

# STATE OF NEW YORK

9251

2025-2026 Regular Sessions

## IN ASSEMBLY

November 7, 2025

Introduced by M. of A. VANEL -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to prediction markets

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The general business law is amended by adding a new article 48 to read as follows:

### ARTICLE 48

#### PREDICTION MARKETS

#### Section. 1800. Short title.

1801. Definitions.

1802. Age restrictions.

1803. Exclusions from participation.

1804. Certain markets prohibited.

1805. Settlement sources.

1806. Responsible gaming measures.

1807. Advertising restrictions.

1808. Restrictions on credit-based products and gift certificates.

1809. Restrictions on market making.

1810. Certain contract provisions void.

1811. Insider trading and market manipulation.

1812. Penalties.

1813. Rulemaking authority.

§ 1800. Short title. This article shall be known and may be cited as the "oversight and regulation of activity for contracts linked to events (ORACLE) act".

§ 1801. Definitions. As used in this article, the following terms have the following meanings:

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD14025-01-5

1 1. "Consumer" means an individual who is a resident of the state of  
2 New York.

3 2. "Prediction market platform" means any platform or service that  
4 provides consumers with the ability to open speculative positions on the  
5 outcomes of future events.

6 3. "Prediction market" means a system that allows consumers to open a  
7 speculative position on the outcome of future events, in a bid-ask  
8 format. This definition shall include all forms of prediction markets  
9 regardless of the mechanisms or structures used for opening speculative  
10 positions on future events.

11 4. "Bid-ask format" shall mean a format in which parties submit offers  
12 to buy positions on a prediction market at a specific price or range of  
13 prices and offers to sell positions at a specific price or range of  
14 prices, with market prices determined through the matching of these  
15 offers.

16 5. "Catastrophic event market" means a prediction market that enables  
17 a consumer to open a speculative position on an outcome that relates to  
18 war, state or national emergencies, natural or human-made disasters,  
19 mass shootings, acts of terrorism, or public health crises or the ancil-  
20 lary effects thereof.

21 6. "Political market" means a prediction market that enables a consum-  
22 er to open a speculative position that relates to:

23 (a) a federal election, a statewide election in New York, or an  
24 election held by a municipality within the state; or

25 (b) the actions or conduct of the federal government, its agencies,  
26 employees, officers or leaders, the New York state government or any of  
27 its agencies, employees, officers or leaders, or a municipal government  
28 or any of its agencies, employees, officers or leaders in their official  
29 government capacity.

30 7. "Death market" means a prediction market that enables a consumer to  
31 open a speculative position on the death, assassination, or attempted  
32 killing of a person or group of persons, or on mass casualty events.  
33 This shall not include a prediction market where the outcome could indi-  
34 rectly depend on a death as a consequence of a person's inclusion in the  
35 market, such as a lawful prediction market which depends on a person  
36 engaging in some action where their death would naturally settle the  
37 market as such person not engaging in such action.

38 8. "Security market" means a prediction market that enables a consumer  
39 to open a speculative position on the price of a publicly traded compa-  
40 ny.

41 9. "Speculative position" means a financial commitment made by a  
42 participant in a prediction market.

43 10. "Athletic event market" means a prediction market that enables a  
44 consumer to open a speculative position on the outcome of a specific  
45 athletic event or events or events within an athletic event or events.  
46 Athletic events shall include horse racing and prop betting. Athletic  
47 event markets shall not include the opening of a speculative position on  
48 the final outcome of an athletic tournament or on a combination of all  
49 outcomes of each event within an athletic tournament, such as opening a  
50 speculative position on the overall champion of a sports tournament, or  
51 a bracket predicting all results of a tournament.

52 11. "Athletic event" means an organized competition between two or  
53 more persons or groups of persons that involves physical or mental  
54 skill.

12. "Athletic tournament" means a series of athletic events in which the winners of individual events progress to compete in subsequent events until a final overall winner is determined.

13. "Settlement source" means an entity from which the prediction market platform obtains or sources information for the purpose of determining the outcome of a market.

14. "Liquidity provider" or "market maker" shall mean any person or entity that, directly or indirectly, and whether manually or through automated means, offers to buy or sell position in a prediction market with the primary purpose of facilitating trading, supporting price discovery, or maintaining market liquidity by posting bids and asks.

§ 1802. Age restrictions. 1. No prediction market platform provider shall permit any consumer under the age of twenty-one years to register or to open any speculative position on a prediction market.

2. If the provider has inadvertently permitted a user that is under the age of twenty-one to use the provider's platform and such provider discovers the error, the provider shall immediately suspend that account, close all positions on that account, pay out to the consumer any funds on the account, and prohibit the individual from further use of the provider's platform until such consumer has attained the age of twenty-one.

