

# States Still Best Equipped To Regulate Sports Betting, Officials Say

3RD OCT 2018 | WRITTEN BY: MATT CAREY

Current and former Nevada regulators agree that establishing federal oversight of sports betting remains a difficult and unnecessary task for Congress, despite the eagerness to jump in that some House members displayed at a hearing last week.

“There’s this huge foundation of regulation that states have created that I don’t think the federal government could ever duplicate,” said A.G. Burnett, a partner at McDonald Carano law firm in Reno who served as chairman of the Nevada Gaming Control Board (NGCB) from 2012 through 2017.

“There’s so much expertise at the state level and a foundation that so many people are comfortable with, so seeing sports betting go nationwide, assuming states adopt similar measures, is not a problem from my standpoint,” Burnett told GamblingCompliance.

Mark Lipparelli, Burnett’s predecessor as chair of the NGCB, said the number of parties at the lobbying table would make passing legislation in Congress a challenge, in spite of a House Judiciary subcommittee showing [enthusiasm for some kind of federal regime](#).

“Federal legislation is difficult to do at all, and understanding where the federal boundaries would be established is going to be a challenging task,” said Lipparelli, who also served as a Republican state senator in Nevada.

Many in the gaming industry, including the American Gaming Association, have lobbied for the federal government to stay out of the sports-betting field, leaving states to follow Nevada in regulating wagering.

However, the NFL and other major sports leagues are pressing for Congress to adopt new federal standards, citing the interstate nature of wagering on sporting contests and concerns of safeguarding game integrity.

James Sensenbrenner, the Republican chairman of the House Judiciary Subcommittee on Crime, Homeland Security, Terrorism, and Investigations, closed an informational hearing last Thursday by stating that “for Congress to do nothing is the worst possible alternative.”

Burnett pointed to an apparent information gap between subcommittee members and regulatory realities given that members’ comments on allowing patrons to run up credit card debt or preventing children from making bets are issues that Nevada and other states have already addressed.

“I would argue that gaming is the most regulated industry in America, once you learn what goes into it in Nevada,” he said. “How deep it goes, what you have to do to maintain a license, it’s just very thorough and more thorough than any other industry that I’m aware of.”

[Becky Harris](#), Burnett’s successor as chair of the NGCB, told the House Judiciary subcommittee that federal regulation “would only add unnecessary cost and delay to the licensing process, increased taxation, and create additional complications.”

“Nevada takes the view that states are the best equipped to regulate sports betting within their own borders,” Harris said.

Regulators in other states appear to agree.

In May, Harris was joined by counterparts at the gaming agencies of Massachusetts, Louisiana and Michigan in authoring a letter to Congress making the case for state regulation.

In Mississippi, where sports bets are already being taken, the viewpoint is similar.

“I think Becky Harris said it well, and I concur with her thoughts,” Allen Godfrey, executive director of the Mississippi Gaming Commission, told GamblingCompliance.

With federal legislation far from imminent, Mississippi and other states such as Pennsylvania, which already have sports betting laws and regulations in place, are continuing to move ahead.

“Since the approval of permitting sports wagering in Pennsylvania was a legislative initiative, and the hearing in D.C. pertains to potential legislation, that is something best answered by those who create the laws,” said Doug Harbach, a spokesman for the Pennsylvania Gaming Control Board when asked if the tone of Thursday’s hearing gave regulators any additional pause.

“Having said that, unless instructed to do so by a change in law, we will be proceeding in working toward a launch of sports wagering,” Harbach said.

Outside the gaming industry, several conservative, libertarian or state groups wrote letters to the House Judiciary subcommittee prior to Thursday's hearing.

"The unconstitutional Professional and Amateur Sports Protection (PASPA) Act exemplified the failings of a one-size-fits-all federal solution to complex questions of policy, regulation and law enforcement," said William Pound, executive director of the National Conference of State Legislatures (NCSL), in a letter to the committee.

"With the shackles of federal pre-emption removed, states have begun creating innovative and tailored policies that represent the will of voters."

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