

# **SAFE Bet Act**

The SAFE Bet Act is the first comprehensive legislation that would address the public health implications inherent in the widespread legalization of sports betting. Requiring states that offer sports betting to meet minimum federal standards in advertising, affordability and AI will create a safer, less addictive product, while still preserving the freedom to bet for those who wish to do so.

## **Title I – Minimum Federal Standards for Sports Betting**

### **Section 101 – General Prohibition on Sports Betting**

- Establishes a general nationwide prohibition on sports betting.
- Creates exception to general prohibition for states that have an approved application from the Department of Justice to operate a sports betting program.
- Establishes penalties for non-compliance.
- Provides that the law will be effective one year after enactment; states with existing sports betting programs will have one year to come into compliance.

### **Section 102 – State Sports Betting Programs**

- States that wish to offer sports betting must submit an application to the Attorney General.
- Applications must include detailed attestations that show how as state has met the minimum federal standards outlined in Section 103.
- The Attorney General shall approve unless AG determines application doesn't meet standards in Section 103.
- Each application approval is valid for a three-year period and may be renewed.

### **Section 103 – State Sports Betting Program Standards**

- Requires that states offering a sports betting program meet minimum federal standards with respect to advertising, affordability, and artificial intelligence
- Advertising:
  - o Prohibits sports betting broadcast advertising between 8am – 10pm local time.
  - o Prohibits sports betting advertising during live sporting events.
  - o Prohibits sports betting advertisements designed to induce gambling with “bonus”, “no sweat,” “bonus bets,” or odds boosts, or similar promotions.
  - o Prohibits sports betting advertising designed to induce use of gambling products by showing audience how to gamble or explaining how wagers work.
- Affordability:
  - o Prohibits operators from accepting more than 5 deposits from a customer in a 24-hour period.
  - o Prohibits operators from accepting deposits via credit card.
  - o Requires operators to conduct ‘affordability checks’ on customers before accepting wagers in excess of certain amounts in a 24-hour or 30-day period.
  - o Requires operators to check National Clearinghouse for Self-Exclusion before allowing customers to place bets.
- Artificial Intelligence:
  - o Prohibits the use of AI to track individual player’s gambling habits.
  - o Prohibits the use of AI to create individualized offers and promotions to customers.

- Prohibits the use of AI to create gambling products, such as microbets.
- Generally, prohibits bets on amateur sports, with some exceptions for Olympics, Paralympics, and College Sports.
- Prohibits all proposition bets featuring college and amateur athletes.

## **Title II – Public Health in Sports Betting**

### **Section 201 – SAMHSA Sports Betting Survey**

- Authorizes the Substance Abuse and Mental Health Services Administration (SAMHSA) to conduct a National Sports Betting Survey, which will examine use rates and outcomes of sports betting nationwide.

### **Section 202 – National Clearinghouse for Self-Exclusion**

- Authorizes and funds a National Clearinghouse for Self-Exclusion Lists at SAMHSA, which will be tasked with creating a national self-exclusion list based on data reported from each state's sports gambling regulatory entity.

### **Section 203 – Surgeon General's Report on Public Health Impacts of Sports Betting**

- Requires a report from the Surgeon General on the public health impacts associated with widespread legalization and promotion of sports betting, with a particular focus on young adults.

## **Title III – General Provisions**

### **Section 301 – State and Tribal Authority**

- Clarifies that states are not preempted from enacting stronger standards with respect to sports betting.

### **Section 302 – Severability**

- Clarifies that individual provisions of this legislation are severable if a provision is found invalid.