



Christopher DeMatteo, Attorney & Counselor at Law

DEMATTEO LEGAL SOLUTIONS

203 Campbell Ave., Ste. C, West Haven, Conn., 06516 • (203) 691-6594

February 28, 2021

Public Safety and Security Committee
Legislative Office Building, Room 3600
Hartford, CT 06106
Via email: pstestimony@cga.ct.gov

**RE: S.B. 146
PUBLIC HEARING TESTIMONY**

To the Public Safety and Security Committee:

I strongly support the legalization of sports wagering, both in-person and online. While the actual amount of money that is bet in Connecticut is unknown, the amount of tax revenue that the state receives on sports wagering is easy to calculate: \$0. I do however have a major criticism of the Committee's proposed bill, S.B. 146, AN ACT AUTHORIZING SPORTS WAGERING, ONLINE CASINO GAMING, ONLINE LOTTERY AND ONLINE KENO, and that is its granting of exclusivity to the state's Indian tribes.

I certainly understand that the bill's granting of the exclusive rights to the tribes who operate casinos is intended to avoid litigation and to prevent the tribes' threatened withholding of its casino payments to the state.

While sports wagering is a form of gambling, it should not be a casino game subject to the tribal gaming compacts. In an [op-ed for the Hartford Business Journal](#) published on February 8, I wrote

Under gaming compacts between them and the state, the two tribes have the exclusive right to operate casinos in the state; in exchange for [a quarter of the casinos' gross slot machine revenue](#), the state will not allow anyone else to operate "video facsimiles or other commercial casino games." Sports betting is not mentioned. The tribes indicated that they consider "commercial casino games" to include sports betting. In written testimony to the legislature's Public Safety and Security Committee last year, sports gaming lawyer and professor Daniel Wallach opined that [sports wagering is not a casino game](#), a position shared by several state attorneys general and supported by federal regulations. (Ted Taylor of betting technology company Sportech argued [that if the tribes are correct in their assertion that sports wagering is a casino game, why do they not offer it at their casinos now?](#))



Christopher DeMatteo, Attorney & Counselor at Law

DEMATTEO LEGAL SOLUTIONS

203 Campbell Ave., Ste. C, West Haven, Conn., 06516 • (203) 691-6594

The bill, as presently written, would likely be challenged by other gambling ventures for the exclusivity provisions on sports wagering. The tribes should be allowed to operate sports books in their existing casinos, however they should not have a monopoly on sports wagering. In addition to the fundamental fairness, there is also the issue of location. While online wagering could be done from anywhere within the state, if the tribes were to have the exclusive rights to operate in-person sports books, they would be confined to the existing casinos in the eastern part of the state. The state's cities and other populated areas would not be able to benefit economically from in-person sports books. Additionally, the nearest sports book to many Connecticut residents is and still would be in New Jersey.

Discussions and negotiations with the tribes should continue, however with our neighbors already ahead of us in legalized, taxed sports wagering, the focus of the legislature should be on legalization.

Yours faithfully,

Christopher DeMatteo