Adopted: 18 May 2026

Meeting of
16 March 2026

A meeting of the Commission was conducted in New York, New York and Schenectady, New York.

1. Call to Order and Establishment of Quorum

Executive Director Robert Williams called the meeting to order at 2:16 p.m. Establishment of a quorum was noted by Secretary Kristen Buckley. In attendance in New York were Chairman Brian O'Dwyer, and Members John Crotty, Sylvia Hamer, Martin Mack, Marissa Shorenstein, and Jerry Skurnik. Peter Moschetti participated in Schenectady. Bilaterial oral and visual communication between sites was maintained throughout the meeting.

2. Consideration of Minutes for the Meeting of 3 February 2026

The Commission considered previously circulated draft minutes of the meeting conducted on 3 February 2026. The minutes were accepted as circulated.

3. Report of the Executive Director

The executive director provided an update regarding the progress of the Resorts World commercial casino development and an update on the State Budget process.

4. Rulemaking

The Chairman opened by acknowledging that March is National Problem Gambling Awareness Month.

He indicated that Governor Kathy Hochul had detailed several concerns regarding problem and responsible gambling in her State of the State Book, which directed the Commission to take appropriate action.

The Chairman indicated the Governor had called upon the Commission to consider effective means necessary to ensure young people are not illegally

downloading betting applications, creating accounts or using the accounts of others, and suggested the use of biometric approaches to safeguard against youth access; and directed the Commission to consider ways to positively utilize new technological tools to assist with identifying and proactively helping those who may need gambling addiction assistance.

The Chairman suggested several manners for regulatory consideration designed to protect youth, including:

- requiring age-verification controls to prevent any person ineligible to wager on its platform by virtue of age from downloading or installing such licensee's application

- requiring that to establish an account, an individual shall provide biometric data to be used to ensure the later user of the account is the same individual who established the account; we should further require that already owners of already established accounts must provide biometric data within 60 days following the effective date of our rule or their account must be closed

- requiring a user of any wagering application to provide biometric identification before placing any wager in an application session and before any wager is accepted

- employing sufficient geolocation controls to identify and deny access to its application when access is attempted from a mobile device other than the device customarily used by the customer or from locations from which the customer does not customarily gain access to the application, unless they establish identity by biometric confirmation

- identifying and preventing account access at two or more locations that are at a distance wherein the accountholder is unlikely to be in both locations

- enabling an individual over the age of eighteen to prevent their social security number from being used to establish an account, for a fixed period of time

- adding a provision that allows the Commission to involuntarily ban any individual who has facilitated the access of gambling activity to an individual ineligible to wager by virtue of age

He also suggested involuntarily excluding underage access enablers from all forms of legal activity in New York State.

In addition, the Chairman suggested regulations to restrict licensees or franchisees from using artificial intelligence to offer personalized promotions or suggested wagers or wager amounts to a customer and standards for requiring sports wagering operators intervene when at-risk patrons are identified.

Finally, the Chairman directed staff draft and circulate language that would accomplish the aforementioned, and take an affirmative outreach to licensed mobile sports wagering operators, OASAS, the New York Council on Problem Gambling, Parent-Teacher organizations, youth groups, religious organizations, mental health units at the state's colleges and universities, and medical societies representing pediatricians to seek their input.

Commissioner Mack contrasted the approach of the Commission regarding problem and responsible gambling with that of the proposition markets, noting the failure of the United States Commodity Futures Trading Commission to regulate the industry.

Commissioner Crotty noted that he had engaged state legislators regarding legislation that would civilly penalize the unlawful operation of the prediction markets and require the operators to return all funds wagered by their New York customers. Commissioner Mack agreed, noting a similarity of return of tariffs in the wake of the recent Supreme Court decision.

5. New and Old Business

The Chairman also raised concern with proposition wagering, expressing disappointment with the underwhelming and disappointing response to the Commission's letter inviting them to identify any concerns with wagers authorized. He suggested that the Commission might reconsider allowing any proposition wager, should leagues abdicate concerns with the integrity of their leagues.

He also noted that Commission members had met with Resorts World's proposed Third-Party Monitor, and indicated he expected similar engagement with Bally's and Hard Rock.

6. Adjournment

The Chairman adjourned the meeting at 2:45 p.m.