

24 NCAC 06A .0907 FALSE OR MISLEADING ADVERTISING

(a) An Operator shall not allow, conduct, or participate in any unfair or deceptive advertising, marketing, branding, or other promotional materials for Wagering. Advertising, marketing, or branding that is unfair or deceptive includes, but is not limited to, advertising, marketing, or branding that would reasonably be expected to confuse or mislead Players in order to induce them to engage in Wagering or a particular type of wagering.

(b) An Operator shall not obscure or fail to disclose any material fact about an offer or a condition of an offer in its advertising, marketing, branding or other promotional materials for Wagering or use any type, size, location lighting, illustration, graphic, depiction or color resulting in the obscuring of or failure to disclose any material fact in any advertising, marketing, or branding.

(c) All wagering advertisements, marking, branding, and other promotional materials shall clearly convey the conditions under which Wagering is being offered, including information about the cost to participate and the nature of any promotions or information to assist Players in understanding the odds of winning. Any material conditions or limiting factors shall be clearly and conspicuously specified in the Advertisement, marketing, branding, and other promotional materials.

(d) No advertising, marketing, branding, and other promotional materials published, aired, displayed, disseminated, distributed, or conducted by or on behalf of any Operator shall:

- (1) promote irresponsible or excessive participation in Wagering;
- (2) suggest that social, financial, or personal success is guaranteed by engaging in Wagering;
- (3) encourage Players to "chase" losses or re-invest Winnings;
- (4) suggest that betting is a means of solving or escaping from financial, personal, or professional problems;
- (5) portray, suggest, condone or encourage Wagering behavior as a rite of passage or signifier of reaching adulthood or other milestones;
- (6) portray, suggest, condone or encourage Wagering behavior that is socially irresponsible or could lead to financial, social, professional, or emotional harm;
- (7) state or imply that the chances of winning increase with increased time spent on Wagering or increased money Wagered; or
- (8) be placed on any website or printed page or medium devoted primarily to responsible gaming.

(e) Advertising, marketing, branding, or other promotional materials that creates an integrity issue, the potential for an integrity issue, or the appearance of an integrity issue with respect to a Wagering Event or a Wagering type is prohibited.

*History Note: Authority G.S. 18C-114(a)(14);
Previously adopted as Rule 11-007;
Eff. January 8, 2024;
Readopted Eff. March 27, 2024.*