

24 NCAC 06B .0405 GEOLOCATION REQUIREMENTS

Sports Wagers shall be initiated, received, and otherwise placed in the authorized geographic boundaries within the State of North Carolina and may not be intentionally placed or routed outside the State. The authorized geographic boundaries shall be made available by the Director and shall not include Indian Lands. Consistent with the intent of the United States Congress as articulated in the Unlawful Internet Gambling Enforcement Act of 2006, 31 U.S.C. 5361, the intermediate routing of electronic data relating to intrastate Sports Wagering authorized under the Act and these Rules shall not determine the location in which Sports Wagers are initiated and received.

- (1) The Operator shall use geolocation services to:
 - (a) ensure that the Registered Player is located in the authorized geographic boundaries within the State of North Carolina when placing a Sports Wager;
 - (b) monitor and block unauthorized attempts to place Sports Wagers when an Individual or Player is physically outside the authorized geographic boundaries of the State of North Carolina at the time the Sports Wager is placed; and
 - (c) provide the Director with access to real-time geofence data, including any equipment or software necessary to view the real-time geofence data. The method, format, and equipment to access the real-time geofence data shall be approved by the Director. Operator may facilitate the Director's access to geofence data in conjunction with its geolocation Services Provider.
- (2) The Operator shall trigger:
 - (a) a geolocation check prior to the placement of the first Wager after login and after a change of IP address; and
 - (b) recurring periodic geolocation checks prior to the placement of Wagers as follows:
 - (i) for static connections, at least every 20 minutes or 5 minutes if within 1 mile of the border of the authorized geographic boundaries; and
 - (ii) for mobile connections, at intervals to be based on a Player's proximity to the border of the authorized geographic boundaries with an assumed travel velocity of 70 miles per hour or a demonstrated average velocity of a roadway or path. This interval shall not exceed 20 minutes.
- (3) Mechanisms shall be in place to detect software, programs, virtualization, and other technology that may obscure or falsify the Player's physical location to place Sports Wagers.
- (4) The geolocation services used by an Operator shall be certified by an Independent Testing Laboratory, including applicable field testing, before its deployment.
- (5) At least every 90 Days, an Operator shall review the functionality of the geolocations services to ensure the system detects and mitigates existing and emerging location fraud risks.
- (6) Neither the location of the Registered Player nor the location of the Registered Player's device shall be checked or tracked when the Registered Player is not attempting to access an Operator's website or mobile application.

*History Note: Authority G.S. 18C-114(a)(14);
Previously adopted as Rule 2D-005;
Eff. January 8, 2024;
Readopted Eff. March 27, 2024.*