

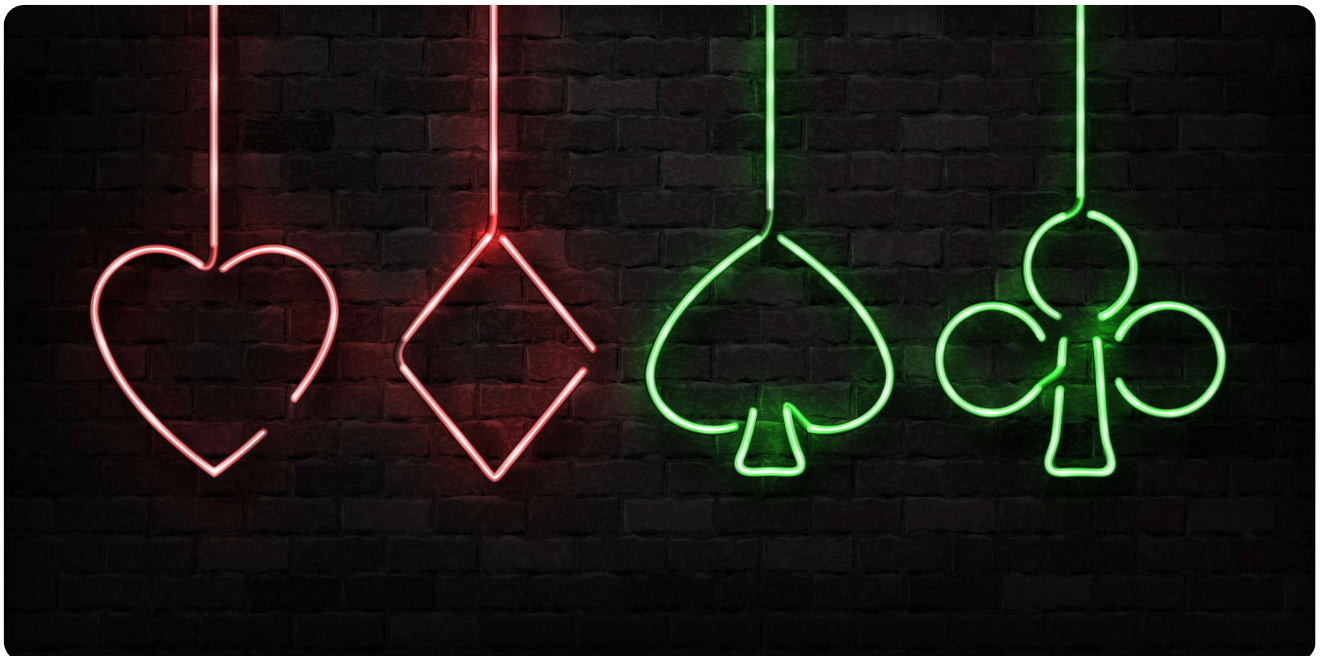


# Opinion: Overcoming the igaming sticking points blocking state expansion

Ifrah Law's Jordan Briggs looks at why justifications by some states for not legalizing igaming no longer stand to reason



Jordan Briggs  
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Igaming is an untapped source of revenue for several states, and yet, its legalization has slowed, if not stalled. One of the most fundamental barriers for legalizing igaming is fear that expanding gambling is bad optics. However, legislators looking to drive revenue by legalizing the sector today are in a strategically convenient and more politically protected spot than the early adopters were.

Legislators now have the benefit of looking to other states for examples of licensing schemes, individual impact, revenue, and even a measurable compliance record from currently active operators. Accordingly, legislators can, now more than ever, tout the decision to legalize igaming as a revenue builder without worrying about a negative impact on poll results.

Other sticking points are more widely held by not just legislators but also general opponents to legalizing igaming. One such belief is that it will simply be too accessible. 'Accessibility' is generally a catchall for availability to underage persons and persons who struggle with gambling addictions. However, the igaming industry is used to and supportive

of responsible gaming controls and problem gambling prevention (the difference between the two is discussed in “[Gambling Industry Takes on Addiction Prevention](#)” Ifrah Law, July 28, 2025).

The igaming industry already utilizes strict know your customer (KYC), anti-money laundering (AML), geolocation, and other controls to monitor, restrict, and block users on set criteria. Building responsive restrictions into licensing or oversight regimes would not only be reasonable and feasible but also should be welcomed by operators.

Unfortunately, illegal offshore casinos and wagering platforms are already widely accessible without the strict controls licensed operators would be under. If a state does not allow legalized igaming, then its residents are probably already inundated with opportunities to wager on illegal platforms.

These platforms already contravene state law, so nothing is preventing them from allowing those who struggle with addiction or underage participants to access their platforms. Creating an igaming licensing scheme can help combat these illegal sites. Legislators can create a state regulator or reinforce the authority of the existing state gambling regulator to combat illegal operators as part of the legislation.

The last sticking point is coming from inside the house, ie, the narrative often pushed by land-based competitors. “Cannibalization” is a common topic raised by the current casino industry. However, many igaming states allow for land-based casinos to operate or contract with online operators.

A new vertical is not necessarily the death of the industry, but an unwillingness to expand or grow what could be. It is common for potential competitors to oppose a bill that would expand their competition, especially in a regulated industry that has high barriers to entry. However, it is the responsibility of lawmakers to weigh up the benefits to the state as a whole.

The sky is the limit when creating a new vertical in a state. Lawmakers can both look to the structure of igaming in other states and cherry pick helpful rules and create new structures tailored for their respective state’s needs. Risk assessment for state legislators has never been easier and, as seen herein, many of the challenges to igaming legislation do not hold up to scrutiny.



*Jordan Briggs' experience in government, in-house, and in private practice at Ifrah Law, one of the US' most renowned global law firms, informs her multi-dimensional approach to risk management and compliance across a broad range of sectors and issues.*

## **Casino Ifrah Law Opinion**