

West's District of Columbia Code Annotated 2001 Edition

Division V. Local Business Affairs.

Title 36. Trade Practices. (Refs & Annos)

Chapter 6. Lottery, Gaming, and Sports Wagering.

Subchapter I. Lotteries and Gambling Generally.

DC ST § 36-601.01

Formerly cited as DC ST § 3-1301 Formerly cited as DC ST 1981 § 2-2501

§ 36-601.01. Creation; established as an office within the Office of the Chief Financial Officer; transfer of powers; definitions.

Effective: May 3, 2019

[Currentness](#)

(a) There is hereby created by the District of Columbia, the District of Columbia Lottery and Gaming Control Board.

(b) Effective with the appointment of the first Chief Financial Officer under [§ 1-204.24b](#) and pursuant to [§ 1-204.24a\(c\)](#), the Board is established as the Office of Lottery and Gaming, a subordinate office within the Office of the Chief Financial Officer. All of the powers, duties, functions, and personnel of the Board are transferred to the Office of the Chief Financial Officer.

(c) For the purposes of this subchapter, the term:

(1) "Board" means the District of Columbia Lottery and Gaming Control Board established by this section.

(2) "CBE act" means subchapter IX-A of Chapter 2 of Title 2.

(3) "CBE plan" means the plan required by applicants for sports wagering licenses pursuant to [§ 36-621.05\(g\)](#).

(4) "Certified business enterprise" or "CBE" shall have the same meaning as provided in [§ 2-218.02\(1D\)](#).

(5) "Commercially useful function" shall have the same meaning as provided in [§ 2-218.02\(1G\)](#).

- (6) “CFO” means the Chief Financial Officer of the District of Columbia.
- (7) “Disadvantaged business enterprise” or “DBE” shall have the same meaning as provided in [§ 2-218.02\(5\)](#).
- (8) “DSLBD” means the Department of Small and Local Business Development.
- (9) “Gross sports wagering revenue” means the total of cash or cash equivalents received from sports wagering minus the total of:
- (A) Cash or cash equivalents paid to players as a result of sports wagering;
  - (B) Cash or cash equivalents paid to purchase annuities to fund prizes payable to players over a period of time as a result of sports wagering;
  - (C) The actual cost paid by the license holder for any personal property distributed to a player as a result of sports wagering, excluding travel expenses, food, refreshments, lodging, and services.
- (10) “Joint venture” shall have the same meaning as provided in [§ 2-218.02\(11\)](#).
- (11) “Majority interest” means:
- (A) More than 50% of the total combined voting power of all classes of stock of the joint venture business enterprise or more than 50% of the total value of the joint venture business enterprise;
  - (B) A financial contribution to the enterprise of more than 50%; or
  - (C) More than 50% of the total interest in the capital, profits, and loss, or beneficial interest in the joint venture business enterprise.
- (12) “Office” means the Office of Lottery and Gaming established by this section.

(13) “Operator” means an individual, group of individuals, or entity that holds a sports wagering operator license issued by the District.

(14) “Resident-owned business” or “ROB” shall have the same meaning as provided in § 2-218.02(15).

(15) “Small Business Enterprise” or “SBE” shall have the same meaning as provided in § 2-218.02(16).

(16) “Sports governing body” means the governing body for a sports league that is registered with the Office, including, if registered, Major League Baseball, Major League Soccer, National Basketball Association, National Football League, National Hockey League, and the Women’s National Basketball Association.

(17) “Sports wagering” means accepting wagers on sporting events, or a portion of a sporting event, or on the individual performance statistics of an athlete in a sporting event or combination of sporting events, including single-game bets, teaser bets, parlays, over-under, moneyline, pools, exchange wagering, in-game wagering, in-play bets, proposition bets, straight bets, or other means by a system or method of wagering, including in-person or over the internet through websites or on mobile devices. The term “sports wagering” does not include any fantasy or simulated game or contest such as fantasy sports in which:

(A) Participants own, manage, or coach imaginary teams;

(B) All prizes and awards offered to winning participants are established and made known to participants in advance of the game or contest;

(C) The winning outcome of the game or contest reflects the relative skill of the participants and is determined by statistics generated by actual individuals, including athletes in the case of a sporting event; and

(D) No winning outcome is based solely on the performance of an individual athlete or on the score, point spread, or any performance of any single real-world team or any combination of real-world teams.

(18) “Sports wagering equipment” means a mechanical, electronic, or other device, mechanism, or other gaming equipment, and related supplies used or consumed in the operation of sports wagering at a licensed sports wagering facility, including a self-service terminal installed to accept sports wagers.

(19) “Sports wagering facility” means a gaming premises approved under a sports wagering license on which an operator may offer sports wagering and which may be a building or set of buildings or a subsection or subdivision of a single building, room, or set of rooms within a building.

(20) “Operator license” means a sports wagering operator license issued by the Office that authorizes the operation of sports wagering, including sports wagering conducted over the internet or through mobile applications or other digital platforms that is initiated and received, or otherwise made, exclusively within the physical confines of the single approved sports wagering facility.

(21) “Wager” means the betting, staking, or risking by an individual, group of individuals, or entity of something of value upon an agreement or understanding that the individual, group of individuals, or entity or another individual, group of individuals, or entity will receive something of value in the event of a certain outcome. The term “wager” does not include:

(A) An activity governed by the securities laws of the United States or the District of Columbia;

(B) A contract of indemnity or guarantee;

(C) A contract for insurance; or

(D) Participation in a game or contest in which the participants do not stake or risk anything of value other than personal effort in playing the game or contest or obtaining access to the internet, points, or credits that the sponsor of the game or contest provides to participants free of charge and that can be used or redeemed only for participation in games or contests offered by the sponsor.

### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Oct. 8, 2016, D.C. Law 21-160, § 7072(a), 63 DCR 10775; May 3, 2019, D.C. Law 22-312, § 2(d)(1), 66 DCR 1402.)

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DC ST § 36-601.02

Formerly cited as DC ST § 3-1302 Formerly cited as DC ST 1981 § 2-2502

§ 36-601.02. Oath requirement.

Effective: May 3, 2019

[Currentness](#)

Before entering upon the discharge of the duties of office, the Executive Director and the Deputy Director shall take an oath that he or she will faithfully execute the duties of office according to the laws of the District of Columbia. In addition, each employee of the Office shall take and subscribe to an oath or affirmation that he or she is not pecuniarily interested, voluntarily or involuntarily, directly or indirectly, in any firm, partnership, association, organization, or corporation engaged in any activity related to legalized or illegal gambling. If required by the Chief Financial Officer, an employee shall file a financial disclosure statement according to the laws of the District of Columbia.

### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; [Oct. 8, 2016, D.C. Law 21-160, § 7072\(b\), 63 DCR 10775.](#))

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DC ST § 36-601.03

Formerly cited as DC ST § 3-1303 Formerly cited as DC ST 1981 § 2-2503

§ 36-601.03. Executive Director and Deputy Director.

Effective: May 3, 2019

Currentness

(a)(1) Pursuant to [§ 1-204.24a\(c\)](#), after consultation with the Mayor and the Council, the Chief Financial Officer shall appoint an Executive Director and a Deputy Director of the Office, each of whom shall serve at the pleasure of the Chief Financial Officer.

(2) The Chief Financial Officer shall determine the compensation for the Executive Director and the Deputy Director.

(3) Before performing the duties of their respective offices, the Executive Director and the Deputy Director shall take the oath of office as required by [§ 36-601.02](#).

(b)(1) Subject to the direction and supervision of the Chief Financial Officer, the Executive Director shall:

(A) Serve as the chief executive officer of the Office;

(B) Manage, administer, and coordinate the operation of public gambling and charitable games activities; and

(C) Employ other assistants and employees who shall serve at the pleasure of the Chief Financial Officer.

(2)(A) The Chief Financial Officer may delegate any of his or her functions to the Executive Director or to any other

officer or employee of the Office, and may delegate to the Executive Director or other employee such other duties the Chief Financial Officer considers necessary for the proper and efficient operation of public gambling and charitable activities.

(B) The Executive Director may, with the approval of the Chief Financial Officer, make a further delegation of all or a part of the functions to subordinates under his or her jurisdiction.

(C) The Chief Financial Officer may revoke any delegation at any time.

(c) To obtain a sports wagering license, the Office may require fingerprinting of the individual, or group of individuals, seeking to obtain a sports wagering license.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Feb. 28, 1987, D.C. Law 6-205, § 3, 34 DCR 670; Feb. 6, 2008, D.C. Law 17-108, § 206, 54 DCR 10993; Mar. 25, 2009, D.C. Law 17-353, § 223(d), 56 DCR 1117; Oct. 8, 2016, D.C. Law 21-160, § 7072(c), 63 DCR 10775; May 3, 2019, D.C. Law 22-312, § 2(d)(2), 66 DCR 1402.)

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DC ST § 36-601.04

Formerly cited as DC ST § 3-1304 Formerly cited as DC ST 1981 § 2-2504

§ 36-601.04. Bonding and fingerprinting.

Effective: May 3, 2019

[Currentness](#)

The Chief Financial Officer may require an Office employee to give a bond in an amount determined by the Chief Financial Officer. Every such bond shall be filed with the District of Columbia Treasurer. The cost of a bond given pursuant to this section shall be part of the necessary expenses of the Office. Further, Office employees shall be fingerprinted before, and as a condition of, employment. The Chief Financial Officer may require the fingerprinting of the Office's contractors.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Oct. 8, 2016, D.C. Law 21-160, § 7072(d), 63 DCR 10775; Oct. 30, 2018, D.C. Law 22-168, § 7102, 65 DCR 9388.)

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DC ST § 36-601.05

Formerly cited as DC ST § 3-1305 Formerly cited as DC ST 1981 § 2-2505

§ 36-601.05. Conflict of interest.

Effective: May 3, 2019

[Currentness](#)

Neither the Executive Director nor any employee of the Office during their tenure of appointment or employment shall: Hold any other elected or appointed position; or have, directly or indirectly, individually or as a member of a partnership, or as an officer, director, or shareholder of a corporation, any interest whatsoever in any lottery or daily numbers game, bingo, raffles enterprise, Monte Carlo night party, or sports wagering or in the ownership or leasing of any equipment, property, or premises used by or for any lottery or daily numbers game, bingo, raffles enterprise, or Monte Carlo night party.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Apr. 11, 1987, D.C. Law 6-220, § 2(b)(1), 34 DCR 900; [Oct. 8, 2016, D.C. Law 21-160, § 7072\(e\), 63 DCR 10775](#); [May 3, 2019, D.C. Law 22-312, § 2\(d\)\(3\), 66 DCR 1402.](#))

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DC ST § 36-601.06

Formerly cited as DC ST § 3-1306 Formerly cited as DC ST 1981 § 2-2506

§ 36-601.06. Enforcement; rules and regulations.

Effective: May 3, 2019

[Currentness](#)

(a) The Chief Financial Officer shall have the power to enforce provisions of this subchapter and shall make all necessary rules and regulations for this purpose and for carrying out, enforcing, and preventing any violation of any provision of this subchapter; for investigation of potential and existing licensees of the Office; for inspecting licensed premises or enterprises; for insuring proper, safe, and orderly conduct of licensed premises or enterprises; for auditing the books and records of sports wagering licensees; for insuring; and for protecting the public against fraud, deceit, deception, or overcharge. The Chief Financial Officer shall have power generally to do whatever is reasonably necessary for the carrying out of the intent of this subchapter and subchapter II of Chapter 17 of Title 22 and is empowered to call upon other administrative departments and agencies of the City government, as well as the Police Department and the Office of the Attorney General, for such information and assistance as it deems necessary to the performance of its duties.

