

Yeshiva University, Cardozo School of Law

**LARC @ Cardozo Law**

---

AELJ Blog

Journal Blogs

---

11-10-2021

## **New Jersey Becomes the First State to Eclipse \$1 Billion Sports Betting Monthly Handle: What Does that Mean for the Rest of the Country?**

Scott Semaya

*Cardozo Arts & Entertainment Law Journal*

Follow this and additional works at: <https://larc.cardozo.yu.edu/aelj-blog>



Part of the [Law Commons](#)

---

### **Recommended Citation**

Semaya, Scott, "New Jersey Becomes the First State to Eclipse \$1 Billion Sports Betting Monthly Handle: What Does that Mean for the Rest of the Country?" (2021). *AELJ Blog*. 302.

<https://larc.cardozo.yu.edu/aelj-blog/302>

This Article is brought to you for free and open access by the Journal Blogs at LARC @ Cardozo Law. It has been accepted for inclusion in AELJ Blog by an authorized administrator of LARC @ Cardozo Law. For more information, please contact [christine.george@yu.edu](mailto:christine.george@yu.edu), [ingrid.mattson@yu.edu](mailto:ingrid.mattson@yu.edu).

# New Jersey Becomes the First State to Eclipse \$1 Billion Sports Betting Monthly Handle: What Does that Mean for the Rest of the Country?

BY [SCOTT SEMAYA](#) / ON NOVEMBER 10, 2021



*Photo by Kvnga on Unsplash*

It was only slightly more than three years ago, in May of 2018, that New Jersey successfully challenged the Professional Amateur Sports Protection Act (PASPA) in the Supreme Court,<sup>1</sup> thus paving the way for all 50 states to legalize sports gambling.<sup>2</sup> Now, in September 2021, New Jersey has become the first state to eclipse \$1 billion in monthly handle,<sup>3</sup> which is the total amount of money in wagers accepted and is perhaps the best indicator of success in the gambling industry. With this milestone in the rearview mirror, and with sports gambling growing at an exponential rate, it is useful to take a look at the impact of the landmark Supreme Court decision in *Murphy* and think about both the short- and long-term future for sports betting around the country.

To understand the evolution of sports betting over the past few years, it is helpful to use an example, and perhaps the most illuminating case study is the National Football League's (NFL's) recent shift in opinion. As recently as 2018, the NFL had firmly stood with the other major North American sports leagues in its opposition to sports gambling.<sup>4</sup> But recently, no major sports league has taken better advantage of the Supreme Court ruling as has the NFL. Sports betting content has infiltrated every aspect of the NFL, from pre-and post-game coverage to sponsorship deals with the league and its teams and players. This past summer, the NFL inked lucrative deals with four major sportsbook operators, introducing a new element to the football content it produces.<sup>5</sup> Now, in every NFL game, viewers are almost guaranteed to encounter content from DraftKings, FanDuel, or another major sport betting company touting the betting lines for the game or a promotion to join their app and place your first bet for free. Three or four years ago, this was not what fans would typically encounter while watching an NFL game.

The NFL's relationship to sports betting represents a microcosm of the broader American public opinion. The vast majority of Americans (80%) now approve of sports gambling,<sup>6</sup> yet actual legislation has not kept pace, as only 28 states plus Washington, D.C. have "live, legal" sports betting.<sup>7</sup> While many states have passed legislation legalizing sports gambling, many others have yet to take any action, and most states have not developed the same infrastructure that New Jersey has, something that has permitted New Jersey to reap such extensive monetary benefits over the past three years. In fact, the only other state close to New Jersey's total handle is Nevada,<sup>8</sup> a state that has had a strong gambling infrastructure for years, mainly through Las Vegas casinos and reputation as a gambling haven.

