

**Sec. 12-865-25. Marketing and Advertising Standards**

(a) Each licensee shall be responsible for the content and conduct of all gaming related advertising or marketing developed by, placed or disseminated on its behalf or to its benefit whether by the licensee, an employee or agent of the licensee, an affiliated entity or a third party pursuant to contract, regardless of whether the licensee participated directly in its preparation, placement or dissemination.

(b) For the purposes of this section, advertising and marketing shall include, but not be limited to:

- (1) Mail, including electronic mail;
- (2) Telemarketing, including text messaging;
- (3) Broadcast media;
- (4) Billboards and signage;
- (5) Internet advertising;
- (6) Play-for-free versions of internet games;
- (7) Social media;
- (8) Sponsorships; and
- (9) Patron acquisition, referral, rewards and retention programs.

(c) Each gaming entity licensee shall retain a copy of all advertising, marketing and other promotional materials intended to promote any gaming, including a log of when, how, and with whom, those materials have been published, aired, displayed, or disseminated. A gaming entity licensee shall also grant the department access to all social media platforms utilized by the licensee.

(d) All gaming related advertising, marketing and other promotional materials and the publication log shall be made available to the department on request.

(e) All advertising, marketing and other promotional materials published, aired, displayed, or disseminated by or on behalf of any licensee shall:

(1) Include the message “If you or someone you know has a gambling problem and wants help, call (888) 789-7777 or visit [ccpg.org/chat](http://ccpg.org/chat),” or the equivalent of such message in a language other than English. The department may update the required phone number or web address to be displayed by providing ten days’ notice to each licensee, after which time the licensee shall display the new number and address. The department shall consult with the Department of Mental Health and Addiction Services prior to revising the required problem gambling message and shall provide ten days’ notice to each licensee, after which time the licensee shall display the new message;

(2) Not directly advertise or promote gaming, parimutuel wagering or casino gaming on or off of the reservations to individuals that are (A) excluded persons, or (B) under twenty-one years of age, or, if pertaining exclusively to keno, online lottery and fantasy contests, individuals under eighteen years of age;

(3) State that patrons shall be eighteen or twenty-one years of age or older, as applicable, to participate;

(4) Not contain images, symbols, celebrity or entertainer endorsements, or language designed to appeal specifically to those under twenty-one years of age, or if pertaining exclusively to keno, online lottery and fantasy contests, individuals under eighteen years of age;

(5) Not contain inaccurate or misleading information that would reasonably be expected to confuse and mislead patrons in order to induce them to engage in gaming;

(6) Not feature anyone who is, or appears to be, under twenty-one years of age, or, if pertaining exclusively to online keno, online lottery and fantasy contests, anyone who is, or appears to be, under eighteen years of age;

(7) Not be published, aired, displayed, or disseminated in media outlets, including social media, that appeal primarily to individuals under twenty-one years of age, or, if pertaining exclusively to online keno, online lottery, and fantasy contests, individuals under eighteen years of age;

(8) Not be placed before any audience where the majority of the viewers or participants is presumed to be under twenty-one years of age, or, if pertaining exclusively to online keno, online lottery and fantasy contests, under eighteen years of age;

(9) Not imply greater chances of winning versus other licensees;

(10) Not imply greater chances of winning based on wagering in greater quantity or amount, except for online keno and online lottery that include game features approved by the department that increase the chances of winning;

(11) Not contain claims or representations that gaming will guarantee an individual's social, financial, or personal success;

(12) Not use any type, size, location, lighting, illustration, graphic, depiction or color resulting in the obscuring of any material fact; and

(13) If a direct advertising, marketing, or promotion, include a clear and conspicuous link that allows patrons to unsubscribe by clicking on one link.

(f) Play-for-free versions of internet games shall not be marketed to individuals under the legal age permitted to place wagers on the corresponding play-for-money internet games.

(g) All play-for-free versions of internet games offered by an online gaming operator shall comply with the following:

(1) The online gaming operators shall ask an individual to verify the individual's age before allowing the individual to play.

(2) The play-for-free version of an internet game shall follow the same game rules as the corresponding play-for-money internet game.

(3) Online gaming operators shall ensure that play-for-free versions of internet games accurately represent the likelihood of winning and prize distribution in the play-for-money internet game.

(4) Play-for-free versions of internet games shall use the same random number generator as the corresponding play-for-money internet game.

(5) The distribution of winnings or prizes in play-for-free versions of internet games shall accurately represent the play-for-money internet game. For example, where a play-for-free version of an internet game uses virtual cash, the virtual cash payouts shall be the same as the corresponding play-for-money internet game, and where tokens are used, the allocation of tokens as winnings or prizes shall be proportionate to the stakes and winnings or prizes in the play-for-money internet game.

(h) Where videos are used to advertise an internet game's features, the online gaming operator shall make it clear to consumers where footage has been edited or sped-up for promotional purposes. Where an online gaming service provider's website is demonstrating

an internet game with higher than normal returns the online gaming service provider shall make it clear to consumers that it is a demonstration internet game specifically designed to demonstrate the bonus features.

(i) No master wagering licensee or online gaming operator may enter into an agreement with a third party to conduct advertising or marketing on behalf of, or to the benefit of, the licensee when compensation is dependent on, or related to, the volume of patrons or wagers placed, or the outcome of wagers.

(j) Each gaming entity licensee shall ensure that excluded persons do not receive advertising, marketing or other promotional materials relating to gaming.

(k) Advertising, marketing, or promotional materials may not be placed on any website or printed page or medium devoted primarily to responsible gaming.

(l) Licensees shall provide the requirements of this section to advertising, marketing, and promotions personnel, contractors, agents, and agencies and shall require, and be held responsible for, compliance with the same.

(m) The following notices and communications shall not be deemed advertising, marketing, or other promotional materials for purposes of this act: Any sign, notice, or other information required to be provided by the act or sections 12-865-1 to 12-865-34, inclusive, of the Regulations of the Connecticut State Agencies, including, without limitation, the following:

(1) Notice regarding the terms and conditions or official procedures of the internet games; and

(2) The posting of information about rules of games, payoffs of winning wagers and odds.

(n) A licensee shall discontinue as expeditiously as possible the use of a particular advertisement in this state or directed to residents in this state upon receipt of written notice that the department has determined that the use of the particular advertisement in this state could adversely impact the public or the integrity of gaming. The licensee may appeal a determination by the department that a particular advertisement must be removed by requesting a hearing before the commissioner in accordance with chapter 54 of the Connecticut General Statutes. Such request for hearing shall be made in writing to the commissioner within fifteen days of receipt from the department of the notice requiring such advertisement be removed and discontinued.

(o) If an online gaming operator offers complimentaries to patrons that are subject to conditions in order to redeem the complimentary, such as expiration dates or engagement in multiple internet games, the online gaming operator shall clearly disclose all such conditions or limitations to the patron through the following methods:

(1) In any advertisement or inducement where complimentaries are advertised;

(2) If being added to an internet gaming account while a patron is logged into the patron's account, through the use of a pop-up message; and

(3) If the offer requires the patron to wager a specific dollar amount to receive the complimentary, the amount that the patron is required to wager of the patron's own funds shall be disclosed in the same size and style of font as the amount of the complimentary.

(Effective February 1, 2022)