(b) The Chief Financial Officer shall, each year on or before December 31st, publish in convenient pamphlet form all rules and regulations then in effect and shall furnish copies of such pamphlets to every establishment and enterprise engaged in activities authorized pursuant to this subchapter and subchapter II of Chapter 17 of Title 22. Amendments, changes, modifications, deletions, or additions to the rules and regulations shall be published and distributed at more frequent intervals as the Chief Financial Officer deems necessary.

### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Oct. 8, 2016, D.C. Law 21-160, § 7072(f), 63 DCR 10775; May 3, 2019, D.C. Law 22-312, § 2(d)(4), 66 DCR 1402.)

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DC ST § 36-601.07

Formerly cited as DC ST § 3-1307 Formerly cited as DC ST 1981 § 2-2507

§ 36-601.07. Reports.

Effective: May 3, 2019

[Currentness](#)

The Chief Financial Officer shall make an annual report in writing to the Mayor no later than December 31st of each year for the preceding fiscal year. This annual report shall include a statement of the receipts and disbursements of the Office, a summary of its activities, and any additional information and recommendations that the Chief Financial Officer may consider of value to the Mayor or which the Mayor may request. The Chief Financial Officer shall also make such additional reports as the Mayor may reasonably request.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; [Oct. 8, 2016, D.C. Law 21-160, § 7072\(g\), 63 DCR 10775.](#))

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DC ST § 36-601.08

Formerly cited as DC ST § 3-1308 Formerly cited as DC ST 1981 § 2-2508

§ 36-601.08. Power to administer oaths and take testimony; subpoena power.

Effective: May 3, 2019

[Currentness](#)

(a)(1) The Chief Financial Officer, the designee of the Chief Financial Officer, or other agent authorized by law (“empowered authority”) shall have the power to administer oaths and take testimony under oath relative to a matter of inquiry or investigation undertaken pursuant to this subchapter.

(2) At a hearing ordered by the Chief Financial Officer or designee, the empowered authority may subpoena witnesses and require production of records, papers, and documents relevant to the inquiry or investigation.

(b) The refusal or failure to provide relevant testimony or produce relevant records, papers, or documents pursuant to a properly issued subpoena of the Chief Financial Officer or designee by any applicant before the empowered authority, or by any officer, director, or employee of the applicant, licensee, or agent, may subject the applicant to summary denial of its application and summary termination of its license or authorization of the licensee or agent.

(c) If a person disobeys the process authorized pursuant to this section or having appeared in obedience to a lawful request to appear refuses to answer any relevant or pertinent question propounded by the empowered authority, the Chief Financial Officer, or designee, may apply to the Superior Court of the District of Columbia (“Court”), or to any judge of the Court if the Court is not in session, setting forth the facts relating to the disobedience to the process or refusal to answer questions, and the Court shall order the person to appear before the Court to answer the questions the person had been asked or to produce the records, papers, or documents sought at the inquiry or investigation.

(d) Upon the person’s continued refusal, the Court, in accordance with the appropriate provisions of District law, shall take such punitive action as the Court considers necessary and appropriate.

(e) Notwithstanding the imposition of any punitive action imposed on the person by the Court, the Chief Financial Officer, or

**§ 36-601.08. Power to administer oaths and take testimony;..., DC CODE § 36-601.08**

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designee, may proceed with the inquiry or investigation as if the person had not previously been called to testify.

**Credits**

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; [Oct. 8, 2016, D.C. Law 21-160, § 7072\(h\)](#), 63 DCR 10775.)

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DC ST § 36-601.09

Formerly cited as DC ST § 3-1309 Formerly cited as DC ST 1981 § 2-2509

§ 36-601.09. Recordkeeping.

Effective: May 3, 2019

[Currentness](#)

The Chief Financial Officer shall maintain full and complete records of the conduct and operation of daily numbers games and lotteries and of the regulation of bingo, raffles, Monte Carlo Night parties, and authorized sports wagering, which records shall include a statement of revenues and license fees, prize disbursements, and administrative expenses. The records shall be open and available to the public.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Oct. 8, 2016, D.C. Law 21-160, § 7072(h)(i), 63 DCR 10775; May 3, 2019, D.C. Law 22-312, § 2(d)(5), 66 DCR 1402.)

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DC ST § 36-601.10

Formerly cited as DC ST § 3-1310 Formerly cited as DC ST 1981 § 2-2510

§ 36-601.10. Authority to establish divisions.

Effective: May 3, 2019

[Currentness](#)

The Chief Financial Officer shall have the authority to establish divisions within the Office.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Apr. 11, 1987, D.C. Law 6-220, § 2(b)(2), 34 DCR 900; [Oct. 8, 2016, D.C. Law 21-160, § 7072\(j\), 63 DCR 10775.](#))

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DC ST § 36-601.11

Formerly cited as DC ST § 3-1311 Formerly cited as DC ST 1981 § 2-2511

§ 36-601.11. Budget.

Effective: May 3, 2019

[Currentness](#)

(a)(1) The Chief Financial Officer shall submit to the Mayor a consolidated budget covering all anticipated income, expenses (including all start-up costs), and capital outlays of the Office, which budget shall show the net amount for which it requests an appropriation.

(2) The net amount for which the Chief Financial Officer requests an appropriation shall be the difference between the anticipated expenses for the coming fiscal year, including debt service for capital expenses and a reserve for bad debts, as shown in the consolidated budget, and the anticipated income shown in that budget.

(b)(1) The budget shall be submitted on the date that all District government agencies are required to submit their budgets to the Mayor.

(2) The Mayor shall transmit to the Council the budget as requested by the Chief Financial Officer. The Mayor may also submit a modified budget, as the Mayor considers appropriate.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; [Oct. 8, 2016, D.C. Law 21-160, § 7072\(k\), 63 DCR 10775.](#))

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DC ST § 36-601.12

Formerly cited as DC ST § 3-1312 Formerly cited as DC ST 1981 § 2-2512

§ 36-601.12. Lottery, Charitable Games, and Sports Wagering Fund.

Effective: May 3, 2019

Currentness

(a) A District of Columbia Lottery, Charitable Games, and Sports Wagering Fund (hereinafter referred to as the “Fund”) shall be established and controlled by the Chief Financial Officer to receive all funds and fees generated by the specific forms of gambling operated or licensed by the Chief Financial Officer. All funds generated by gambling activities operated or licensed by the Chief Financial Officer shall be deposited in the Fund or a division thereof as created by the Chief Financial Officer.

(b) Any monies of the Office, from whatever source derived (including gifts to the Office), shall be for the sole use of the Fund and shall be deposited as soon as practicable in the Fund and shall be disbursed from the Fund according to the terms of this subchapter. Disbursements of up to \$500 from the Fund shall be paid out in checks signed by the Executive Director or designee. Disbursements in excess of \$500 shall be paid out in checks signed by the Executive Director and the Treasurer of the District of Columbia.

(c) From the Fund, the Chief Financial Officer shall first pay for the operation, administration, and capital expenses of the specific forms of gambling operated and licensed by the Chief Financial Officer as authorized by this subchapter, including the payment of prizes to winners of the games, as specified in this subchapter pursuant to regulations promulgated by the Chief Financial Officer. The remainder shall be paid over by the Chief Financial Officer, on a monthly basis promptly after the 1st of the month for the preceding month, into the General Fund of the District of Columbia as general purpose revenue funds of the District of Columbia or as otherwise directed by this subchapter.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Oct. 8, 2016, D.C. Law 21-160, § 7072(l), 63 DCR 10775; May 3, 2019, D.C. Law 22-312, § 2(d)(6), 66 DCR 1402.)

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DC ST § 36-601.13

Formerly cited as DC ST § 3-1313 Formerly cited as DC ST 1981 § 2-2513

§ 36-601.13. Operation of lottery.

Effective: May 3, 2019

[Currentness](#)

The Chief Financial Officer shall operate and conduct a lottery and shall determine the number of times a lottery shall be held each year, the form and price of tickets, and the number and value of prizes to winning participants, determined in a manner and on a basis designated by the Chief Financial Officer. The proceeds of the sale of tickets shall be deposited in the Fund from which prizes shall be paid according to regulations established by the Chief Financial Officer under [§ 36-601.12](#). The Chief Financial Officer may provide by regulation for the payment of prizes to winners directly by licensed agents.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Apr. 8, 2011, D.C. Law 18-370, § 762, 58 DCR 1008; May 31, 2012, D.C. Law 19-128, § 2, 59 DCR 2254; Oct. 8, 2016, D.C. Law 21-160, § 7072(m), 63 DCR 10775.)

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DC ST § 36-601.14

Formerly cited as DC ST § 3-1314 Formerly cited as DC ST 1981 § 2-2514

§ 36-601.14. Operation of daily numbers games.

Effective: May 3, 2019

[Currentness](#)

The Office shall operate and conduct a daily numbers game. The proceeds of the sale of tickets shall be deposited in the Fund from which prizes shall be paid in the manner specified in [§ 36-601.12](#). The Office shall authorize daily numbers games sales agents to distribute monies from the Fund to holders of winning tickets pursuant to regulations established by the Chief Financial Officer. The Chief Financial Officer may provide by regulation for the payment of prizes to winners directly by licensed agents.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; [Oct. 8, 2016, D.C. Law 21-160, § 7072\(n\), 63 DCR 10775.](#))

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DC ST § 36-601.15

Formerly cited as DC ST § 3-1315 Formerly cited as DC ST 1981 § 2-2515

§ 36-601.15. Sale of lottery and daily numbers games tickets by licensed agents; unauthorized sale.

Effective: May 3, 2019

[Currentness](#)

The Chief Financial Officer may license, as agents to sell lottery and daily numbers games tickets, such persons and establishments as, in its judgment, possess the requisite qualifications, including, but not limited to: The financial responsibility of the person and his business or activity; the accessibility of the place of business or activity to the public; the sufficiency of existing licenses to serve the public convenience; and the volume of expected sales. No license as an agent shall be issued to any person to engage in business primarily as a lottery agent. The Chief Financial Officer may authorize compensation to such agents in such manner and amounts and subject to such limitations as it may determine are necessary to assure adequate availability of lottery and daily numbers games tickets. The Chief Financial Officer shall also require that an agent be bonded in such amounts and in such manner as determined by the Chief Financial Officer. The Chief Financial Officer shall condition the issuance of a license upon the written agreement of the licensee to indemnify and to save harmless the District of Columbia against any and all actions, claims, and demands of whatever kind or nature which the District of Columbia may incur by reason of or in consequence of issuing such license. No lottery or daily numbers games tickets shall be sold at other than the price fixed by the Chief Financial Officer, and no sale shall be made by other than a licensee or his employee. Any person convicted of violating this section shall be subject to a fine not to exceed \$1,000 or imprisonment not to exceed 6 months, or both.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; [Oct. 8, 2016, D.C. Law 21-160, § 7072\(o\), 63 DCR 10775.](#))

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DC ST § 36-601.16

Formerly cited as DC ST § 3-1316 Formerly cited as DC ST 1981 § 2-2516

§ 36-601.16. Sales agents' special accounts; reports of receipts and transactions.