Looking at the simple math behind New Jersey's early success, it is perplexing why many states have not looked to New Jersey for guidance or, at a minimum, pass legislation to establish a presence in the sports betting market. In New York, where sports betting is legal, but online betting specifically is yet to be legalized, many who are looking to place sports bets have turned to biking over the George Washington Bridge in order to avoid tolls and place their bets in New Jersey where online betting is legal.<sup>9</sup> It is not so clear why states like New York have legalized sports betting but not online betting. Online gambling is an obvious step for entering into the sports betting landscape, as it will be hard to compete with states like New Jersey when bettors only have limited options in their home states. But while some states have moved slowly in adopting online gambling and other simple methods to attract users and raise revenue, others are thinking of innovative ways to enter the market and effectively engage with sports betting audiences.

At Capital One Arena in Washington, D.C., home to the NBA Washington Wizards and NHL Washington Capitals, a Caesars Sportsbook, an 18,000-square-foot facility, has opened up as a part of the physical arena.<sup>10</sup> The facility essentially combines a casino and a sports bar, offering fans a place to grab a bite to eat and watch the games, while also providing a place to place bets 365 days a year.<sup>11</sup> So while the actual arena may only be active during sporting

events or concerts, Caesars Sportsbook will be open every day. Soon, this may be the norm, as other arenas and stadiums around the country could incorporate sportsbooks into their own facilities and keep them open during times that are not designated for sporting events.

Overall, sports gambling, which was once seen as taboo and the actions of criminals and degenerates, has now become part of the mainstream sports culture. Individual professional athletes and sports franchises have taken advantage of sponsorship opportunities, and it only appears that more deals and influence are in sight. With more states set to pass laws, thus creating new markets and opportunities, expect to see a lot of creativity (like Capital One Arena) as states seek to create economic advantages for companies to invest in sports betting in their respective states.

***Scott Semaya is a Second Year Law Student at the Benjamin N. Cardozo School of Law and a Staff Editor for the Cardozo Arts & Entertainment Law Journal. Scott is interested in real estate, intellectual property, and sports and entertainment law. Scott is also the Secretary of the Sports Law Society and is currently an intern at Federman Steifman LLP, a real estate law firm in New York City.***

1. Murphy v. Nat'l Collegiate Athletic Ass'n, 138 S. Ct. 1461, (2018).
2. See Pete Blackburn, Supreme Court Lets States Legalize Sports Betting, Rules Federal Ban Unconstitutional, CBS Sports (May 14, 2018, 2:39 PM), <http://www.cbssports.com/general/news/supreme-court-lets-states-legalize-sports-betting-rules-federal-ban-unconstitutional/>; see also Jessica Gresko & Wayne Perry, Lay Your Money Down: Court Says States Can OK Sports Betting, Associated Press (May 14, 2018), <http://apnews.com/article/nv-state-wire-north-america-courts-supreme-courts-gambling-industry-f3fa1f71b8f44378a7e2c51d321b3b4>.
3. See Wayne Parry, New Jersey Has Its First \$1 Billion Month In Sports Betting, Associated Press (Oct. 18, 2021), [https://apnews.com/article/sports-business-atlantic-city-sports-betting-gambling-industry-7be570d48a614d3b17ab7e8bebaefbc86?utm\\_source=newsletter&utm\\_medium=email&utm\\_campaign=newsletter\\_axiossports&stream=top](https://apnews.com/article/sports-business-atlantic-city-sports-betting-gambling-industry-7be570d48a614d3b17ab7e8bebaefbc86?utm_source=newsletter&utm_medium=email&utm_campaign=newsletter_axiossports&stream=top) [<https://perma.cc/WY7F-JYBT>].
4. NFL, Gambling Policy for NFL Personnel (2018).
5. See NFL Announces Agreements With Four Approved Sportsbook Operators, NFL (Aug. 30, 2021, 11:15 AM), <https://www.nfl.com/news/nfl-announces-agreements-with-four-approved-sportsbook-operators> [<https://perma.cc/UCG6-3SAE>]; see also Ben Strauss & Mark Maske, The NFL Once Viewed Sports Betting as a Threat. Now the League Wants the Action, Wash. Post (Aug. 25, 2021, 9:00 AM), <https://www.washingtonpost.com/sports/2021/08/25/nfl-sports-betting/> [<https://perma.cc/PQ5K-HWWT>].
6. Darren Rovell, Poll: 80% of Americans Now in Favor of Sports Betting Legalization, The Action Network (Sept. 23, 2021, 1:53 PM), <https://www.actionnetwork.com/news/sports-betting-legalization-poll-october-10-2019> [<https://perma.cc/9NH7-DSKE>].

