

Chapter 39: REGISTRATION OF FANTASY CONTESTANTS

§1. Registering as a Fantasy Contestant

1. Before allowing a fantasy contestant to finish creating an account, a fantasy contest operator must collect:
 - A. The name of the individual; and
 - B. The individual's date of birth showing the individual is 18 years of age or older.
2. No fantasy contestant shall be permitted to deposit or withdraw any funds until the individual has conducted the identity verification required by Subsection 3 and provided the following information:
 - A. The physical address where the individual resides; and
 - B. Any other information required by the fantasy contest operator to independently verify the identity of the fantasy contestant making a deposit or withdrawal.
3. A fantasy contest operator shall use commercially and technologically reasonable means to independently verify the identity of the individual making a deposit or a withdrawal. Third party entities may be used to verify the identity of a fantasy contestant.
4. A fantasy contest operator shall limit each fantasy contestant to one active and continuously used account.
5. Fantasy contest operators shall implement rules and clearly and conspicuously publish procedures to terminate all accounts of any fantasy contestant that establishes or seeks to establish more than one username or more than one account, whether directly or by use of another person as a proxy. Such procedures may allow a fantasy contestant that establishes or seeks to establish more than one username or more than one account, for one time only, to retain one account provided that the operator investigates and makes a good faith determination that the fantasy contestant's conduct was not intended to obtain a competitive advantage.
6. A fantasy contestant who has established more than one username or account will not be entitled to retain any winnings earned from any account during the time period that more than one username or account is active. A fantasy contest operator must require that any subsequent action by a fantasy contestant of establishing or seeking to establish more than one username or more than one account will result in the fantasy contest operator prohibiting that fantasy contestant from establishing another future account with that fantasy contest operator within a period of two years.
7. If a fantasy contest operator determines that the information provided by a fantasy contestant to make a deposit or process a withdrawal is inaccurate or incapable of verification, or violates its minimum internal controls, the fantasy contest operator shall, within 10 calendar days, require

the submission of additional information that can be used to verify the identity of the fantasy contestant. If such information is not provided or does not result in verification of the fantasy contestant's identity, the fantasy contest operator shall:

- A. Immediately suspend the fantasy contestant's account and not allow the fantasy contestant to participate in any further contests;
 - B. Retain any winnings attributable to the fantasy contestant;
 - C. Refund the balance of deposits made to the account to the source of such deposit or by issuance of a check; and
 - D. Deactivate the account.
8. A fantasy contestant must be provided with (or create) an electronic identifier such as a digital certificate or an account description and a password to log into an account on a fantasy contest platform.
 9. Fantasy contest operators must allow fantasy contestants to change their passwords.
 10. Where a fantasy contestant has forgotten a password, the fantasy contest operator must provide a secure process for the re-authentication of the fantasy contestant and the retrieval and/or resetting of the password. Any and all processes for dealing with lost fantasy contestant user IDs or passwords must be clearly described to the fantasy contestant and sufficiently secure.
 11. When a fantasy contestant logs into the fantasy contest platform, either the most recent time and date of login must be displayed, or the fantasy contestant must be able to access information listing the time and date of any fantasy contest entries and any withdrawals or deposits that have taken place in the fantasy contestant's account within the last 30 days.
 12. Each fantasy contest must have a unique identifier assigned by the fantasy contest operator which distinguishes entries into that fantasy contest from entries into other contests.
 13. A fantasy contest operator must deny account registration to any person who enters a birthdate which indicates that the person is a minor under the age of 18. If the licensee discovers that a person under 18 years of age has accessed the platform as a potential or active fantasy contestant, the licensee shall immediately refund any entry fees or other deposits made by the person under 18 years of age.
 14. A fantasy contest operator shall implement commercially and technologically reasonable procedures to prevent access to fantasy contests by minors on its fantasy contest platform, including but not limited to independent verification of age using information obtained from independent sources outside of the fantasy contestant seeking to open an account. Third-party services may be used to verify the age of a fantasy contestant.
 15. Any statements by fantasy contest operators that are inaccurate or misleading regarding the likelihood of winning are prohibited.
 16. A fantasy contest operator shall clearly and conspicuously display, on web pages that are accessed prior to registering for a fantasy contest, a statement explaining that individuals under

18 years of age cannot participate in a fantasy contest.

17. Fantasy contest operators must prominently display the following provisions in any Terms of Service, Terms of Use and/or Privacy Policies on the fantasy contest operator's website:
- A. That the information provided to the fantasy contest operator by the fantasy contestant to register is accurate;
 - B. That the fantasy contest operator must specify the handling of entry fees where the entry of a fantasy contestant is cancelled;
 - C. That the fantasy contest operator must specify the handling of entry fees for contests that are voided or abandoned;
 - D. That the fantasy contest operator must state that no individual under 18 years of age is permitted to participate in fantasy contests;
 - E. That the fantasy contest operator must describe the method by which fantasy contestants will be notified of updates to the terms and conditions and privacy policy;
 - F. That the fantasy contestant has been informed, and acknowledges, that, as an authorized fantasy contestant, the fantasy contestant is prohibited from allowing any other person access to or use of their fantasy contestant account; and
 - G. That the fantasy contestant acknowledges that the fantasy contestant's account activity and winnings may be disclosed to the director and any other applicable state or federal entities.

STATUTORY AUTHORITY: 8 M.R.S. §§ 1102(1)(D), 1106

EFFECTIVE DATE: June 13, 2021