Effective: May 3, 2019

[Currentness](#)

(a) The Chief Financial Officer, in the Chief Financial Officer's discretion, may require lottery and daily numbers games sales agents to deposit in the Fund or a special escrow account, in the name of the Office, to the credit of the Office, which the Chief Financial Officer is authorized to establish, in institutions designated by the Chief Financial Officer that are legal for the deposit of municipal funds, all monies received by such agents from the sale of lottery and daily numbers games tickets less the amount of authorized compensation to licensed agents and prizes, if any, authorized under [§ 36-601.14](#), and to file with the Office reports of their receipts and transactions in the sale of lottery and daily numbers games tickets in such form and containing such information as the Office may require.

(b) Lottery and daily numbers games sales agents shall hold in trust, for the benefit of the Office, all monies received by the agent from the sale of lottery and daily numbers games tickets until such monies are transferred to the Office. The Chief Financial Officer shall determine the amount of compensation to be paid to the sales agents and the amount of prizes to be paid by sales agents. The Chief Financial Officer shall have authority to adopt regulations to implement this section.

### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; June 3, 1997, D.C. Law 11-272, § 2(b), 43 DCR 4672; Oct. 8, 2016, D.C. Law 21-160, § 7072(p), 63 DCR 10775; May 3, 2019, D.C. Law 22-312, § 2(d)(7), 66 DCR 1402.)

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DC ST § 36-601.17

Formerly cited as DC ST § 3-1317 Formerly cited as DC ST 1981 § 2-2517

§ 36-601.17. Depositories.

Effective: May 3, 2019

[Currentness](#)

The Chief Financial Officer may authorize compensation to such depositories in such manner and amounts and subject to such limitations as the Chief Financial Officer may determine. The depositories referred to in § 36-601.16 shall transfer the deposits made pursuant to § 36-601.16 to the designated accounts of the Office, less any compensation for services rendered by the depositories to the Fund, and less any amounts due the agents or depositories by adjustments authorized by the Chief Financial Officer because of depository or agent errors. The depositories shall file reports of their receipts and transactions in such form and containing such information as the Chief Financial Officer may require.

### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; [Oct. 8, 2016, D.C. Law 21-160, § 7072\(q\), 63 DCR 10775.](#))

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DC ST § 36-601.18

Formerly cited as DC ST § 3-1318 Formerly cited as DC ST 1981 § 2-2518

§ 36-601.18. Unclaimed prizes.

Effective: May 3, 2019

Currentness

(a) An unclaimed prize for a winning ticket or share shall be retained by the Office for the person entitled to the prize for 180 days after the drawing in which the prize was won. If no claim is made for the prize within the 180-day period, the unclaimed prize funds shall be used as follows:

(1) The first \$150,000 in fiscal year 2012 shall be used by the Deputy Mayor for Planning and Economic Development (“Deputy Mayor”) to fund Earned Income Tax Credit outreach and marketing efforts for District residents. The Deputy Mayor is authorized to make direct grants to qualified community partners to effectuate the purpose of this paragraph, subject to terms and conditions approved by the Deputy Mayor.

(2) The next \$350,000 in fiscal year 2012 shall be deposited in the unrestricted balance of the General Fund of the District of Columbia and recognized as fiscal year 2012 revenues.

(3) The next \$250,000 in fiscal year 2012 shall be used by the Deputy Mayor to fund cultural activities in the Chinatown community. The Deputy Mayor is authorized to make direct grants to qualified community partners to effectuate the purpose of this paragraph, subject to terms and conditions approved by the Deputy Mayor.

(4) The next \$15,000 in fiscal year 2012 shall be used to fund the Mayor’s Council on Physical Fitness, Health, and Nutrition.

(5) Any subsequent unclaimed prize funds shall be used by the Chief Financial Officer as additional prizes in lottery games or promotions.

**§ 36-601.18. Unclaimed prizes., DC CODE § 36-601.18**

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(b) Nothing in this section shall be construed to prohibit the holding of bonus games or drawings with a preannounced period for claiming prizes of other than 180 days. The Chief Financial Officer shall have the authority to establish by rule or regulation the claim periods for tickets issued by electronic instant-ticket-vending machines, games offered via the internet, and promotional games.

**Credits**

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Sept. 14, 2011, D.C. Law 19-21, § 7032, 58 DCR 6226; Oct. 8, 2016, D.C. Law 21-160, § 7072(r), 63 DCR 10775.)

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DC ST § 36-601.19

Formerly cited as DC ST § 3-1319 Formerly cited as DC ST 1981 § 2-2519

§ 36-601.19. Audits.

Effective: May 3, 2019

[Currentness](#)

The Auditor of the District of Columbia shall cause to be conducted a regular post audit of all accounts and transactions of the Chief Financial Officer with respect to the operation of lottery, daily numbers games, and sports wagering.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Oct. 8, 2016, D.C. Law 21-160, § 7072(s), 63 DCR 10775; May 3, 2019, D.C. Law 22-312, § 2(d)(8), 66 DCR 1402.)

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DC ST § 36-601.20

Formerly cited as DC ST § 3-1320 Formerly cited as DC ST 1981 § 2-2520

§ 36-601.20. Persons ineligible to purchase tickets or shares or receive prizes.

Effective: May 3, 2019

Currentness

(a) No ticket or share shall be purchased by, and no prize shall be paid to, any of the following persons: The Chief Financial Officer, any employee of the Office, or any spouse, domestic partner, child, brother, sister, or parent residing as a member of the same household in the principal place of abode of the Chief Financial Officer or any employee of the Office.

(b) For the purposes of this section, the term “domestic partner” shall have the same meaning as provided in § 32-701(3).

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Sept. 12, 2008, D.C. Law 17-231, § 11(a), 55 DCR 6758; Oct. 8, 2016, D.C. Law 21-160, § 7072(t), 63 DCR 10775.)

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DC ST § 36-601.21

Formerly cited as DC ST § 3-1321 Formerly cited as DC ST 1981 § 2-2521

§ 36-601.21. Rules and regulations governing conduct of lottery and daily numbers games.

Effective: May 3, 2019

Currentness

(a) The Chief Financial Officer shall adopt rules and regulations governing the conduct of lotteries and daily numbers games to insure the integrity of the conduct of lotteries and daily numbers games to protect the economic welfare and interests in fair and honest play of lotteries and daily numbers games participants. Such rules and regulations shall include, but not be limited to: Specific application requirements and the form thereof; the terms, conditions, and rules for lotteries or daily numbers games; amount of or value of prizes; and the occasions on and frequency with which lotteries and daily numbers games may be conducted. The Board shall have the authority to impose a fine of not more than \$1,000 for any violation of such rules and regulations. The Board also shall have the authority to suspend licenses of any person, firm, partnership, association, organization, or corporation for a period not to exceed 60 days for violation of such rules and regulations. All fines imposed pursuant to this section shall be paid over to the District of Columbia Treasurer, who shall place such fines in the Fund. Any person, firm, partnership, association, organization, or corporation fined or suspended pursuant to this section shall have a right to a hearing before the Board and, in the event of its affirmation of such fine or suspension, the right to appeal such fine or suspension to the Superior Court of the District of Columbia.

(b) Any rule or regulation promulgated by the Board before the transfer of its functions and personnel to the Chief Financial Officer by section § 1-204.24a(c), shall continue in effect, except to the extent it is modified or superseded by the Chief Financial Officer, or designee, or made inapplicable by or under other law.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Oct. 8, 2016, D.C. Law 21-160, § 7072(u), 63 DCR 10775.)

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DC ST § 36-601.22

Formerly cited as DC ST § 3-1322 Formerly cited as DC ST 1981 § 2-2522

§ 36-601.22. Operation of bingo and raffles.

Effective: May 3, 2019

[Currentness](#)

The Chief Financial Officer may authorize the operation of bingo and raffles in the District of Columbia. Bingo means that form of gambling in which the winning chances are determined by a random drawing of a subset of numbered objects among a total set of 75 objects, consecutively numbered from 1 to 75; and the card, or cards, held by the player, which card or cards is or are sold, rented, or used only at the time of the gambling activity, and contains 5 rows of 5 spaces each, each space imprinted with a number between 1 and 75 inclusive, except the central space which is marked "FREE." For the purpose of this section, raffle is a lottery, other than that operated by the District of Columbia pursuant to this subchapter, in which a prize is won by at least 1 of numerous persons buying chances.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; [Oct. 8, 2016, D.C. Law 21-160, § 7072\(v\), 63 DCR 10775.](#))

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DC ST § 36-601.22a

Formerly cited as DC ST § 3-1322.01 Formerly cited as DC ST 1981 § 2-2522.1

§ 36-601.22a. Monte Carlo night party.

Effective: May 3, 2019

[Currentness](#)

(a) The Chief Financial Officer may authorize the operation of Monte Carlo night parties in the District of Columbia.

(b) A Monte Carlo night party means an event for raising funds for charitable purposes at which wagers are made, through the use of imitation money presented to a participant in exchange for a donation to the event, in games of chance customarily associated with a gambling casino and at which a participant may use any accumulated imitation money to purchase prizes at the end of the event. The term “Las Vegas night party” may also be used to describe this type of event.

(c) The Chief Financial Officer shall issue proposed rules, pursuant to subchapter I of Chapter 5 of Title 2, to implement the provisions of this section. In developing the proposed rules, the Chief Financial Officer shall not permit any person, firm, partnership, association, organization, or corporation to sponsor, conduct, or hold more than 2 Monte Carlo night parties in a calendar year, shall place a maximum monetary value amount on the prizes that may be offered, and shall mandate that there be no direct correlation between the amount of imitation money presented to a participant and the participant’s donation to the event. The proposed rules shall be submitted to the Council of the District of Columbia (“Council”) for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within this 45-day review period, the proposed rules shall be deemed effective.

### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, as added Apr. 11, 1987, D.C. Law 6-220, § 2(b)(3), 34 DCR 900; [May 16, 1995, D.C. Law 10-255, § 7, 41 DCR 5193](#); [Oct. 8, 2016, D.C. Law 21-160, § 7072\(w\), 63 DCR 10775.](#))

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DC ST § 36-601.23

Formerly cited as DC ST § 3-1323 Formerly cited as DC ST 1981 § 2-2523

§ 36-601.23. Licenses to conduct bingo games, raffles, and Monte Carlo night parties.

Effective: May 3, 2019

[Currentness](#)

(a) No person, firm, partnership, association, organization, or corporation shall sponsor, conduct, or hold a bingo game, raffle, or Monte Carlo night party in the District of Columbia without a license issued by the Office.

(b) The Office may issue a license under this section to a person, firm, partnership, association, organization, or corporation engaged in or existing for charitable, benevolent, eleemosynary, humane, religious, philanthropic, recreational, social, educational, civic, fraternal, or other nonprofit purposes that conducts an activity to which contributions are deductible for federal or municipal income tax purposes if the applicant:

- (1) Is incorporated in the District of Columbia as a not-for-profit corporation as defined by Chapter 4 of Title 29;
- (2) Has at least 20 members in good standing, if an association or organization;
- (3) Is authorized by its constitution, articles, charter, or bylaws to further a lawful purpose in the District of Columbia;
- (4) Operates without profit to its partners or members;
- (5) Permits no part of its net earnings to inure to the benefit of a private shareholder, partner, employee, or individual; and
- (6) Has been in existence for not less than 1 year immediately preceding application for a license, during which time the applicant's membership actively engaged in furthering the lawful purpose authorized by its constitution, articles, charter, or bylaws.

