



**ASSEMBLY STANDING COMMITTEES ON RACING AND WAGERING
AND CONSUMER AFFAIRS AND PROTECTION
LEGISLATIVE COMMISSION ON ADMINISTRATIVE REGULATIONS REVIEW**

NOTICE OF PUBLIC HEARING

SUBJECT: Daily Fantasy Sports Games in New York State

PURPOSE: To examine daily fantasy sports games in New York State and their impact on New York consumers and the State.

**Tuesday
December 8, 2015
10:00 a.m.
Hearing Room B
Legislative Office Building
Albany, NY**

The federal Unlawful Internet Gambling Enforcement Act of 2006 exempted certain skill-based fantasy or simulation sports games from unlawful internet gambling as long as they meet certain conditions. However, the New York State Attorney General recently deemed pay-to-play daily fantasy sports illegal gambling under New York State law and issued cease-and-desist orders to several companies managing these games demanding that the companies stop accepting wagers in New York.

The Attorney General's investigation also found that daily fantasy sports companies use deceptive advertising, misrepresenting compliance on the part of the companies and misrepresenting the nature and the legality of daily fantasy sports games to consumers, in violation of New York State law.

The Assembly Standing Committees on Racing and Wagering and Consumer Affairs and Protection would like to hear testimony regarding whether daily fantasy sports games constitute gambling under New York State law and how to insure that consumers know their rights and have the ability to make informed choices when participating in these types of games. The Committees would also like to hear testimony about the impact these games have on regulated gambling industries as well as the New York State Budget.

Any persons invited to testify or wishing to present pertinent written testimony to the Committee at the above hearing should complete and return the enclosed reply form by December 4, 2015. It is important that the enclosed reply form be fully completed and returned so that persons may be notified in the event of emergency postponement or cancellation.

Oral testimony will be limited to ten minutes duration. In preparing the order of witnesses, the Committees will attempt to accommodate individual requests to speak at particular times in view of special circumstances. These requests should be made on the attached reply form or communicated to Committees staff as early as possible.

Ten copies of any prepared testimony should be submitted at the hearing registration desk. The Committee would appreciate advance receipt of prepared statements.

In order to further publicize these hearings, please inform interested parties and organizations of the Committees' interest in hearing testimony from all sources.

In order to meet the needs of those who may have a disability, the Assembly, in accordance with its policy of non-discrimination on the basis of disability, as well as the 1990 Americans with Disabilities Act (ADA), has made its facilities and services available to all individuals with disabilities. For individuals with disabilities, accommodations will be provided, upon reasonable request, to afford such individuals access and admission to Assembly facilities and activities.

**J. Gary Pretlow
Member of Assembly
Chairman
Committee on Racing and Wagering**

**Jeffrey Dinowitz
Member of Assembly
Chairman
Committee on Consumer Affairs and Protection**

**Kenneth Zebrowski
Member of Assembly
Chairman
Legislative Commission on Administrative Regulations Review**

HEARING REPLY FORM

Persons invited or wishing to present testimony at the public hearing on daily fantasy sports games in New York State are requested to complete this reply form by December 4, 2015 and mail, email or fax it to:

Elizabeth Boody
Analyst
Assembly Committee on Racing and Wagering
New York State Capitol – Room 520
Albany, New York 12248
Email: *boodye@assembly.state.ny.us*
Phone: (518) 455-4311
Fax: (518) 455-7095

- ☐ I plan to attend the following public hearing on daily fantasy sports games in New York State to be conducted by the Assembly Committees on Racing and Wagering and Consumer Affairs and Protection on December 8, 2015.
- ☐ I plan to make a public statement at the hearing. My statement will be limited to ten minutes, and I will answer any questions which may arise. I will provide ten copies of my prepared statement.
- ☐ I will address my remarks to the following subjects:

- ☐ I do not plan to attend the above hearing.
- ☐ I would like to be added to the Committee mailing list for notices and reports.
- ☐ I would like to be removed from the Committee mailing list.
- ☐ I will require assistance and/or handicapped accessibility information. **Please specify the type of assistance required:**

NAME: _____

TITLE: _____

ORGANIZATION: _____

ADDRESS: _____

E-MAIL: _____

TELEPHONE: _____

FAX TELEPHONE: _____