

Supreme Court delays N.J. sports betting decision

By David Porter, AP

NEWARK, N.J. – Supporters of legalized sports gambling in New Jersey and several other states were dealt a no-decision of sorts Tuesday when the U.S. Supreme Court delayed a ruling on whether it will take up the states' challenge to a federal ban.

The court invited the solicitor general to file a brief on behalf of the government, which means a decision could take several more months.

The Supreme Court had been expected to include the sports betting case in its announcement Tuesday on which cases it will hear this year.

New Jersey is challenging a 1992 federal law that restricts sports betting to Nevada and three other states that already had approved some form of wagering.

In recent briefs to the Supreme Court, lawyers representing the state have argued the federal law violates the Constitution by preventing states from repealing their own laws.

Several states including Mississippi, West Virginia, Arizona, Louisiana and Wisconsin have joined New Jersey's effort.

President-elect Donald J. Trump hasn't named a new solicitor general yet. When Trump officially takes office Friday he will be the first U.S. president to have owned casinos. He has spoken favorably about legalizing sports gambling.

In a 2015 interview with Fox Sports 1, Trump indicated he wouldn't oppose sports betting or daily fantasy sports

“because it’s happening anyway.”

Republican Gov. Chris Christie has championed New Jersey’s effort in an attempt to use sports gambling revenues to bolster the sagging fortunes of the state’s casino and horse racing industries.

The case has a lengthy legal history.

New Jersey voters overwhelmingly approved legalized sports betting in 2011 and the following year the state enacted a law allowing betting at racetracks and casinos.

The four major pro leagues and the NCAA sued to block that law from taking effect, arguing the integrity of their games would be threatened and there would be more incidences of game-fixing. A trial judge and, later, a federal appeals court ruled against the state.

Christie then signed a bill into law in 2014 that repealed prohibitions against sports gambling at casinos and racetracks. Repealing the laws instead of passing a new law was seen as a way to get around the federal law by not having sports gambling officially authorized by the state.

However, that challenge also met defeat at the hands of a federal judge in New Jersey and a federal appeals court in Philadelphia.

The Department of Justice, joining the sports leagues, has argued that since New Jersey’s 2014 law authorizes gambling at racetracks and casinos by prohibiting it everywhere else, it amounts to state authorization and is a violation of the 1992 federal law.

Though exact figures are impossible to calculate, it’s estimated tens of billions of dollars are bet illegally on sports annually in the U.S., with a sizable chunk handled by organized crime syndicates.

Nevada is the only state allowed to offer wagering on single games. Delaware, Montana and Oregon were exempted from the 1992 federal ban and are permitted to offer limited multi-game parlay pools.

Congress gave New Jersey a one-time opportunity to become the fifth state before the ban was enacted, but the state failed to pass a sports betting law in the required time window.