

Bill as Introduced

HB 330 - AS AMENDED BY THE HOUSE

24Feb2021... 0314h

2021 SESSION

21-0514
08/11

HOUSE BILL **330**

AN ACT relative to sports book locations.

SPONSORS: Rep. Lang, Belk. 4; Rep. Wallace, Rock. 12; Rep. Bordes, Belk. 3; Rep. Pearl, Merr. 26; Rep. Moffett, Merr. 9; Rep. Belanger, Rock. 9; Rep. T. Lekas, Hills. 37; Rep. Trottier, Belk. 6

COMMITTEE: Ways and Means

AMENDED ANALYSIS

This bill allows tier II sports wagers.

Explanation: Matter added to current law appears in *bold italics*.
Matter removed from current law appears [~~in brackets and struck through~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 330 - AS AMENDED BY THE HOUSE

24Feb2021... 0314h

21-0514

08/11

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to sports book locations.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Sports Book Retail Operations. Amend RSA 287-I:5 to read as follows:

2 287-I:5 Sports Book Retail Operations. The commission and its agents are further authorized to
3 operate physical sports book retail locations within the state for the purposes of accepting tier I, *tier*
4 *II*, and tier III sports wagers from authorized bettors and paying prizes relating to those wagers.
5 The sports book retail locations may be co-located with other commercial businesses or general
6 commercial retail locations. No more than 10 sports book retail locations may be in operation at any
7 given time.

8 2 Effective Date. This act shall take effect 60 days after its passage.

LBA
21-0514
4/26/21

**HB 330 FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2021-1126s)**

AN ACT relative to sports book locations.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	Indeterminable	Indeterminable	Indeterminable
Expenditures	\$0	\$0	\$0	\$0
Funding Source:	<input type="checkbox"/> General Lottery Fund	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input checked="" type="checkbox"/> Other

METHODOLOGY:

This bill will allow retail sports books to take Tier II "in-play" sports wagers at their facilities and removes the statutory cap on the number of sports book locations. Currently, sports book locations are only allowed to offer wagers before an event occurs. Due to the current limitation, the Lottery Commission recognizes many players choose to place wagers using their mobile devices while at sports book locations. The Commission expects an increase in wagering activity at sports book location, however, assumes some of the increase will be offset with a decrease in mobile wagers. Also, the Commission does not anticipate approving more than ten sports book locations before the end of FY 2024, and therefore expects the impact to revenue over the next three fiscal years will be minimal. The Commission anticipates an overall positive impact to lottery revenues (net revenues transfers to the education trust fund), however, the fiscal impact cannot be estimated at this time.

AGENCIES CONTACTED:

Lottery Commission

CHAPTER 108
HB 330 - FINAL VERSION

24Feb2021... 0314h
24Jun2021... 1981CofC

2021 SESSION

21-0514
08/11

HOUSE BILL **330**

AN ACT relative to sports book locations.

SPONSORS: Rep. Lang, Belk. 4; Rep. Wallace, Rock. 12; Rep. Bordes, Belk. 3; Rep. Pearl, Merr. 26; Rep. Moffett, Merr. 9; Rep. Belanger, Rock. 9; Rep. T. Lekas, Hills. 37; Rep. Trottier, Belk. 6

COMMITTEE: Ways and Means

AMENDED ANALYSIS

This bill allows tier II sports wagers.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struckthrough.~~]
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 108
HB 330 - FINAL VERSION

24Feb2021... 0314h
24Jun2021... 1981CofC

21-0514
08/11

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to sports book locations.

Be it Enacted by the Senate and House of Representatives in General Court convened:

- 1 108:1 Sports Book Retail Operations. Amend RSA 287-I:5 to read as follows:
- 2 287-I:5 Sports Book Retail Operations. The commission and its agents are further authorized to
- 3 operate physical sports book retail locations within the state for the purposes of accepting tier I, *tier*
- 4 *II*, and tier III sports wagers from authorized bettors and paying prizes relating to those wagers.
- 5 The sports book retail locations may be co-located with other commercial businesses or general
- 6 commercial retail locations. No more than 10 sports book retail locations may be in operation at any
- 7 given time.

108:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: July 09, 2021
Effective Date: September 07, 2021

Amendments

Sen. Giuda, Dist 2
April 9, 2021
2021-1119s
08/11

Amendment to HB 330

1 Amend RSA 287-I:5 as inserted by section 1 of the bill by replacing it with the following:

2

3 287-I:5 Sports Book Retail Operations. The commission and its agents are further authorized to
4 operate physical sports book retail locations within the state for the purposes of accepting tier I, *tier*
5 *II*, and tier III sports wagers from authorized bettors and paying prizes relating to those wagers.
6 The sports book retail locations may be co-located with other commercial businesses or general
7 commercial retail locations. [~~No more than 10 sports book retail locations may be in operation at~~
8 ~~any given time.~~]

UNAPPROVED

2021-1119s

AMENDED ANALYSIS

This bill allows tier II sports wagers and removes the limit on the number of sports book locations in the state.

