

Sixty-seventh
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1448

Introduced by

Representatives J. Nelson, Boe

Senator Marcellais

1 A BILL for an Act to create and enact section 54-58-04 of the North Dakota Century Code,
2 relating to tribal-state gaming compacts and authorization of online gaming and online sports
3 betting by tribes; and to provide a contingent effective date.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** Section 54-58-04 of the North Dakota Century Code is created and enacted as
6 follows:

7 **Tribal-state gaming compact involving online gaming or online sports betting.**

- 8 1. The governor may negotiate and execute a tribal-state gaming compact, subject to
9 section 54-58-03, for the conduct of online gaming and online sports betting by a
10 federally recognized Indian tribe.
- 11 2. Online gaming and online sports betting may be conducted and operated within the
12 state by federally recognized Indian tribes, utilizing servers located on a tribal
13 reservation within the state, and pursuant to a compact duly entered by the state and
14 the tribe.
- 15 3. Persons of age may participate in online gaming and online sports betting gaming
16 activities from any location within the state, provided the gaming activities are
17 conducted by a federally recognized Indian tribe, utilize servers located on a tribal
18 reservation within the state, and are operated pursuant to a compact entered by the
19 state and the tribe. A person may not be required to register for online gaming or
20 online sports betting accounts in person.
- 21 4. Any tribal-state gaming compact for online gaming, and any compact for online sports
22 betting, must address the following:
- 23 a. The scope of permitted gaming activities;
- 24 b. Geolocation;

- 1 c. Account encryption;
- 2 d. Age verification; and
- 3 e. Measures to prevent and mitigate online gaming addiction.

4 **SECTION 2. CONTINGENT EFFECTIVE DATE.** This Act becomes effective with regard to
5 online gaming on the date the secretary of state certifies to the legislative council that House
6 Concurrent Resolution No. 3012, as adopted by the sixty-seventh legislative assembly, has
7 been approved by the voters. This Act becomes effective with regard to online sports betting on
8 the date the secretary of state certifies to the legislative council that House Concurrent
9 Resolution No. 3032, as adopted by the sixty-seventh legislative assembly, has been approved
10 by the voters.