



# Tennessee

## Sports Wagering Council

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### MEMORANDUM

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**TO:** Tennessee Licensed Sports Wagering Operators

**FROM:** Mary Beth Thomas, Executive Director

**RE:** Permitted Wagering Markets in Tennessee

**DATE:** September 12, 2023

Pursuant to the Tennessee Sports Gaming Act (the "Act") and the Sports Wagering Council ("SWC") Rules, in-game proposition bets on collegiate sporting events are prohibited. The Act provides:

The council shall, by rule, prohibit wagering on... (B) Individual actions, events, statistics, occurrences, or nonoccurrences to be determined during a collegiate sporting event, including, without limitation, in-game proposition bets on the performance or non-performance of a team or individual participant during a collegiate sporting event.

Tenn. Code Ann. § 4-49-114(a)(1). The council prohibited such wagers by rule, in both SWC Rule 1350-01-.03(9) (which provides: "A Sports Gaming Operator shall not permit a Wager to be placed on the following: ... (b) Individual actions, events, statistics, occurrences, or non-occurrences to be determined during a collegiate

sporting event, including, without limitation, in-game Proposition Wagers on the performance or non-performance of a team or individual participant during a collegiate sporting event"); and SWC Rule 1350-01-.09(2) (which provides: "(a) Wagers on individual actions, events, statistics, occurrences, or non-occurrences to be determined during a collegiate Sporting Event are prohibited. (b) In-game Proposition Wagers on the performance or non-performance of a collegiate team are prohibited.")

The Act defines "Proposition bet" as "a wager made regarding the occurrence or nonoccurrence during a sporting event of an event that does not directly affect the final outcome of the sporting event." Tenn. Code Ann. § 4-49-102. SWC Rule 1350-01-.02(54) defines "Proposition Wager" as "a Wager made regarding the occurrence or nonoccurrence of an event or circumstance during a Sporting Event that is not the final outcome of the Sporting Event. A Proposition Wager does not include the final outcome of the Sporting Event."

The clear intent of both the statutes and the rules is to prohibit in-game wagering on an event or circumstance during a collegiate sporting event that is not the final outcome or does not include the final outcome of the sporting event. **Thus, collegiate in-game wagers, such as "first half - draw no bet," "first quarter - spread," "second quarter - total touchdowns by team 1," "third quarter - total points," "fourth quarter - moneyline," "highest scoring quarter," and "race to ten points," are prohibited.**

As a reminder, wagers that are predominantly chance based (e.g., the outcome of a coin toss or the color of Gatorade poured on a winning coach) are not permitted, pursuant to Article XI, Section 5 of the Tennessee Constitution.

Finally, note that wagers on injuries and penalties are not permitted in Tennessee pursuant to Tenn. Code Ann. § 4-49-114(a)(1)(A) and SWC Rule 1350-01-.03(9)(a).

Please ensure that the wagering markets you are offering are in compliance with these rules and statutes. Do not hesitate to contact Keith Boring, keith.boring@tn.gov, with any questions regarding the above. Otherwise, please acknowledge receipt of this memorandum via email to Keith Boring.