UNAPPROVED

Senate Ways and Means
April 13, 2021
2021-1126s
08/06

Amendment to HB 330

1 Amend RSA 287-I:5 as inserted by section 1 of the bill by replacing it with the following:

2

3 287-I:5 Sports Book Retail Operations. The commission and its agents are further authorized to
4 operate physical sports book retail locations within the state for the purposes of accepting tier I, *tier*
5 *II*, and tier III sports wagers from authorized bettors and paying prizes relating to those wagers.
6 The sports book retail locations may be co-located with other commercial businesses or general
7 commercial retail locations. [~~No more than 10 sports book retail locations may be in operation at~~
8 ~~any given time.~~]

2021-1126s

AMENDED ANALYSIS

This bill allows tier II sports wagers and removes the limit on the number of sports book locations in the state.

Committee Minutes

SENATE CALENDAR NOTICE
Ways and Means

Sen Bob Giuda, Chair
Sen Lou D'Allesandro, Vice Chair
Sen Gary Daniels, Member
Sen Erin Hennessey, Member
Sen Cindy Rosenwald, Member

Date: April 8, 2021

HEARINGS

Monday	04/12/2021	
(Day)	(Date)	
Ways and Means	REMOTE 000	9:00 a.m.
(Name of Committee)	(Place)	(Time)
9:00 a.m.	HB 154-LOCAL	relative to community revitalization tax relief incentives.
9:15 a.m.	HB 330	relative to sports book locations.
9:30 a.m.	HB 533	establishing a division of investigation and compliance in the lottery commission.
9:45 a.m.	HB 565	establishing a committee to study charitable gaming.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/92700840475>
2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: +19292056099,,92700840475# or +13017158592,,92700840475#

4. Webinar ID: 927 0084 0475

5. To view/listen to this hearing on YouTube, use this link:

<https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA>

6. To sign in to speak, register your position on a bill and/or submit testimony, use this link:

<http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603-271-6931).

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 154-LOCAL

Rep. Conley

Rep. Cleaver

HB 330

Rep. Lang

Rep. Moffett

HB 533

Rep. Abrami

HB 565

Rep. Ames

Rep. Vann

Sen. Watters

Rep. Wallace

Rep. Belanger

Rep. Abbas

Rep. Almy

Rep. Grassie

Rep. Bordes

Rep. T. Lekas

Rep. Doucette

Rep. Walz

Rep. Andrew Bouldin

Rep. Pearl

Rep. Trottier

Sonja Caldwell 271-2117

Bob J. Giuda
Chairman

Senate Ways and Means Committee
Sonja Caldwell 271-2117

HB 330, relative to sports book locations.

Hearing Date: April 12, 2021

Members of the Committee Present: Senators Giuda, D'Allesandro, Daniels, Hennessey and Rosenwald

Members of the Committee Absent : None

Bill Analysis: This bill allows tier II sports wagers.

Sponsors:

Rep. Lang

Rep. Wallace

Rep. Bordes

Rep. Pearl

Rep. Moffett

Rep. Belanger

Rep. T. Lekas

Rep. Trottier

Who supports the bill: Rep. Tim Lang, Rick Newman (NH Charitable Gaming Operators Assoc.), Rep. Patrick Abrami, Charlie McIntyre, Eric Pauer, Rep. Norman Major, Andrew Bourdon, Nicholas Thomas

Who opposes the bill: No one

Who is neutral on the bill: No one

Summary of testimony presented:

Rep. Abrami

- This bill makes a simple change. He noted that the bill, as introduced, sought to increase the number of brick-and-mortar locations at which sports betting could occur. The House Ways and Means Committee thought it was too premature since only two locations exist, so they amended that part out of the bill.
- The other thing the bill does is address a difference in what can bet on with the mobile application vs. in the brick-and-mortar location, and that is the tier II bet.
- An example of a tier II bet is if one wanted to bet on the second quarter of a game during the first quarter. Currently you can place that bet on the mobile application, but you cannot place that bet at the physical location.
- The locations have people sitting there who want to make that tier II bet and are unable to, so they have to go to their phones to do that and the locations get no revenue for it. It is a matter of fairness to make that change to allow you to make that bet at the physical location.

Sen. Daniels asked him about the constitutionality of the state limiting sports book retail locations to 10. He questioned if this is an example of the state picking winners and losers.

Rep. Abrami responded that some would claim that, but he noted that we have other things that we limit. They were not necessarily against it, they just thought it was premature.

