

The SCOTUS decision means the tribe is free to launch mobile sports betting throughout the state after a two-year hiatus. But with several legal challenges to the compact still pending, it's not clear whether it would be expedient for the tribe to do so.

Pari-mutuel operator West Flagler Associates has challenged the constitutionality of the compact. Its lawyers had requested a long-term stay on a lower court ruling that would have allowed the compact to take effect.

A short-term administrative stay was granted earlier this month, pending a ruling. In a two-page decision published Wednesday, SCOTUS denied the request.

West Flagler, which owns the Bonita Springs Poker Room, ultimately wants SCOTUS to review its legal challenge to the compact. It also has a case pending in the Florida Supreme Court.

Biggest Deal in America

The powerful Seminole Tribe and the State of Florida had been at loggerheads over negotiations for a new compact since 2015, and when SCOTUS defanged PASPA, the federal prohibition on sports betting in 2018, it provided the state with a new negotiating tool.

In May 2021, the state legislature approved the new compact, which extended the tribes' gaming monopoly to sports betting, roulette, and craps, none of which had previously been legal in Florida.

Worth \$2.5 billion to the state over the first five years, it was the biggest tribal casino revenue-share deal in America.

The compact was forwarded to the U.S. Interior Department's Bureau of Indian Affairs (BIA) for necessary federal approval. The agency took no action for 45 days, allowing it to be deemed approved under the provisions of the Indian Gaming Regulatory Act (IGRA) on Aug. 11, 2021.

Where Does a Bet Take Place?

West Flagler sued the Interior Department, claiming the compact violated IGRA, which requires tribal gaming to take place on tribal land. Thus, it should have been rejected, according to the lawsuit.

The State of Florida had taken a broad reading of this statute when formulating the compact. It argues that all mobile betting transactions occur on tribal land, because that's where the Seminoles' internet servers are based.

West Flagler also argued that handing the monopoly to the tribe violated the equal commerce clause of the U.S. Constitution. [카지노사이트](#)

In November 2021, Judge Dabney L. Friedrich of the Federal District Court in Washington DC sided with West Flagler. She described the idea that wagers only took place where they were received as “a fiction.”

An appellate panel unanimously overturned her decision. The judges believed the matter should ultimately be decided by the Florida Supreme Court.

Sovereign Government ‘Has No Race’

While SCOTUS didn’t offer reasons for rejecting the stay on Wednesday, an accompanying note from Justice Brett M. Kavanaugh expressed his lingering concern about “serious” equal protection issues in the case.

U.S. Solicitor General Elizabeth B. Prelogar wrote in response that “the compact in this case is an agreement between two sovereigns... [and] agreement between sovereigns does not implicate race-based equal protection concerns. A sovereign government has no race.