(b-1)(1) The Office may issue a license to sell raffle tickets in the District of Columbia to any person, firm, partnership, association, organization, or corporation that is incorporated in Maryland or in Virginia as a not-for-profit corporation or is organized in Maryland or Virginia as a religious or not-for-profit organization if the applicant:

(A) Is engaged in or exists for charitable, benevolent, eleemosynary, humane, religious, philanthropic, recreational, social, educational, civic, fraternal, or other nonprofit purposes, for which contributions are deductible for federal, state, or municipal income tax purposes;

(B) Operates without profit to its members;

(C) Permits no part of any net earnings to inure to the benefit of any private shareholder, partner, employee, or individual;

(D) Is authorized by its constitution, articles of incorporation, charter, or bylaws to further a lawful purpose in its state of incorporation or organization that is also a lawful purpose in the District of Columbia;

(E) Has been in existence for not less than 1 year immediately preceding application for a license, during which 1-year period a bona fide membership actively engaged in furthering the lawful purpose authorized by its constitution, articles of incorporation, charter, or bylaws has existed;

(F) Has at least 20 members in good standing, all of whom are residents of the applicant's state of incorporation or organization or the District of Columbia;

(G) Holds the raffle draw in the applicant's state of incorporation or organization or in the District;

(H) Has obtained any license required outside the District of Columbia for the conduct of the raffle from the relevant licensing authority; and

(I) Guarantees that 30% or more of the net proceeds from the raffle shall be paid to persons, firms, partnerships, associations, organizations, or corporations that meet the licensing requirements of subsection (b) of this section or shall inure to the benefit of programs or activities of the applicant that are conducted in the District of Columbia.

(2) The Chief Financial Officer shall, within 60 days of May 21, 1988, issue rules to implement the provisions of this subsection. The proposed rules shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within this 45-day review period, the proposed rules shall be deemed approved. Nothing in this section shall affect any requirement imposed upon the Chief Financial Officer by subchapter I of Chapter 5 of Title 2.

(3) To the extent that existing rules issued by the Chief Financial Officer are not inconsistent with the provisions of this subsection, those rules shall continue to apply to the issuance of licenses under this section until the rules required by paragraph (2) of this subsection become effective.

(c) The Office may issue a license under this section to a senior citizen group in accordance with rules that may be adopted by the Office pursuant to this chapter.

(d) The Office may issue a license under this section, upon application, to a citizen-service program established pursuant to § 1-1163.38, in accordance with rules that may be adopted by the Office pursuant to this subchapter.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Apr. 11, 1987, D.C. Law 6-220, § 2(b)(4), 34 DCR 900; Mar. 9, 1988, D.C. Law 7-83, § 2, 34 DCR 8119; May 21, 1988, D.C. Law 7-119, § 2, 35 DCR 2690; July 2, 2011, D.C. Law 18-378, § 3(a), 58 DCR 1720; Apr. 27, 2012, D.C. Law 19-124, § 501(l), 59 DCR 1862; Oct. 8, 2016, D.C. Law 21-160, § 7072(x), 63 DCR 10775.)

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DC ST § 36-601.24

Formerly cited as DC ST § 3-1324 Formerly cited as DC ST 1981 § 2-2524

§ 36-601.24. Rules and regulations governing conduct of bingo and raffles.

Effective: May 3, 2019

[Currentness](#)

The Chief Financial Officer shall adopt rules and regulations governing the conduct of bingo and raffles to insure the integrity of the conduct of bingo and raffles, to protect the economic welfare and interests in fair and honest play of bingo and raffles participants. Such rules and regulations shall include, but not be limited to: Specific application requirements and the form thereof; the terms, conditions, and rules for bingo and raffles; amount of or value of prizes; the premises to be utilized and the terms of such use; the occasions on and frequency with which bingo and raffles may be conducted; and the definition and use of gross receipts from the conduct of bingo and raffles. The Office shall have the authority to impose a fine of not more than \$1,000 for any violation of such rules and regulations. The Office also shall have the authority to suspend the license of any person, firm, partnership, association, organization, or corporation for a period not to exceed 60 days for violation of such rules and regulations. All fines imposed pursuant to this section shall be paid over to the Office which shall place any such fines in the Fund. Any person, firm, partnership, association, organization, or corporation fined or suspended pursuant to this section shall have a right to a hearing before the Chief Financial Officer, or designee, and, in the event of its affirmation of such fine or suspension, the right to appeal such fine or suspension to the Superior Court of the District of Columbia.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; [Oct. 8, 2016, D.C. Law 21-160, § 7072\(y\), 63 DCR 10775.](#))

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DC ST § 36-601.25

Formerly cited as DC ST § 3-1325 Formerly cited as DC ST 1981 § 2-2525

§ 36-601.25. Designation of individual responsible for proper utilization of receipts; financial responsibility bond; license fees.

Effective: May 3, 2019

[Currentness](#)

Each person, firm, partnership, association, organization, or corporation conducting bingo and raffles shall designate an individual as responsible for the proper utilization of gross receipts in a manner not in violation of or contrary to the rules and regulations of the Chief Financial Officer and to insure that utilization of such gross receipts is in accordance with and sanctioned by such rules and regulations. A financial responsibility bond with sufficient sureties shall be given to the Office to insure the faithful discharge of the duties of the responsible member for the proper utilization of gross receipts and payment of all required fees and taxes. Said financial responsibility bond and said fees shall be determined by the Chief Financial Officer. Each person, firm, partnership, association, organization, or corporation shall pay to the Office a license fee for each occasion proposed for the conduct of bingo and raffles; an annual license fee for each person designated to conduct bingo and raffles on each proposed occasion; and an annual license fee for each member responsible for the proper utilization of gross receipts.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Oct. 8, 2016, D.C. Law 21-160, § 7072(z), 63 DCR 10775.)

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DC ST § 36-601.26

Formerly cited as DC ST § 3-1326 Formerly cited as DC ST 1981 § 2-2526

§ 36-601.26. License to supply bingo equipment and supplies.

Effective: May 3, 2019

[Currentness](#)

(a) No person, firm, partnership, association, organization, or corporation licensed by the Office to conduct bingo shall purchase or receive bingo equipment and supplies, as defined by the rules and regulations of the Chief Financial Officer, except from a person, firm, partnership, association, organization, or corporation licensed by the Office to supply such equipment. Any person, firm, partnership, association, organization, or corporation intending to sell, supply, or distribute bingo equipment and supplies shall apply for a suppliers license on an application form prescribed by the Office. Such application shall include, but not be limited to: The name and address of the applicant; a designation of the type of business organization of the applicant and the date and place of its original establishment; the name and address of each officer, director, shareholder, partner, or other person with an ownership interest in the applicant business; a statement showing the gross receipts realized in the preceding year on the sale or distribution of bingo supplies and equipment to licensed organizations; the name and address of any supplier of bingo supplies and equipment to the applicant; the number of years the applicant has been in the business of supplying bingo supplies and equipment; and, if the applicant business is organized outside of the District, the name and address of a resident agent who is authorized to be served legal documents and receive notices, orders, and directives of the Chief Financial Officer.

(b) Any license issued pursuant to this section shall be issued as a General Sales endorsement to a basic business license under the basic business license system as set forth in subchapter I-A of Chapter 28 of Title 47.

### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Apr. 20, 1999, D.C. Law 12-261, § 2003(e), 46 DCR 3142; Oct. 28, 2003, D.C. Law 15-38, § 3(d), 50 DCR 6913; Oct. 8, 2016, D.C. Law 21-160, § 7072(aa), 63 DCR 10775.)

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DC ST § 36-601.27

Formerly cited as DC ST § 3--327 Formerly cited as DC ST 1981 § 2-2527

§ 36-601.27. Suppliers' price list; fees; financial responsibility bonds; maintenance of books and records.

Effective: May 3, 2019

[Currentness](#)

Each application for a suppliers' license, or renewal thereof, shall be accompanied by a certified copy of the price list of the applicant's bingo supplies and equipment, a fee, and a financial responsibility bond. Said fees and financial responsibility bonds shall be set by the Chief Financial Officer. Each licensed supplier shall maintain books and records in such manner as to enable the Office to determine the gross sales of bingo supplies and equipment.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; [Oct. 8, 2016, D.C. Law 21-160, § 7072\(bb\), 63 DCR 10775.](#))

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DC ST § 36-601.28

Formerly cited as DC ST § 3-1328 Formerly cited as DC ST 1981 § 2-2528

§ 36-601.28. Persons ineligible for suppliers' license.

Effective: May 3, 2019

[Currentness](#)

(a) The Chief Financial Officer, in the Chief Financial Officer's discretion, may determine the following persons not to be eligible to receive a suppliers' license: A person convicted of a felony who either has not received a pardon or has not been released from parole or probation for at least 5 years; a person who is or has been a professional gambler or gambling promoter; a public officer or employee; or a business in which a person disqualified under provisions of this section is employed or active or in which a person is married to, in a domestic partnership with, or related in the 1st degree of kinship to, such person who has an interest of more than 10 percent in the business.

(b) For the purposes of this section, the term "domestic partnership" shall have the same meaning as provided in [§ 32-701\(4\)](#).

### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Sept. 12, 2008, D.C. Law 17-231, § 11(b), 55 DCR 6758; Sept. 26, 2012, D.C. Law 19-171, § 31, 59 DCR 6190; Oct. 8, 2016, D.C. Law 21-160, § 7072(cc), 63 DCR 10775.)

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DC ST § 36-601.29

Formerly cited as DC ST § 3-1329 Formerly cited as DC ST 1981 § 2-2529

§ 36-601.29. Prohibited suppliers' activities.

Effective: May 3, 2019

[Currentness](#)

No person shall sell or distribute bingo samples or equipment to any licensed organization without first having obtained a suppliers' license, but an organization which is or has been, during the preceding 12 months, licensed to conduct bingo in the District of Columbia may sell bingo supplies and equipment actually used by it in the conduct of bingo to another licensed organization. No licensed supplier shall sell bingo cards unless there is printed thereon the name, mark, or symbol of the printer or manufacturer which the supplier has registered with the Office. No person directly or indirectly connected with the manufacture, sale, or distribution of bingo supplies or equipment, and no agent, servant, or employee of such person, shall conduct, advise, or assist in the conduct of bingo; render any service to anyone conducting or assisting in the conduct of bingo; or prepare any form required of a licensed organization pertaining to bingo. No licensed supplier, or his agent, salesman, or representative, shall, during the term of the license, sell or distribute bingo supplies or equipment to any person or organization other than a licensed supplier or licensed organization. No licensed supplier, or his authorized agent, salesman, or representative, shall be present to transact business during the conduct of bingo.

### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; [Oct. 8, 2016, D.C. Law 21-160, § 7072\(dd\), 63 DCR 10775.](#))

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DC ST § 36-601.30

Formerly cited as DC ST § 3-1330 Formerly cited as DC ST 1981 § 2-2530

§ 36-601.30. Standards for bingo cards.