Sen. Giuda asked if he could explain the tier system.

Rep. Abrami was not sure of the difference between tier II and III.

Rep. Almy

- The reason they want to keep it limited to 10 locations is that the Lottery Commission does not think they will be able to get to 10 for a long time.
- There was a feeling that the market would be more difficult for new openings until there was a demonstrated demand beyond these two places.

Charlie McIntyre – Executive Director NH Lottery Commission

- They support the bill.
- This was an oversight on their part.
- Tier II is wagering that happens after the event has begun.
- They want the facilities to be able to take these kinds of bets.

Sen. Daniels asked him to explain tiers I and III.

Director McIntyre

- Tier I is placing a bet prior to the event going off.
- Tier II is a bet placed while event is taking place.
- Tier III is a residual; it is used for parlay wagering, which is placing a bet on multiple events.

Sen. Daniels asked if a community must accept sports wagering.

Director McIntyre said yes, it requires an affirmative vote by the city or town.

Sen. Giuda asked if he had any sense of increased revenues from tier two expansion.

Director McIntyre said it will increase revenue but not materially. They are exceeding revenues on sports betting that they never anticipated.

Sen. Giuda asked if a person can use their cell phone to place wagers in sports betting, if that makes the 10-establishment limit inapplicable or unenforceable.

Director McIntyre explained that a player who uses the application is different than one who uses the physical sports book. The majority of wagering done in physical locations is done at \$1,000 or more per bet. They wager much more money. Most are from out of state and are older. The mobile application is much lower wagering, and it skews younger. NH owns the rights to sports betting. NH places the locations for maximum revenue to the state.

Sen. Giuda asked if a person who wants to place a \$1,000 bet could do so on the application.

Director McIntyre said yes but it is not as likely. With that amount of money, folks feel better doing it in person.

Sen. Giuda asked if keeping the 10-facility limit was appropriate.

Director McIntyre said it was a limit set by Ways and Means at the time the bill was passed. The Lottery Commission wrote the law with no limit. The potential for them to run up against the limit is possible but not in the next year or so.

Sen. Giuda asked how many of the 10 licenses are out there.

Director McIntyre said there are 2 facilities open right now. The Lottery Commission is in the process of evaluating 3 more.

Sen. Rosenwald asked if he had any sense that in the two locations that there is cannibalization of other games or other revenues within the facility or is this just additional, incremental revenues.

Director McIntyre said they have discovered that beyond the revenue streams, the hospitality in the two locations has increased double digits because of sports betting. It has been additive.

Rick Newman – Charitable Gaming Operators Assoc.

- They support the bill. Director McIntyre covered everything he would have said.

sc

Date Hearing Report completed: April 13, 2021

Speakers

Name	Representing	Position	Testifying
Newman Rick	NH Charitable Gaming Operators Association	Support	Yes
Lang Tim	Sponsor - Belknap 4 Tilton-Sanbornton	Support	Yes
Abrami Patrick	Rock 19 Stratham	Support	Yes
McIntyre Charlie	Myself	Support	No
Pauer Eric	Myself	Support	No
major Norman	Myself	Support	No
Bourdon Andrew	Myself	Support	No
Thomas Nicholas	Myself	Support	No

Voting Sheets

Senate Ways & Means Committee
EXECUTIVE SESSION RECORD
2021-2022 Session

Bill # HB330

Hearing date: 4-12-21

Executive Session date: 4-12-21

Motion of: Amend 1119 Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Giuda, Chair	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. D'Allesandro, VC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Daniels	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Rosenwald	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: OTP/A Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Giuda, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. D'Allesandro VC	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Daniels	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Rosenwald	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: Consent Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Giuda, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. D'Allesandro, VC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Daniels	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Rosenwald	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Giuda

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Tuesday, April 13, 2021

THE COMMITTEE ON Ways and Means

to which was referred **HB 330**

AN ACT relative to sports book locations.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 1126s

Senator Bob Giuda
For the Committee

This bill simply corrects an oversight that left physical sports book locations unable to accept tier II bets. Tier II bets are bets placed after an event has begun. Currently, tier II bets can only be placed using the mobile sports betting application. Therefore, guests of sports book facilities wishing to place a tier II bet must go to their phones and use the mobile application. The sports book location would receive no revenue for such transactions though the guests are sitting in their establishment. This bill will authorize tier II bets to be placed in physical sports book facilities. The committee amendment removes the limitation on physical sports book locations.

Sonja Caldwell 271-2117

FOR THE CONSENT CALENDAR

WAYS AND MEANS

HB 330, relative to sports book locations.

Ought to Pass with Amendment, Vote 5-0.

Senator Bob Giuda for the committee.