§ 1803. Exclusions from participation. 1. A provider shall maintain and enforce policies to exclude certain individuals from participation, including:

- (a) any person who has self-excluded from using the platform;
- (b) any officer, director, employee, or agent of the provider or its affiliated companies;
- (c) any officer, director, employee, or agent of a source settlement provider;
- (d) any person who has insider information on a particular market or markets; and
- (e) any other category of persons the attorney general by regulation designates as excluded.

2. Such exclusion shall be enforced until such person no longer meets the criteria required for exclusion under this section.

§ 1804. Certain markets prohibited. A prediction market platform provider shall not permit New York users to open a speculative position on the following types of markets:

- 1. Catastrophic event markets;
- 2. Political markets;
- 3. Death markets;
- 4. Security markets; and
- 5. Athletic event markets.

§ 1805. Settlement sources. 1. Every provider shall maintain a comprehensive list of all settlement sources that the provider uses to determine the outcomes of the provider's prediction markets and shall make this list readily accessible to consumers at all stages of the registration process.

2. Each provider shall display, on every section of the provider's website in which a person can open a speculative position on a specific prediction market, the settlement source for the settlement of such market.

3. No provider shall settle a market based on proprietary or confidential information.

§ 1806. Responsible gaming measures. 1. Every provider shall implement and adhere to responsible gaming measures to protect consumers who may

1 be at risk of problem gambling behavior. Such measures shall include, at  
2 a minimum:

3 (a) Providing a mechanism by which an individual can voluntarily self-  
4 exclude from the platform for a definite or indefinite period. If a  
5 consumer self-excludes, the provider must immediately block such consum-  
6 er's access to opening a speculative position and take reasonable steps  
7 to prevent the consumer from creating new accounts.

8 (b) Allowing consumers to set daily, weekly, or monthly limits on the  
9 amount they can deposit or spend in opening speculative positions, if  
10 they so choose. The platform may not encourage consumers to remove or  
11 increase limits once set; any request to increase a self-imposed limit  
12 shall have a fourteen day waiting period.

13 (c) Providing features that allow consumers to limit the amount of  
14 time spent on the platform, and periodic notifications that remind  
15 consumers of how long they have been active and their net  
16 spendings/winnings during that session.

17 (d) Clearly posting and providing the toll-free HOPE NY problem gambl-  
18 ing hotline on the platform's website and apps and in any advertise-  
19 ments. No other problem gambling hotline may be displayed.

20 (e) All advertisements and marketing materials must include a respon-  
21 sible gambling message and the HOPE NY problem gambling hotline number  
22 in a clear and conspicuous manner, consistent with New York law requir-  
23 ing gambling addiction warnings on all advertisements.

24 2. Every provider shall implement training for employees to recognize  
25 and respond to indications of problem gambling, and how they can direct  
26 consumers to resources for help.

27 3. Every provider shall implement policies to identify problem gambl-  
28 ing and shall, upon making a determination that a user is engaged in  
29 problem gambling, prohibit access to the provider's service.

30 4. Every prediction market platform provider shall comply with the  
31 advertising standards set forth in section eighteen-hundred seven of  
32 this article.

33 § 1807. Advertising restrictions. 1. All advertising by a licensed  
34 prediction market platform shall be truthful and not misleading.

35 2. A prediction market provider shall be prohibited from sending push  
36 notifications to users which pertain to bonuses or prediction markets  
37 which the user does not currently have an open speculative position on.

38 3. No advertisement shall depict a person under the age of twenty-one,  
39 except incidentally.

40 4. No advertisements shall target persons under the age of twenty-one  
41 or other vulnerable classes of persons, which the attorney general may  
42 designate by regulation.

43 5. A provider shall not advertise in a manner that is calculated to  
44 reach individuals on the self-exclusion list or individuals known to  
45 have engaged in problem gambling.

46 6. Every advertisement for a prediction market platform shall include  
47 the HOPE NY problem gambling hotline. Where such advertisement is a  
48 video, the message and hotline shall be visible for the entire duration  
49 of the video. Where the advertisement is auditory only in nature, the  
50 message shall be stated at the beginning and end of the advertisement.

51 7. No advertisement may suggest that the prediction market product is  
52 endorsed by the state of New York or any government agency, except that  
53 it may state that the platform is licensed within the state.

54 8. A provider shall provide consumers with a readily accessible way to  
55 opt out of direct marketing. Upon a consumer's request, the provider  
56 shall cease sending them promotional material.

1 9. No promotion may be advertised as "risk-free" or of similar  
2 language.

3 10. If the provider offers bonuses, free credits, referral rewards, or  
4 other promotions to consumers, the terms and conditions of these offers  
5 must be described in plain language and shall be readily available to  
6 the consumer prior to the consumer accepting such bonuses, free credits,  
7 referral rewards, or other promotions.

8 11. Where a provider uses affiliate marketers or third-party promoters  
9 to promote the provider's platform, the provider shall be responsible  
10 for ensuring such third parties also comply with the advertising stand-  
11 ards required by this section and are liable for non-compliance with the  
12 provisions of this section.