Effective: May 3, 2019

[Currentness](#)

A standard set of bingo cards shall consist of at least 3,000 cards numbered in sequence. Each card in a set differs from all others with respect to the distribution of playing numbers. Any number of cards may be supplied to a licensed organization and sold or rented to players at any bingo occasion, provided that all cards so supplied or sold or rented are drawn from a standard set of bingo cards. On a bingo card there shall be 25 playing spaces which shall be contained within an area not less than 4 square inches. Before any bingo card becomes the property of any person, firm, partnership, association, organization, or corporation licensed to conduct bingo by the Office, there shall be imprinted or otherwise permanently marked on it a symbol assigned to the supplier by the Office and the name of the licensed person, firm, partnership, association, organization, or corporation which owns such cards. Such symbol and name need not be marked more than once on such cards. The Office shall adopt such other definitions and standards for special bingo cards, groupings of cards, and methods of securing numbers as it deems necessary. No advertising matter shall be printed or otherwise marked on any bingo card or grouping of bingo cards, except the name, mark or symbol of its manufacturer or printer, the code symbol of its licensed supplier, and the name of the licensed organization which owns it.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; [Oct. 8, 2016, D.C. Law 21-160, § 7072\(ee\), 63 DCR 10775.](#))

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DC ST § 36-601.31

Formerly cited as DC ST § 3-1331 Formerly cited as DC ST 1981 § 2-2531

§ 36-601.31. License suspension or revocation.

Effective: May 3, 2019

[Currentness](#)

Any license granted under the provisions of this subchapter shall be subject to the regulations set forth by the Chief Financial Officer and shall be subject to suspension or revocation for good cause, after giving the licensee a reasonable opportunity for a hearing, at which the licensee shall have the right to be represented by counsel. If any license is suspended or revoked, the Chief Financial Officer shall state the reasons for such suspension or revocation and cause an entry of such reasons to be made on the record books of the Chief Financial Officer. Any licensee aggrieved by the action of the Chief Financial Officer may appeal therefrom to the Superior Court of the District of Columbia within 30 days of the final decision of the Chief Financial Officer.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; [Oct. 8, 2016, D.C. Law 21-160, § 7072\(ff\), 63 DCR 10775.](#))

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[Subchapter I. Lotteries and Gambling Generally.](#)

DC ST § 36-601.32

Formerly cited as DC ST § 3-1332 Formerly cited as DC ST 1981 § 2-2532

§ 36-601.32. Aiding or abetting unauthorized bingo games, raffles, or Monte Carlo night parties; penalties.

Effective: May 3, 2019

[Currentness](#)

No person shall aid or abet in the conduct of any bingo game, raffle, or Monte Carlo night party, except in accordance with a license duly issued and unsuspended or revoked by the Office. Any person convicted of violating this section shall be subject to a fine not to exceed \$1,000 or imprisonment not to exceed 6 months, or both. Civil fines, penalties, and fees may be imposed as alternative sanctions for any infraction of the provisions of this section, or any rules or regulations issued under the authority of this section, pursuant to Chapter 18 of Title 2. Adjudication of any infraction of this section shall be pursuant to Chapter 18 of Title 2.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Oct. 5, 1985, D.C. Law 6-42, § 406(a), 32 DCR 4450; Apr. 11, 1987, D.C. Law 6-220, § 2(b)(5), 34 DCR 900; [Oct. 8, 2016, D.C. Law 21-160, § 7072\(gg\), 63 DCR 10775.](#))

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DC ST § 36-601.33

Formerly cited as DC ST § 3-1333 Formerly cited as DC ST 1981 § 2-2533

§ 36-601.33. Forged, counterfeit or altered tickets.

Effective: May 3, 2019

Currentness

No person shall: Forge or counterfeit any ticket made for the purposes of any lottery or daily numbers games; alter any number imprinted on such a ticket; offer for sale or sell any such forged, counterfeited, or altered ticket, knowing it to be such; or present any such forged, counterfeited, or altered ticket to any person engaged in carrying out this subchapter; with the intent to defraud the District of Columbia or any person participating in any such lottery or daily numbers games. Any person convicted of violating this section shall be subject to a fine not to exceed \$5,000 or imprisonment not to exceed 1 year or both. Civil fines, penalties, and fees may be imposed as alternative sanctions for any infraction of the provisions of this section, or any rules or regulations issued under the authority of this section, pursuant to Chapter 18 of Title 2. Adjudication of any infraction of this section shall be pursuant to Chapter 18 of Title 2.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Oct. 5, 1985, D.C. Law 6-42, § 406(b), 32 DCR 4450.)

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DC ST § 36-601.34

Formerly cited as DC ST § 3-1334 Formerly cited as DC ST 1981 § 2-2534

§ 36-601.34. Gambling by minor prohibited.

Effective: May 3, 2019

[Currentness](#)

No person shall knowingly permit any person under the age of 18 to participate in a game of bingo or to wager in any gambling activity authorized under this subchapter. No person shall knowingly permit a person under the age of 18 years, unless accompanied by an adult, to be present in any room, office, building, or establishment where bingo, raffles, or Monte Carlo night parties is being played. Any person convicted of violating this section shall be subject to a fine not to exceed \$300 or imprisonment not to exceed 30 days or both.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Apr. 11, 1987, D.C. Law 6-220, § 2(b)(6), 34 DCR 900.)

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DC ST § 36-601.35

Formerly cited as DC ST § 3-1335 Formerly cited as DC ST 1981 § 2-2535

§ 36-601.35. Payment of prize by or on behalf of minor.

Effective: May 3, 2019

[Currentness](#)

If a person entitled to a lottery prize is under 18 years of age and the prize is less than \$5,000, the Office may require that payment of the prize be directed to an adult member of the minor's family or to a guardian of the minor in a check or draft payable to the order of the minor. If the person entitled to the prize is under 18 years of age and the prize is \$5,000 or more, the Office may direct payment to the minor by depositing the amount of the prize in any bank, to the credit of an adult member of the minor's family or to a guardian of the minor, as custodian of the minor. The person so named as custodian shall have the same duties and powers as a custodian designated under Uniform Transfers to Minors Act, Chapter 3 of Title 21. The Office is discharged of all further liability upon payment of the prize to a minor under this section.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Mar. 12, 1986, D.C. Law 6-87, § 3(a), 33 DCR 278; [Oct. 8, 2016, D.C. Law 21-160, § 7072\(hh\), 63 DCR 10775.](#))

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DC ST § 36-601.36

Formerly cited as DC ST § 3-336 Formerly cited as DC ST 1981 § 2-2536

§ 36-601.36. Competitive bid contracts.

Effective: May 3, 2019

[Currentness](#)

(a) Neither the Chief Financial Officer nor any employee of the Office of the Chief Financial Officer or the Office designated to enter into contracts for the operation of any of the forms of gambling authorized by this subchapter shall have any material interest, either directly or indirectly, in any contract with a vendor for the purchase of supplies, materials, equipment, machinery, work, or other items relating to or necessary for the operation of such gambling form.

(b) The Office of Contracts of the Office of the Chief Financial Officer shall procure supplies, materials, equipment, machinery, work, or other items relating to or necessary for the operation of any gambling form on behalf of the Office.

(c) Repealed.

(d) No contract awarded or entered into by the Office of the Chief Financial Officer may be assigned by the holder thereof except by specific approval of the Chief Financial Officer.

(e), (f) Repealed.

(g) Contracts awarded by the Chief Financial Officer for more than 1 year shall not be governed by the provisions of the Antideficiency Act ([31 U.S.C. §§ 1341, 1342, and 1349 to 1351, and 1511 through 1519](#)).

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; [Apr. 12, 1997, D.C. Law 11-259, § 310, 44 DCR 1423](#); [Oct. 8, 2016, D.C. Law 21-160, § 7072\(ii\), 63 DCR 10775](#).)

**§ 36-601.36. Competitive bid contracts., DC CODE § 36-601.36**

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DC ST § 36-601.37

Formerly cited as DC ST § 3-1337 Formerly cited as DC ST 1981 § 2-2537

§ 36-601.37. Exemption from District income tax. [Repealed]

Effective: May 3, 2019

[Currentness](#)

Formerly cited as [DC ST § 3-1337](#)

#### Credits

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Subchapter II. Sports Wagering.

DC ST § 36-621.01

§ 36-621.01. Authorization of sports wagering.

Effective: May 3, 2019

[Currentness](#)

The operation of sports wagering and related activities shall be lawful in the District of Columbia and conducted in accordance with this subchapter, and rules and regulations issued pursuant to this subchapter.

#### Credits

(Mar. 10, D.C. Law 3-172, § 301, as added [May 3, 2019, D.C. Law 22-312, § 2\(e\), 66 DCR 1402.](#))

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Subchapter II. Sports Wagering.

DC ST § 36-621.02

§ 36-621.02. Rules and regulations governing conduct of sports wagering.

Effective: May 3, 2019

[Currentness](#)

(a) To ensure fair and honest play in sports wagering and to protect the economic welfare and interests of the District and participants of sports wagering, the CFO, or delegate, shall adopt rules and regulations governing the conduct of sports wagering, which shall include the following:

- (1) Acceptance of wagers on a sports event or a series of sports events;
- (2) Maximum wagers that may be accepted by an operator from any one individual or on a sports event;
- (3) Type of wagering tickets that may be used;
- (4) Method of issuing tickets;
- (5) Method of accounting to be used by an operator;
- (6) Requirements relating to how fees and taxes are to be remitted, including whether the fees and taxes shall be required to be remitted electronically;
- (7) Methods of age verification;
- (8) Posting of house rules;

- (9) Player exclusion requirements;
  - (10) Facilities to be used by operators;
  - (11) Types of records that shall be required to be maintained;
  - (12) Use of credit and checks;
  - (13) Type of system for sports wagering;
  - (14) Protections for an individual placing a wager;
  - (15) Requirements for training the employees of an operator concerning compulsive and problem gambling, and for displaying on an operator's website and sports wagering facility information about available programs to prevent, treat, or monitor compulsive or problem gambling;
  - (16) Advertising guidelines, including specific language concerning minors; and
  - (17) Reporting of the sources of data that operators use to resolve sports wagers.
- (b)(1) The Office shall establish internal control standards for the administration of sports wagering, sports wagering equipment and systems, or other items used to conduct sports wagering, as well as maintenance of financial records and other required records.
- (2) The Office shall solicit input from the Alcoholic Beverage Regulation Administration and the Alcoholic Beverage Control Board on suggestions for regulations to minimize underage drinking and sports wagering by visibly intoxicated patrons.
- (c) Sports wagering shall occur only in the specific locations within a designated sports wagering facility approved by the Office and may only be relocated or offered in an additional manner pursuant to regulation.

**Credits**

(Mar. 10, 1981, D.C. Law 3-172, § 302, as added [May 3, 2019, D.C. Law 22-312, § 2\(e\)](#), 66 DCR 1402.)

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Subchapter II. Sports Wagering.

DC ST § 36-621.03

§ 36-621.03. Public-private cooperation.

Effective: May 3, 2019

[Currentness](#)

(a) In recognition that governmental and private sector cooperation is essential to ensuring the integrity of sports wagering in the District and for resolving problems that may arise that have the potential to diminish the benefits of sports wagering to the District and its residents, the Office may by rule encourage operators and sports leagues to share information with the Office and each other pertaining to sports wagering, such as abnormal betting activity or patterns, the possible breach of a sports league's internal rules or codes of conduct, conduct that corrupts the betting outcome of a sporting event, suspicious or illegal wagering, the use of funds derived from illegal activity, the use of agents to place wagers, or using false identification, and to cooperate with the Office, or other District entity, in an investigation relating to sports wagering that may be conducted by the District.

(b)(1) The Office may enter into intelligence-sharing, reciprocal-use, or restricted-use agreements with the federal government, state, or local governments, law enforcement agencies, gaming enforcement agencies of other jurisdictions, and sports leagues that provide for and regulate the use of information provided and received pursuant to the agreement.