This bill simply corrects an oversight that left physical sports book locations unable to accept tier II bets. Tier II bets are bets placed after an event has begun. Currently, tier II bets can only be placed using the mobile sports betting application. Therefore, guests of sports book facilities wishing to place a tier II bet must go to their phones and use the mobile application. The sports book location would receive no revenue for such transactions though the guests are sitting in their establishment. This bill will authorize tier II bets to be placed in physical sports book facilities. The committee amendment removes the limitation on physical sports book locations.

General Court of New Hampshire - Bill Status System

Docket of HB330

Docket Abbreviations

Bill Title: relative to sports book locations.**Official Docket of HB330.:**

Date	Body	Description
1/9/2021	H	Introduced (in recess of) 01/06/2021 and referred to Ways and Means HJ 2 P. 43
1/27/2021	H	Public Hearing: 02/04/2021 01:30 pm Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/95843569442 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
2/4/2021	H	Full Committee Work Session: 02/10/2021 09:00 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/99928276230 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
2/16/2021	H	Committee Report: Ought to Pass with Amendment #2021-0314h (Vote 24-0; CC) HC 12 P. 14
2/24/2021	H	Amendment #2021-0314h : AA VV 02/24/2021 HJ 3 P. 21
2/24/2021	H	Ought to Pass with Amendment 2021-0314h: MA VV 02/24/2021 HJ 3 P. 21
3/4/2021	S	Introduced 03/04/2021 and Referred to Ways and Means; SJ 7
4/8/2021	S	Remote Hearing : 04/12/2021, 09:15 am; Links to join the hearing can be found in the Senate Calendar; SC 19
4/13/2021	S	Committee Report: Ought to Pass with Amendment #2021-1126s , 04/22/2021; Vote 5-0; CC; SC 20
4/22/2021	S	Committee Amendment #2021-1126s , RC 23Y-1N, AA; 04/22/2021; SJ 12
4/22/2021	S	Ought to Pass with Amendment 2021-1126s, RC 23Y-1N, MA; OT3rdg; 04/22/2021; SJ 12
6/7/2021	H	House Non-Concurs with Senate Amendment 2021-1126s and Requests CofC (Reps. Abrami, Doucette, Bershtein, Ames): MA VV 06/04/2021
6/10/2021	S	Sen. Giuda Accedes to House Request for Committee of Conference, MA, VV; 06/10/2021; SJ 19
6/10/2021	S	President Appoints: Senators Giuda, French, D'Allesandro; 06/10/2021; SJ 19
6/15/2021	H	Conference Committee Meeting: 06/15/2021 09:00 am LOB 206-208
6/14/2021	H	Conferee Change: Rep. Janigian Replaces Rep. Doucette 06/10/2021
6/17/2021	S	Conference Committee Report Filed, #2021-1981c ; 06/24/2021
6/24/2021	S	Conference Committee Report #2021-1981c , Adopted, VV; 06/24/2021; SJ 20
6/24/2021	H	Conference Committee Report 2021-1981c: Adopted, VV 06/24/2021
7/7/2021	S	Enrolled Adopted, VV, (In recess 06/24/2021); SJ 20
7/7/2021	H	Enrolled (in recess of) 06/24/2021
7/13/2021	H	Signed by Governor Sununu 07/09/2021; Chapter 108; Eff: 09/07/2021

Other Referrals

Committee of Conference
June 15, 2021
2021-1981-CofC
08/10

1 Committee of Conference Report on HB 330, relative to sports book locations.

2

3 Recommendation:

4 That the House recede from its position of nonconcurrency with the Senate amendment, and

5 That the Senate recede from its position in adopting its amendment to the bill, and

6 That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on HB 330, relative to sports book locations.

Conferees on the Part of the Senate

Conferees on the Part of the House

Sen. Giuda, Dist. 2

Rep. Abrami, Rock. 19

Sen. French, Dist. 7

Rep. Janigian, Rock. 8

Sen. D'Allesandro, Dist. 20

Rep. Bershtein, Rock. 2

Rep. Ames, Ches. 9

Senate Inventory Checklist for Archives

Bill Number: HB330

Senate Committee: Ways & Means

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

- Bill version as it came to the committee
- All Calendar Notices
- Hearing Sign-up sheet(s)
- Prepared testimony, presentations, & other submissions handed in at the public hearing
- Hearing Report
- Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

- amendment # 1119s ___ - amendment # _____
- amendment # 1126s ___ - amendment # _____
- Executive Session Sheet
- Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

- ___ - amendment # _____ ___ - amendment # _____
- ___ - amendment # _____ ___ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

- Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):
- ___ Enrolled Bill Amendment(s)
- ___ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

- ___ as amended by the senate ___ as amended by the house
- final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

SLC
Committee Aide

7-27-21
Date

Senate Clerk's Office _____