertaining to sports wagering;

(4) any other conduct that corrupts a betting outcome of a sporting event for purposes of financial gain, including match-fixing; and

(5) suspicious or illegal wagering activities, including the use of: Funds derived from illegal activity; wagers to conceal or launder funds derived from illegal activity; agents to place wagers; and false identification when placing wagers.

(d) Information provided by a sports governing body to a lottery gaming facility manager shall be confidential and not subject to the open records act, K.S.A. 45-215 et seq., and amendments thereto, and the lottery gaming facility manager shall not disclose such information or any portion thereof, unless disclosure is required by this act, the Kansas racing and gaming commission, state or federal law or court order. The provisions of this subsection shall expire on July 1, 2027, unless the legislature acts to reenact such provision. The provisions of this subsection shall be reviewed by the legislature prior to July 1, 2027.

(e) Lottery gaming facility managers may use data for determining the result of sports wagers from any source that provides certified league data approved by the executive director.

(f) Any interactive sports wagering platform used by a lottery gaming facility manager shall allow any individual placing a sports wager through such platform to elect to not have such individual's personally identifiable information collected by such platform or by such lottery gaming facility manager for any purpose other than recording the placing of the sportswager, payment of any prize and as otherwise permitted by this section. Such election by an individual shall be maintained by such platform and lottery gaming facility manager until such time as the individual affirmatively cancels such election. No personally identifiable information of an individual who makes such election shall be used by such platform or lottery gaming facility manager except as permitted by this section.

**History:** L. 2022, ch. 91, § 7; July 1.