(2) Records, documents, and information in the possession of the Office received pursuant to an intelligence-sharing, reciprocal-use, or restricted-use agreement shall be considered investigative records compiled for law-enforcement purposes under [§ 2-534\(a\)\(3\)](#).

**Credits**

(Mar. 10, 1981, D.C. Law 3-172, § 303, as added [May 3, 2019, D.C. Law 22-312, § 2\(e\), 66 DCR 1402.](#))

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DC ST § 36-621.04

§ 36-621.04. Unlawful acts; action by Attorney General.

Effective: May 3, 2019

[Currentness](#)

(a)(1) It shall be unlawful for an operator, or other individual, group of individuals, or entity, without authorization to access, use, modify, or disclose personal information of an individual who places a sports wager with the operator (“unlawful acts”), and for the operator to fail to maintain reasonable security procedures and practices against such unlawful acts.

(2) A violation of paragraph (1) of this subsection shall be an unlawful trade practice within the meaning of Chapter 39 of Title 28. An individual, group of individuals, or entity found to have violated this provision shall be subject to the remedies set forth in [§ 28-3909](#).

(b)(1) No operator, or director, office, owner, or employee of an operator, may intentionally make a false or misleading representation concerning the operator’s services or business, including relating to the probability of winning or the number of winners for a wager accepted by the operator.

(2) An individual, group of individuals, or entity claiming to be aggrieved by a fraudulent act or a false or misleading statement by an operator shall have a cause of action in a court of competent jurisdiction for damages and any legal or equitable relief as may be appropriate.

(c) The Attorney General for the District of Columbia, in the name of the District of Columbia, may bring an action in the Superior Court of the District of Columbia to enjoin an individual, group of individuals, or entity or to seek a civil penalty of up to \$50,000 for a violation of this subchapter or regulations issued pursuant to this subchapter.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 304, as added [May 3, 2019, D.C. Law 22-312, § 2\(e\)](#), [66 DCR 1402](#).)

**§ 36-621.04. Unlawful acts; action by Attorney General., DC CODE § 36-621.04**

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Subchapter II. Sports Wagering.

DC ST § 36-621.05

§ 36-621.05. Sports wagering license requirements; prohibition.

Effective: September 11, 2019

Currentness

(a)(1) Except as provided in subsection (f) of this section, no individual, group of individuals, or entity may engage in an activity connected with sports wagering in the District of Columbia unless all the licenses required by this subchapter, or by regulations issued pursuant to this subchapter, have been duly obtained.

(2) An applicant convicted of a disqualifying offense shall not be licensed. The Office shall define disqualifying offenses by regulations issued pursuant to this subchapter.

(3) An applicant may apply for up to but no more than 2 sports wagering licenses unless that applicant agrees to subcontract with a joint venture or subcontract with a CBE for any additional licenses.

(b)(1) The Office shall issue the following sports wagering licenses:

(A) Operator;

(B) Management services provider;

(C) Supplier; and

(D) Occupational.

(2)(A) The Office shall not grant any of the licenses listed in paragraph (1) of this subsection until it has determined that each individual, group of individuals, or entity that has control of the applicant has been approved for licensure in accordance with this subchapter.

(B) Each operator's license shall be limited to a single sports wagering facility.

(C) For the purposes of this paragraph, the following individuals, groups of individuals, and entities are considered to have control of an applicant:

(i) An individual, group of individuals, or entity associated with a corporate applicant, including a corporate holding company, parent company, or subsidiary company of the applicant that has the ability to control the activities of the corporate applicant or elect a majority of the board of directors of that corporation, excluding any bank or other licensed lending institution that holds a mortgage or other lien acquired in the ordinary course of business;

(ii) Each individual, group of individuals, or entity associated with a non-corporate applicant that directly or indirectly holds a 5% or greater beneficial or proprietary interest in the applicant's business operation, or that the Office otherwise determines has the ability to control the applicant; and

(iii) Key personnel of an applicant, such as an executive, employee, or agent having the power to exercise significant influence over decisions concerning any part of the applicant's business operation.

(c)(1) An applicant for a license or renewal of a license issued pursuant to this subchapter shall be subject to District, state, and national criminal history background checks and shall submit an application to the Office, in a form determined by the Office, for fingerprints for a national criminal records check by the Metropolitan Police Department and the Federal Bureau of Investigation of all individuals required to be named in the application and a signed authorization of each individual submitting fingerprints for the release of information by the Metropolitan Police Department and the Federal Bureau of Investigation.

(2) In the case of an application for license renewal, the Office may require additional background checks.

(d) Proprietary information, trade secrets, financial information, or personal information about an individual in an application submitted to the Office pursuant to this subchapter shall not be a public record and shall not be made available under subchapter II of Chapter 5 of Title 2, or any other law.

(e)(1)(A) An operator, licensed supplier, or licensed management services provider shall display its District of Columbia license conspicuously in its sports wagering facility or conspicuously on its mobile application or online and have the license available for inspection by an employee of the Office or law enforcement agency.

(B) When present in a sports wagering facility, an occupational licensee shall carry the license and have some indicia of licensure prominently displayed on his or her person.

(2) An individual, group of individuals, or entity licensed pursuant to this subchapter shall provide the Office written notice of a change to any information provided in the application for a license or renewal of a license within 10 days of the change.

(f) No Office employee may be an applicant for or obtain a license issued pursuant to the title.

(g) The Office shall only issue an operator license or management services provider license if the applicant:

(1) In conjunction with its application for license, submits to the DSLBD for approval, a CBE plan that demonstrates that at least 35% of the applicant's operating budget will be contracted with one or more CBEs. The CBE plan shall include:

(A) The name and address of each contractor;

(B) A current certification for the CBE;

(C) The scope of work to be performed by each contractor that shall be for a commercially useful function related to sports wagering;

(D) The price to be paid by the beneficiary to each contractor; and

(E) The length of the contract;

(2) Is a certified joint venture pursuant to the CBE act, where the joint venture has a CBE majority interest, and is also certified as either a SBE, DBE, or ROB; or

**§ 36-621.05. Sports wagering license requirements; prohibition., DC CODE § 36-621.05**

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(3) Obtains a waiver from DSLBD of the contracting or joint venture requirements of the CBE act; provided, that if DSLBD neither approves nor denies the request for waiver within 30 days after the submission of the request, the waiver shall be deemed approved as a matter of law.

**Credits**

(Mar. 10, 1981, D.C. Law 3-172, § 305, as added [May 3, 2019, D.C. Law 22-312, § 2\(e\), 66 DCR 1402](#); [Sept. 11, 2019, D.C. Law 23-16, § 7052\(a\), 66 DCR 8621](#).)

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Title 36. Trade Practices. (Refs & Annos)

Chapter 6. Lottery, Gaming, and Sports Wagering.

Subchapter II. Sports Wagering.

DC ST § 36-621.06

§ 36-621.06. Operator licensure.

Effective: September 11, 2019

[Currentness](#)

(a)(1) To offer sports wagering in the District, an individual, group of individuals, or entity shall obtain an operator license, the application for which shall be in a form determined by the Office and shall require:

(A) The name of the applicant;

(B) The mailing address and, if a corporation, the name of the state in which it is incorporated, the location of its principal place of business, and the names and addresses of its directors;

(C) A report of the applicant's financial activities, including evidence of financial stability, such as bank statements, business and personal income and disbursement schedules, tax returns, or other documentation, satisfactory to the Office, that demonstrates that the applicant has sufficient business ability and experience to establish and maintain a successful sports wagering business;

(D) A description of the proposed internal controls and security systems to be used in conducting sports wagering or processing sports wagering transactions;

(E) The number of employees expected to be employed at the proposed sports wagering facility;

(F) The estimated tax revenue to be generated by the sports wagering facility;

(G) The location of the proposed sports wagering facility; and



(H) Any other information the Office considers necessary and appropriate.

(2) In determining whether to approve an application for an operator license, the Office shall consider whether the applicant:

(A) Is proposing a sports wagering operation that will have a positive impact through increased revenues on the District and its residents;

(B) Possesses adequate funds or has secured adequate financing to commence and maintain a sports wagering operation;

(C) Has the financial stability, integrity, and responsibility to conduct sports wagering;

(D) Has sufficient business ability and experience to create and maintain a successful sports wagering operation;

(E) Has proposed adequate measures for internal and external security, including a surveillance system or protocol;

(F) Has satisfied the sports wagering license requirements;

(G) Has demonstrated that its proposed sports wagering operation will be conducted in accordance with this subchapter and all other applicable District and federal law;

(H) Has been convicted of a disqualifying offense, as established by regulation by the Office pursuant to this subchapter;

(I) Is an SBE; or

(J)(i) Has entered into a labor peace agreement with each labor organization that is actively engaged in representing or attempting to represent employees in the gaming, hospitality, or food and beverage industries in the District; provided, that the labor peace agreement shall:

(I) Be a written agreement between the applicant and the labor organization that contains, at a minimum, a provision protecting the District's revenues by prohibiting the labor organization or its members from engaging in any picketing, work stoppage, boycott, or other economic interference with the applicant's sports wagering operations during any effort by the labor organization to organize employees for purposes of collective bargaining representation; and

(II) Apply to a sports wagering operation conducted at a Class A sports wagering facility approved by the Office, whether conducted directly by the applicant or by a management service provider under a management services agreement with the applicant.

(ii) A labor peace agreement shall be enforceable under section 301(a) of the Labor Management Relations Act, 1947, enacted June 23, 1947 (61 Stat. 136; 29 U.S.C. § 185(a)), or through other applicable law, after the best efforts of the parties at resolving a dispute have failed.

(b)(1) The Office may issue a Class A operator license to an applicant whose sports wagering facility will be located within any of the following locations: Capital One Arena (601 F Street, N.W., and described as Lot 0047, Square 0455), Audi Field (100 Potomac Avenue, S.W., and described as Lot 0027, Square 0665), Nationals Park (1500 South Capitol Street, S.E., and described as Lot 0016, Square 0705), or St. Elizabeths East Entertainment and Sports Arena (St. Elizabeth's Campus, 1100 Oak Drive, S.E., and described as Lots 0837 and 0838, Square 5868S) ("designated facilities").

(2) The Office shall not issue a Class B operator license to an applicant whose sports wagering facility will be located within a designated facility.

(3)(A) Except as provided in § 36-621.16, a Class A operator license shall be issued for 5 years and require a non-refundable application fee of \$500,000, which shall be submitted with the application.

(B) A Class A operator license may be renewed for 5-year periods; provided, that the licensee has continued to comply with all statutory and regulatory requirements and pays upon submission of a renewal application a \$250,000 renewal fee.

(c)(1) Subject to paragraph (2) of this subsection, the Office may issue a Class B operator license to an applicant whose facility will be located outside of any of the designated facilities.

(2) The Office shall not issue a Class B operator license to any applicant whose sports wagering facility will be located within a 2-block radius of any of the designated facilities.

(3) District operated sports wagering shall not be offered within a 2-block radius of any of the designated facilities.

(4)(A) Except as provided in § 36-621.16, a Class B operator license shall be issued for 5 years and require a non-refundable application fee of \$100,000, which shall be submitted with the application.

(B) A Class B operator license may be renewed for 5-year periods; provided, that the licensee has continued to comply with all statutory and regulatory requirements and pays upon submission of a renewal application a \$50,000 renewal fee.

(d) As a condition of licensure, an operator shall be bonded, in such amounts and in such manner as determined by the Office, and agree, in writing, to indemnify and to save harmless the District of Columbia against any and all actions, claims, and demands of whatever kind or nature that the District of Columbia may incur by reason of or in consequence of issuing an operator license to the licensee.