7. Interactive Map: Sports Betting in the U.S., American Gaming Association, [https://www.americangaming.org/research/state-gaming-map/?utm\\_source=newsletter&utm\\_medium=email&utm\\_campaign=newsletter\\_axiossports&stream=top](https://www.americangaming.org/research/state-gaming-map/?utm_source=newsletter&utm_medium=email&utm_campaign=newsletter_axiossports&stream=top) (28 states have passed legislation legalizing, to some degree, sports betting) [<https://perma.cc/ZQ9L-72RA>] (last visited Oct. 28, 2021).; see Legislative Tracker: Sports Betting, Legal Sports Report, <https://www.legalsportsreport.com/sportsbetting-bill-tracker/> [<https://perma.cc/U5TK-RTQW>] (last visited Oct. 28, 2021).; see also Pete Blackburn & Shanna McCarriston, Wanna Bet? Here's Where All 50 States Stand on Legalizing Sports Gambling, CBS Sports (Oct. 6, 2021, 2:55 PM), <https://www.cbssports.com/general/news/wanna-bet-heres-where-all-50-states-stand-on-legalizing-sports-gambling/> [<https://perma.cc/HRP8-AADR>].
8. US Sports Betting Revenue and Handle, Legal Sports Report, [https://www.legalsportsreport.com/sports-betting/revenue/?utm\\_source=newsletter&utm\\_medium=email&utm\\_campaign=newsletter\\_axiossports&stream=top](https://www.legalsportsreport.com/sports-betting/revenue/?utm_source=newsletter&utm_medium=email&utm_campaign=newsletter_axiossports&stream=top) [<https://perma.cc/2GHJ-LCB3>] (last visited Oct. 27, 2021).
9. David Waldstein, At the George Washington Bridge Casino, Your Bets Are a Bike Ride Away, N.Y. Times (Oct. 10, 2021), [https://www.nytimes.com/2021/10/10/sports/football/nfl-gambling-bridge.html?utm\\_source=newsletter&utm\\_medium=email&utm\\_campaign=newsletter\\_axiossports&stream=top](https://www.nytimes.com/2021/10/10/sports/football/nfl-gambling-bridge.html?utm_source=newsletter&utm_medium=email&utm_campaign=newsletter_axiossports&stream=top) [<https://perma.cc/7BKQ-5QBS>].
10. Josh Schafer, Capital One Arena's Caesar's Sportsbook Creates a '365-day Destination', yahoo!finance, [https://finance.yahoo.com/news/capital-one-arena-caesars-sportsbook-145728729.html?guccounter=1&guce\\_referrer=aHR0cHM6Ly93d3cuZ29vZ2xILmNvbS8&guce\\_referrer\\_sig=AQAAAHWWLTD16QBb0F1jX0U0e0INzAYkXcH7ZCJXp1C1o\\_Zfl4\\_j5y9o0lhaUJS4vOu0MUKawCTopwNMBbdOq5dmpAHNgxbVgU1Zs8uQ-593cZTBO56a8bmA2Ld175pC\\_9lxZ32XWBo-fCZw5gjhFpYsWSReru46me82gpz1pVL\\_aoPj](https://finance.yahoo.com/news/capital-one-arena-caesars-sportsbook-145728729.html?guccounter=1&guce_referrer=aHR0cHM6Ly93d3cuZ29vZ2xILmNvbS8&guce_referrer_sig=AQAAAHWWLTD16QBb0F1jX0U0e0INzAYkXcH7ZCJXp1C1o_Zfl4_j5y9o0lhaUJS4vOu0MUKawCTopwNMBbdOq5dmpAHNgxbVgU1Zs8uQ-593cZTBO56a8bmA2Ld175pC_9lxZ32XWBo-fCZw5gjhFpYsWSReru46me82gpz1pVL_aoPj) [<https://perma.cc/36H8-282T>] (Nov. 3, 2021, 8:37 PM).
11. Id.