

§ 18C-902. Authorization of sports wagering generally.

(a) Notwithstanding any provision of Article 37 of Chapter 14 of the General Statutes, sports wagering on sporting events as authorized by this Article shall not be considered unlawful. All sports wagering authorized under this Article shall be placed via an interactive account or at a place of public accommodation and shall be initiated and received within this State except as provided in G.S. 18C-928. The interactive sports wagering operator shall comply with all of the following:

- (1) Ensure that the registered player is located within the State, and not present on Indian lands within the State, when placing any sports wager, by utilizing geofencing.
- (2) Monitor and block attempts to place unauthorized sports wagers.

(b) This Article does not apply to interactive sports wagering conducted exclusively on Indian lands by an Indian tribe operating in accordance with a Tribal-State gaming compact and authorized to conduct Class III gaming pursuant to a compact with the State. For purposes of this Article, sports wagering is conducted exclusively on Indian lands only if the individual who places the sports wager is physically present on Indian lands when the sports wager is initiated and received by an Indian tribe operating on the same Indian lands in accordance with a Tribal-State gaming compact and in conformity with the safe harbor requirements as provided in 31 U.S.C. § 5362(10)(c).

(c) An interactive sports wagering operator licensed under G.S. 18C-904 shall not, by virtue of such licensure, be authorized to accept any sports wager if the registered player placing the sports wager is physically present on Indian lands when the sports wager is initiated and received. An interactive sports wagering operator licensed under G.S. 18C-904 shall be authorized to accept a sports wager only if the registered player placing the sports wager is physically present in this State when the sports wager is initiated and received. Each interactive sports wagering operator licensed under G.S. 18C-904 shall use geofencing approved by the Commission to ensure compliance with this Article.

(d) Nothing in this Article shall authorize any of the following:

- (1) Sports wagering involving youth sports.
- (2) Sports wagering on any of the following:
 - a. The occurrence of injuries.
 - b. The occurrence of penalties.
 - c. The outcome of disciplinary proceedings against a participant in a sporting event.
 - d. The outcome of replay reviews.
- (3) The Commission serving as an operator of a sports wagering platform.
- (4) The placing of a pari-mutuel wager.

(e) Nothing in this Article shall apply to fantasy or simulated games or contests in which one or more fantasy contest players compete and winning outcomes reflect the relative knowledge and skill of the fantasy contest players and are determined predominantly by accumulated statistical results of the performance of individuals, including athletes in the case of sporting events.

(f) Upon request and with reasonable notice, the Commission or the Department of Revenue has the authority to audit any interactive sports wagering operator or its service providers as related to sports wagering activities.

(g) Any sports governing body on whose sporting events sports wagering is authorized by this Article may enter into commercial agreements with interactive sports wagering operators or other entities in which the sports governing body may share in the amount bet from sports wagering on sporting events of the sports governing body. A sports governing body is not

required to obtain a license or any other approval from the Commission to lawfully accept such amounts.

(h) Nothing in this Chapter shall authorize the Commission to establish, require, or enforce a maximum or minimum payout or hold percentage upon any interactive sports wagering operator.

- (i) All of the following persons are prohibited from engaging in sports wagering:
- (1) Any person under the age of 21.
 - (2) Any person who has requested and not revoked a voluntary exclusion designation from sports wagering pursuant to G.S. 18C-922.
 - (3) Any person who has been adjudicated by law as prohibited from engaging in sports wagering.
 - (4) Any member or employee of the Commission when placing a sports wager in this State.
 - (5) Any employee or key person of an interactive sports wagering operator or service provider license when placing sports wagers with that interactive sports wagering operator.
 - (6) With respect to a sporting event, any participant in that sporting event, including an athlete, coach, trainer, official, or any employee or staff of a participant, when placing a sports wager on that sporting event in which that participant is participating.
 - (7) Any employee or staff of a sports governing body, when placing a sports wager on sporting events with which that individual or sports governing body is affiliated. (2023-42, s. 1; 2023-134, s. 11.18(c).)