(e) Notwithstanding § 36-601.01(c)(20), a Class A operator may apply to operate sports wagering conducted over the internet, through mobile applications, or through other digital forms, but not through a physical location, outside of the physical confines of its approved sports wagering facility, within 2 blocks of its designated facility; provided, that the sports wagering conducted by a Class A operator over the internet, through mobile applications, or through other digital forms may not function within the physical confines of a different Class A operator's designated facility.

### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 306, as added May 3, 2019, D.C. Law 22-312, § 2(e), 66 DCR 1402; Sept. 11, 2019, D.C. Law 23-16, § 7052, 66 DCR 8621.)

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Chapter 6. Lottery, Gaming, and Sports Wagering.

Subchapter II. Sports Wagering.

DC ST § 36-621.07

§ 36-621.07. Duties of an operator.

Effective: May 3, 2019

[Currentness](#)

(a) Upon application for an operator license, and annually thereafter, an operator shall submit to the Office an audit of the financial transactions and condition of the licensee's total operations prepared by a certified public accountant in accordance with generally accepted accounting principles and applicable District and federal law.

(b)(1) An operator shall be prohibited from wagering through its own sports wagering facility and shall employ reasonable methods to prohibit:

(A) A director, officer, owner, or employee of the operator, and any relative living in the same household as the aforementioned individuals from placing a wager with the operator;

(B) An athlete, coach, referee, team owner, employee of a sports governing body or its member teams, and player and referee union personnel from wagering on a sporting event overseen by their sports governing body;

(C) An individual, group of individuals, or entity with access to non-public confidential information held by the operator from placing wagers with the operator; or

(D) An individual, group of individuals, or entity from placing a wager as an agent or proxy for others.

(2) In determining which individual, group of individuals, or entity is to be excluded from placing a wager pursuant to paragraph (1) of this subsection, an operator shall use publicly available information and any lists of such individuals, group of individuals, or entities that the sports governing body may provide to the Office, and which the Office, or sports governing body, has provided to the operator.

(c) An operator shall:

(1) Employ a monitoring system utilizing software to identify irregularities in volume or odds and swings that could signal suspicious activities that should require further investigation, and immediately report to the Office;

(2) Develop system requirements and specifications according to industry standards and implement the requirements and specifications as required by the Office as part of its minimum internal control standards;

(3) Immediately report to the Office facts or circumstances related to the operation of a sports wagering licensee that may constitute a violation of District or federal law, including suspicious sports wagering over a threshold set by the operator as approved by the Office;

(4) Provide a secure location for the placement, operation, and play of sports wagering equipment;

(5) Prevent an individual, group of individuals, or entity from tampering with or interfering with the operation of sports wagering or sports wagering equipment;

(6) Ensure that sports wagering occurs only in the specific locations within a designated sports wagering facility approved by the Office, using an Office-approved mobile application, other digital platform, or sports wagering device that utilizes communications technology to accept wagers originating within the District, and that sports wagering is conducted within the sight and control of designated employees of the licensee and under continuous observation by security equipment, as required by the Office.

(7) Maintain a sufficient cash supply and other supplies within the boundaries of the District;

(8) Maintain daily records showing the gross sports wagering receipts and adjusted gross sports wagering receipts of the operator;

(9) Timely file with the Office records or reports required by this subchapter, or regulations issued pursuant to this subchapter;

(10)(A) Verify that an individual, or group of individuals, placing a wager is of the legal minimum age for placing the wager;

(B) If the sports wagering is conducted using on-line or mobile devices, have in place technical and operational measures to prevent access by those who are underage;

(C) Have an age verification process as a part of its registration, which may include requiring the use of a reputable independent third party that is commonly in the business of verifying an individual's personal identity information; and

(D) Include on its website a description of the possible repercussions for an underage player, such as immediate stoppage of play, account closure, and confiscation of winnings.

(11)(A) Allow individuals to set limits with the operator, including limits on the time spent betting and the amounts to be wagered, and take reasonable steps to prevent those individuals from overriding their self-imposed limits, including, at the request of the individual, sharing the requested limitations with the Office for the sole purpose of disseminating the request to other operators;

(B) Prohibit an individual from sports wagering over the limit the individual has set or from sports wagering if the individual is on a list provided by the Office of the individuals who have requested to be excluded from sports wagering; and

(C) Implement and maintain reasonable security procedures and practices that are appropriate to the nature of the personal information of individuals who place a wager with the operator from unauthorized access, use, modification or disclosure;

(12) Establish procedures to evaluate requests made by third parties to exclude an individual from sports wagering, including requests to exclude an individual from placing sports wagers when the requestor provides documentary evidence of sole or joint financial responsibility for the source of funds deposited with an operator by the individual or a court order requiring the individual to pay unmet child-support obligations;

(13) Establish a system to allow individuals to self-identify as problem gamers to the Office and request to be excluded from any gaming regulated by the Office;

(14) Establish a system to enable the Office to provide to the operator a daily list of players who have requested to be excluded from sports wagering;

(15) Prohibit an operator, director, officer, owner, and employee of the operator from extending credit to an individual,

group of individuals, or entity that places wagers with the operator or seeks to place wagers with the operator;

(16) Prohibit an individual, group of individuals, or entity that places wagers with the operator from establishing more than one active account with the operator; and

(17) Permit an individual, group of individuals, or entity that places wagers with the operator to terminate the account at any time and for any reason.

(d) An operator's unauthorized or improper disclosure of names included on the self-exclusion list, as allowed by subsection (c)(11) of this section, shall be punishable by penalties determined by the Office, including revocation of the operator's license.

(e)(1) Each operator shall submit a monthly report to the Office that includes:

(A) The total amount of sports wagers received from authorized sports bettors;

(B) The total amount of prizes awarded to sports bettors;

(C) The total amount of gross sports wagering revenue received by the operator;

(D) The total number of authorized sports bettors that requested to exclude themselves from sports wagering; and

(E) Any additional information the Office considers necessary to carry out the provisions of this subchapter.

(2) The Office shall publish reports based on the information provided by operators pursuant to this subsection.

(f) An operator may continue to use supplies acquired from a licensed sports wagering supplier whose supplier license has expired or has otherwise been cancelled, unless the Office prohibits such use.

## Credits

**§ 36-621.07. Duties of an operator., DC CODE § 36-621.07**

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(Mar. 10, 1981, D.C. Law 3-172, § 307, as added [May 3, 2019, D.C. Law 22-312, § 2\(e\)](#), 66 DCR 1402.)

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Subchapter II. Sports Wagering.

DC ST § 36-621.08

§ 36-621.08. Sports wagering management services providers.

Effective: May 3, 2019

[Currentness](#)

(a) An operator may enter into a management services contract that would permit an individual, group of individuals, or entity other than the operator to conduct sports wagering on the premises; provided, that the management services contract:

- (1) Is with an individual, group of individuals, or entity licensed under this subchapter to provide management services;
- (2) Is in writing; and
- (3) Has been approved by the Office.

(b) The duties and responsibilities of a management services provider (“MSP”) under a management services contract shall not be assigned, delegated, subcontracted, or transferred to a third party without the prior approval of the Office. To be considered for approval, a third party shall be licensed as an MSP in accordance with this subchapter.

(c)(1) In considering whether to approve an MSP license application, the Office may consider evidence the MSP has submitted to the Office of an existing license as a management services provider from another jurisdiction that the Office has determined has licensing requirements similar to those required by the District.

(2) An applicant for an MSP license shall pay a non-refundable \$10,000 fee with the application and meet all requirements for licensure under this subchapter.

(3) An MSP license shall be renewed annually; provided, that the licensee has continued to comply with all statutory and

**§ 36-621.08. Sports wagering management services providers., DC CODE § 36-621.08**

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regulatory requirements and pays upon submission of a renewal application a \$2,000 renewal fee.

(d) An individual, group of individuals, or entity that shares in the revenue of a sports wagering business, including an affiliate operating under a revenue share agreement, shall be licensed under this section.

**Credits**

(Mar. 10, 1981, D.C. Law 3-172, § 308, as added [May 3, 2019, D.C. Law 22-312, § 2\(e\)](#), 66 DCR 1402.)

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Subchapter II. Sports Wagering.

DC ST § 36-621.09

§ 36-621.09. Sports wagering suppliers.

Effective: May 3, 2019

[Currentness](#)

(a)(1) An individual, group of individuals, or entity that seeks to sell or lease sports wagering equipment, systems, or other gaming items necessary to conduct sports wagering, or offer services related to such equipment or other gaming items to a sports wagering operator shall obtain a supplier license from the Office.

(2) In considering whether to approve a supplier license application, the Office may consider evidence the supplier submitted to the Office of an existing license as a supplier from another jurisdiction that the Office has determined has licensing requirements similar to those required by the District.

(b) An applicant for a supplier license shall demonstrate that the equipment, system, or services that the applicant plans to offer to the sports wagering licensee conform to standards established pursuant to this subchapter, regulations issued pursuant to this subchapter, and other applicable law.

(c) An applicant for a supplier license shall pay a nonrefundable fee of \$10,000 with the application.

(d) A supplier license shall be renewed annually; provided, that the licensee has continued to comply with all statutory and regulatory requirements and pays upon submission of a renewal application a \$2,000 renewal fee.

(e) A licensed sports wagering supplier shall submit to the Office a list of all sports wagering equipment or services sold, delivered to, or offered to an operator. All of such equipment shall be tested and approved by an independent testing laboratory approved by the Office.

#### Credits

**§ 36-621.09. Sports wagering suppliers., DC CODE § 36-621.09**

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DC ST § 36-621.10

§ 36-621.10. Sports wagering occupational licensee.

Effective: May 3, 2019

[Currentness](#)

(a) All persons employed to be engaged in activities related to sports wagering shall be required to be licensed by the Office and, when employed, shall maintain a valid occupational license and be employed in the capacity reported to the Office.

(b)(1) An applicant for an occupational license under this section shall submit an application, as required by the Office, and pay a nonrefundable fee of \$100, which may be paid on behalf of the applicant by the prospective employer.

(2) A holder of an occupational license issued pursuant to this section shall pay a renewal fee of \$100, which may be paid on behalf of the licensed employee by the employer, and submit a renewal application by September 30 of each year.

**Credits**

(Mar. 10, 1981, D.C. Law 3-172, § 310, as added [May 3, 2019, D.C. Law 22-312, § 2\(e\), 66 DCR 1402.](#))

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Chapter 6. Lottery, Gaming, and Sports Wagering.

Subchapter II. Sports Wagering.

DC ST § 36-621.11

§ 36-621.11. District-operated sports wagering; sports wagering retailers.

Effective: May 3, 2019

[Currentness](#)

(a)(1) The District of Columbia, through the Office, may conduct sports wagering authorized by this subchapter through any method of wagering, including mobile and online transactions; provided, that any systems used for mobile or online transactions include age and location verification technology designed to prevent unauthorized access by individuals whose age and current location have not been verified. The Office may engage a contractor or contractors to provide the systems and related services for accepting sports wagers.

(2) The Office may offer a mobile or on-line sports wagering product, either by taxing mobile and on-line licensed retailers at a rate of 20%, without limit to the number of licenses issued, or through contract with a limited number of partners operating an Office of Lottery and Gaming mobile and web-based sports wagering operation, whichever can be shown to return the most revenue to the District.