13 12. The attorney general may promulgate additional rules and regu-  
14 lations pertaining to advertising by prediction market providers.

15 § 1808. Restrictions on credit-based products and gift certificates.

16 1. No prediction market provider or another, whether affiliated or  
17 otherwise, shall sell physical or digital gift certificates in relation  
18 to their platform.

19 2. No prediction market provider shall permit a consumer to use a  
20 credit card or other credit-based product to add funds to such consum-  
21 er's account or, in any way, wager on a prediction market.

22 § 1809. Restrictions on market making. 1. A prediction market provider  
23 shall not offer a prediction market in the state if the market includes,  
24 as a liquidity provider or market maker, any person or entity who know-  
25 ingly engages in gaming activities in the ordinary course of business,  
26 whether within or outside the state. This prohibition shall also apply  
27 to any affiliated entities, subsidiaries, parent companies, joint  
28 ventures, partnerships, agents, employees, or any entity acting at the  
29 direction of, in cooperation with, or for the financial benefit of such  
30 a person or entity.

31 2. A prediction market provider shall not offer markets to residents  
32 where in such markets there is a contract or share of revenue with a  
33 person or entity who knowingly engages in gaming activities in the ordi-  
34 nary course of business, whether within or outside the state. This  
35 prohibition shall also apply to any affiliated entities, subsidiaries,  
36 parent companies, joint ventures, partnerships, agents, employees, or  
37 any entity acting at the direction of, in cooperation with, or for the  
38 financial benefit of such a person or entity.

39 § 1810. Certain contract provisions void. 1. A provider's terms of  
40 service shall not alter or eliminate any right provided to a consumer  
41 under this article.

42 2. Any agreement which violates any provision within this article  
43 shall be deemed void.

44 § 1811. Insider trading and market manipulation. 1. A prediction  
45 market platform provider shall implement commercially reasonable and  
46 technically feasible measures to detect and prevent any fraudulent or  
47 manipulative conduct by participants or others. If the provider detects  
48 potential manipulation, insider trading, or fraud, it shall report it to  
49 the attorney general and, if appropriate, to law enforcement.

50 2. A person who engages in insider trading or market manipulation may  
51 be subject to penalties as prescribed by section three hundred fifty-two  
52 of this chapter.

53 § 1812. Penalties. 1. Any prediction market provider who violates any  
54 provision of this article, or any rule, regulation, or order promulgated  
55 thereunder, shall be liable for a civil penalty not to exceed ten thou-  
56 sand dollars for each violation. Where the attorney general determines

1 that the provider has engaged in a persistent course of conduct in  
2 violation of this section, the attorney general may impose a civil  
3 penalty not to exceed fifty thousand dollars for each violation.

4 2. Where a prediction market provider violated the provisions of  
5 sections eighteen-hundred three or eighteen-hundred nine of this arti-  
6 cle, such civil penalty shall be the greater of two times such profits  
7 derived from such market or fifty thousand dollars.

8 3. Whenever the attorney general shall believe from evidence satisfac-  
9 tory to them that a prediction market provider has engaged in a persist-  
10 ent course of conduct in violation of this article, they may bring an  
11 action in the name and on behalf of the people of the state of New York,  
12 in a court of justice having jurisdiction to issue an injunction, to  
13 enjoin and restrain the continuation of such violation. In such action,  
14 preliminary relief may be granted under article sixty-three of the civil  
15 practice law and rules. In such action the court shall order such  
16 provider to cease operations in the state.

17 4. Where a prediction market provider continues to operate in the  
18 state after an order pursuant to subdivision three of this section is  
19 made, such provider shall incur a civil penalty of one million dollars  
20 per day that such provider is operating in violation of such order.

21 5. Nothing in this article shall be construed to preclude criminal  
22 prosecution under any other law.

23 6. The fact that a prediction market provider did not charge money or  
24 earn profit from such activities in violation of this section shall not  
25 be a defense to a violation of this article.

26 7. The remedies and penalties in this article are cumulative. Imposi-  
27 tion of a penalty under this section does not preclude the attorney  
28 general from taking any other action authorized for the same violation.

29 § 1813. Rulemaking authority. The attorney general shall promulgate  
30 rules and regulations as are necessary to effectuate and enforce the  
31 provisions of this article.

32 § 2. Severability. If any clause, sentence, paragraph, section, or  
33 part of this article shall be adjudged by any court of competent juris-  
34 isdiction to be invalid. Such judgment shall not affect, impair, or inval-  
35 idate the remainder thereof, but shall be confined in its operation to  
36 the clause, sentence, paragraph, subdivision, section, or part thereof  
37 directly involved in the controversy in which such judgment has been  
38 rendered. It is hereby declared to be the intent of the legislature that  
39 this act would have been enacted if such invalid provisions had not been  
40 included therein.

41 § 3. This act shall take effect one year after it shall have become a  
42 law.