

Sports legislation and regulation to watch in 2018

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Michael A. Rueda

PARTNER | HEAD OF US SPORTS AND ENTERTAINMENT | US

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2018 may bring certain regulatory and legislative developments which will have a significant impact in the world of sports. In some instances these developments could take industry participants into challenging and, at times uncharted, territory. Withers' Michael Rueda weighed in on potential legislation that could significantly impact the sports world in 2018 in this Law360 article that focused on four areas of sports regulation and legislation that will likely come to the forefront in the new year.

A looming decision on the legality of sports gambling in the U.S. and a lack of regulation in the growing esports industry could result in major changes for the sports world that would see attorneys venture into uncharted territory in 2018.

Here, Law360 looks at four areas of sports regulation and legislation likely to come into play in the new year.

Sports Gambling Legislation

The U.S. Supreme Court's decision to take up New Jersey's challenge to federal sports gambling restrictions brought the possibility of widespread legalization in the country to a fever pitch in 2017, and could pave the way for legislation that would allow states and the federal government to cash in on the practice.

Several states including California, West Virginia and Michigan are currently considering legislation to legalize sports gambling, if the 1992 Professional and Amateur Sports Protection Act is overturned by the U.S. Supreme Court. In 2017, Pennsylvania, Connecticut and Mississippi all passed measures that would set in motion the taxation and regulation of sports gambling operations pending this same outcome.

"States have been anticipating what could happen, and with that you'll see an explosion in 2018," Lewis Brisbois Bisgaard & Smith LLP partner Brian Michael Cooper said.

Sports wagering legislation at the federal level could begin to make gains in Congress as well, building on measures introduced in 2017. These include a bill called the Sports Gaming Opportunity Act, which would give individual states the ability to legalize sports gambling and a discussion draft for the Gaming Accountability and Modernization Enhancement Act, or GAME Act, which repeals PASPA.

Regardless of the Supreme Court's decision, the push toward legalized sports wagering isn't slowing down. Concerns that sports gambling would be harmful to the integrity of the games have died down, evidenced in part by the first major professional sports franchise in Las Vegas — the Golden Knights of the National Hockey League — and the planned move of the NFL's Oakland Raiders to the city as well.

"America's general tolerance or appetite for sports gambling has gone up, and concerns that making sports gambling more pervasive in society will corrupt the integrity of the sport itself has dissipated," Gerard Fox Law PC partner Aaron Swerdlow said.

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Authors

Michael A. Rueda

PARTNER | HEAD OF US SPORTS AND ENTERTAINMENT | NEW YORK

Corporate

 +1 203 302 4087

 michael.rueda@withersworldwide.com