(b)(1) The Office shall license sports wagering retailers. Businesses that apply to be licensed as sports wagering retailers shall also be licensed as lottery and daily numbers game agents ("lottery licensees").

(2) Active lottery licensees, as well as new applicants, shall be required to apply to the Office for a separate sports wagering retailer license.

(3) In determining whether to approve an application for a sports wagering retailer ("retailer") license, the Office shall consider the:

(A) Financial responsibility of the business or operation;

(B) Accessibility of the place of business or operation to the public;

(C) Sufficiency of existing retailer licensees to serve the public; and

(D) Volume of expected District-operated sports wagering sales.

(c)(1) An applicant for a retailer license, which shall have a term of 2 years, shall meet all requirements for licensure and pay an application fee of \$5,000.

(2) A retailer license may be renewed for 2-year periods; provided, that the licensee has continued to comply with all statutory and regulatory requirements and pays upon submission of a renewal application a \$5,000 renewal fee.

(d) The Office shall require a retailer licensee to be bonded, in such amounts and in such manner as determined by the Office, and agree, in writing, to indemnify and save harmless the District of Columbia against any and all actions, claims, and demands of whatever kind or nature that the District of Columbia may incur by reason of or in consequence of issuing the retailer license to the licensee.

(e) Subject to fiscal limitations and requirements of law, the Office may authorize compensation for a retailer licensee in the manner and amounts the Office determines necessary and appropriate.

(f)(1) No sports wager shall be accepted under this section by other than a retailer licensee or an employee of the retailer licensee.

(2) An individual, group of individuals, or entity convicted of violating this subsection shall be subject to a fine not to exceed \$5,000 or imprisonment not to exceed 6 months, or revocation of the retailer license, or all of the foregoing.

(3) Twenty-four months after May 3, 2019, the Office of the District of Columbia Auditor shall prepare a study evaluating the performance of the sports wagering instituted by this subchapter to determine the level of District revenue generated by mobile and online gaming compared to other similarly situated jurisdictions and submit the completed study to the Mayor and Council.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 311, as added [May 3, 2019, D.C. Law 22-312, § 2\(e\)](#), [66 DCR 1402.](#))

**§ 36-621.11. District-operated sports wagering; sports wagering..., DC CODE § 36-621.11**

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Subchapter II. Sports Wagering.

DC ST § 36-621.12

§ 36-621.12. License prohibitions.

Effective: May 3, 2019

[Currentness](#)

(a)(1) The Office shall not grant any license pursuant to this subchapter if evidence satisfactory to the Office exists that the applicant has:

(A) Knowingly made a false statement of a material fact to the Office;

(B) Been suspended from operating a gambling game or operation, sports wagering device, sports wagering operation, or other related suspension;

(C) Had a license revoked by a governmental authority responsible for regulation of gaming and sports wagering;

(D) Been convicted of a felony and has not received a pardon or been released from parole or probation for at least 5 years;

(E) Been convicted of a gambling-related offense or a theft or fraud offense; or

(F) Whether an individual, group of individuals, or entity, been directly employed by an illegal or offshore sports wagering operator that serviced the United States or otherwise accepted black market wagers from individuals located in the United States.

(2) The Office may deny a license to an applicant or suspend or revoke a license if the applicant or licensee:

(A) Has not demonstrated, to the satisfaction of the Office, financial responsibility sufficient to adequately meet the requirements of the proposed activity;

(B) Is not the true owner of the business or the sole owner and has not disclosed the existence or identity of other individuals, groups of individuals, or entities that have an ownership interest in the business; or

(C) Is a corporation that sells more than 5% of a licensee's voting stock, more than 5% of the voting stock of a corporation that controls the licensee, sells a licensee's assets, other than those bought and sold in the ordinary course of business, or an interest in the assets, to an individual, group of individuals, or entity not already determined by the Office to have met the qualifications of a licensee pursuant to this subchapter, or is a non-corporate entity where an individual, group of individuals, or entity not already determined by the Office to have met the qualifications of a licensee pursuant to this subchapter holds more than a 10% interest in the non-corporate entity.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 312, as added [May 3, 2019, D.C. Law 22-312, § 2\(e\)](#), 66 DCR 1402.)

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DC ST § 36-621.13

§ 36-621.13. Clean hands requirement.

Effective: May 3, 2019

[Currentness](#)

The Office shall require proof of good standing pursuant to [§ 29-102.08](#) of an applicant for a license pursuant to this subchapter and may, in addition, require certification that the Citywide Clean Hands Database indicates that the proposed licensee is current with its District taxes.

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 313, as added [May 3, 2019, D.C. Law 22-312, § 2\(e\), 66 DCR 1402.](#))

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Division V. Local Business Affairs.

Title 36. Trade Practices. (Refs & Annos)

Chapter 6. Lottery, Gaming, and Sports Wagering.

Subchapter II. Sports Wagering.

DC ST § 36-621.14

§ 36-621.14. Penalties.

Effective: May 3, 2019

[Currentness](#)

(a) For a violation of this subchapter or a regulation issued pursuant to this subchapter, the Office shall have the authority to exercise one or more of the following:

(1) Impose a fine of not more than \$50,000, which money shall be paid to the District of Columbia Treasurer and deposited into the General Fund of the District of Columbia as general purpose revenue funds;

(2) Revoke a licensee's sports wagering license; or

(3) Suspend the licensee's sports wagering license for up to 365 days.

(b) An individual, group of individuals, or entity that has been fined or whose application has been denied, revoked, or suspended pursuant to this section shall have a right to a hearing before the Office and, in the event of its affirmation of the fine, denial, revocation, or suspension, whichever applies, the right to appeal the decision of the Office to the Superior Court of the District of Columbia.

### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 314, as added [May 3, 2019, D.C. Law 22-312, § 2\(e\)](#), [66 DCR 1402.](#))

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Subchapter II. Sports Wagering.

DC ST § 36-621.15

§ 36-621.15. Taxation of Sports Wagering.

Effective: September 11, 2019

[Currentness](#)

- (a) On or before the 20th day of each month, an operator shall:
- (1) File a return, on forms and in the manner prescribed by the CFO, with the CFO indicating the amount of its gross sports wagering revenue, including revenues remitted by registered sports governing bodies, for the preceding calendar month; and
  - (2) Pay to the District of Columbia Treasurer 10% of the gross sports wagering revenue from the preceding calendar month.
- (b) All funds owed to the District under this chapter shall be held in trust within the boundaries of the District for the District by an operator until the funds are paid to the District of Columbia Treasurer. An operator shall establish a separate bank account into which gross sports wagering revenue shall be deposited and maintained until such time as the funds are paid to the District of Columbia Treasurer.
- (c) The increased revenue realized from the tax imposed under subsection (a) of this section shall be directed as follows:
- (1) The first \$200,000 of revenue shall be used to fund programs through the Department of Behavioral Health to prevent, treat, and research gambling addiction; and
  - (2) Repealed.

**Credits**

**§ 36-621.15. Taxation of Sports Wagering., DC CODE § 36-621.15**

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(Mar. 10, 1981, D.C. Law 3-172, § 315, as added [May 3, 2019, D.C. Law 22-312, § 2\(e\), 66 DCR 1402](#); [Sept. 11, 2019, D.C. Law 23-16, § 7052\(c\)\(1\), 66 DCR 8621](#).)

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DC CODE § 36-621.15

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Chapter 6. Lottery, Gaming, and Sports Wagering.

Subchapter II. Sports Wagering.

DC ST § 36-621.16

§ 36-621.16. Sports Wagering Small Business Development Program.

Effective: May 3, 2019

Currentness

(a) All contracts, including contracts entered into by the Office under the authority of this subchapter shall be subject to the CBE requirements of the CBE act.

(b)(1) A Class A operator license shall be issued for 5 years and require a non-refundable application fee of \$500,000, which shall be submitted with the application; provided, that when an applicant for a Class A sports operator license partners with a joint venture with a CBE majority interest, it shall submit a non-refundable application fee of \$125,000 at the time of the initial application; provided further, that subsequent renewal fees shall be paid pursuant to § 36-621.06(b)(3)(B) and in accordance with subsection (c) of this section.

(2) A Class B operator license shall be issued for 5 years and require a non-refundable application fee of \$100,000, which shall be submitted with the application; provided, that when an applicant for a Class B sports operator license partners with a joint venture with a CBE majority interest, it shall submit a non-refundable application fee of \$25,000 at the time of the initial application; provided further, that subsequent renewal fees shall be paid pursuant to § 36-621.06(c)(4)(B) and in accordance with subsection (c) of this section.

(c) The application for renewal shall include a report of CBE participation, including CBE joint ventures, which the Office shall assess and consider verified CBE participation in the decision to approve renewal.

(d)(1) Within 180 days of May 3, 2019, DSLBD, in consultation with the Office, shall establish a program, with a duration of not less than 5 years, to train SBEs and SBE-eligible firms to develop the capacity to become sports wagering operators and management service providers.

(2) The Office shall initiate recruitment activities to prepare SBEs to meet the qualifications needed to manage and operate sports wagering in the District, including:



- (A) Developing strategies with DSLBD to facilitate increased SBE participation;
  - (B) Conducting bi-annual seminars for SBEs on how to do business with established sports wagering operators;
  - (C) Maintaining instructions on how to bid on upcoming and current contracting and procurement opportunities;
  - (D) Sending new procurement opportunity alerts to SBEs, electronically;
  - (E) Participating in small business forums, workshops, and trainings sponsored by DSLBD;
  - (F) Posting the relevant or applicable National Institute of Government Purchasing codes to the Office's and DSLBD's websites;
  - (G) Partnering with DSLBD to invite potential bidders to pre-bid conferences for sports wagering related contract or procurement; and
  - (H) Developing an annual plan regarding the utilization of qualified SBEs.
- (e) The Office shall submit an annual report to the Mayor and the Council on CBE participation in sports wagering, which shall include:
- (1) Detailed information on recruitment initiatives and the creation of contract or licensing opportunities;
  - (2) The number of CBEs that apply for a sports wagering operator or management services provider license;
  - (3) The number of CBE applicants to receive a sports wagering operator or management services provider license;
  - (4) The reports, received pursuant to subsection (f)(2) of this section, from each Class A and Class B licensee on its CBE participation;

- (5) The number of minority or women that applied for a sports wagering operator or management services provider license; and
- (6) Analysis of the current state of individuals, group of individuals, or entities applying for an operator's or management services provider licenses.
- (f)(1) Each sports wagering licensee shall provide quarterly reports to DSLBD pursuant to § 36-218.46(i).
- (2) Each Class A and Class B licensee shall provide to the Office a report to the Office on its CBE participation.

**Credits**

(Mar. 10, 1981, D.C. Law 3-172, § 316, as added [May 3, 2019, D.C. Law 22-312, § 2\(e\)](#), 66 DCR 1402.)

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DC ST § 36-621.17

§ 36-621.17. Conflict with federal law.

Effective: May 3, 2019

[Currentness](#)

Nothing in this subchapter shall be construed to authorize noncompliance with any provision of any federal law or regulation. Notwithstanding any provision in this subchapter, no sports wagering, or gambling in any form, or the operation of gambling devices shall be allowed on federal property, or portion of federal property, where such activity is prohibited by federal law or regulation or is contrary to [§ 1-206.02\(a\)\(3\)](#).

#### Credits

(Mar. 10, 1981, D.C. Law 3-172, § 317, as added [May 3, 2019, D.C. Law 22-312, § 2\(e\)](#), 66 DCR 1402.)

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