



Notice of Public Hearing

Notice is hereby provided that in accordance with G.L. c. 30A § 2, the Massachusetts Gaming Commission (“Commission”) will convene a public hearing for purposes of gathering comments, ideas, and information relative to the proposed adoption of nine regulations within 205 CMR. The proposal was developed pursuant to G.L. c. 23K, §§2, 4(37), and 5; and G.L. c. 23N § 4, as part of the Commission’s regulation promulgation process, and concerns the following regulations:

205 CMR 106.00: Information and Filings

This regulation has been amended to apply to extend the Commission’s authority to collect information and filings to sports wagering, in addition to casino gaming.

205 CMR 107.00: Professional Practice

This regulation has been amended to extend the Commission’s existing processional practice regulation apply to sports wagering, in addition to casino gaming.

205 CMR 109.00: Authority of The Commission to Act in an Emergency Situation

This regulation has been amended to extend the Commission’s authority to act in emergency situations to sports wagering, in addition to casino gaming.

205 CMR 202: Sports Wagering Authority and Definitions

This is an administrative regulation that sets forth the Commission’s applicable definitions for terms utilized in the licensing of Sports Wagering Operators.

205 CMR 213.00: Withdrawal Of An Application

This regulation is part of the sports wagering operator licensing framework and specifically governs the process by which an applicant may withdraw their application for licensure.

205 CMR 229.00: Review Of A Proposed Transfer Of Interest

This regulation is part of the Commission’s comprehensive regulatory scheme for sports wagering and specifically governs the process by which licensees may transfer their interest.

205 CMR 232.00: Discipline Of Sports Wagering Operators And Other Licensees, And Registrants

This regulation governs the discipline of sports wagering operators, licensees, and registrants.

205 CMR 239.00: Continuing Disclosure and Reporting Obligations of Sports Wagering Licensees

This regulation governs the reporting obligations imposed upon sports wagering licensees.

205 CMR 241.00: Surveillance and Monitoring

This regulation governs the surveillance and monitoring requirements imposed upon sports wagering licensed pursuant to G.L. c. 23N and 205 CMR, respectively.

205 CMR 256.00: Sports Wagering Advertising

This regulation governs the requirements with respect to sports wagering advertisements.



Massachusetts Gaming Commission

101 Federal Street, 12th Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | www.massgaming.com

Tuesday, March 21, 2023, at 9:15am

Given the unprecedented circumstances, Governor Charles Baker issued an order to provide limited relief from certain provisions of the Open Meeting Law to protect the health and safety of the public and individuals interested in attending public meetings during the global Coronavirus pandemic. In keeping with the guidance provided, the Commission will conduct this hearing utilizing remote collaboration technology

CONFERENCE CALL NUMBER: 1-646-741-5293

PARTICIPANT CODE: 111 204 8240

A complete copy of the draft regulations referenced above may be downloaded by visiting www.massgaming.com, clicking on 'Regulations and Compliance' and selecting the '[Proposed Rulemaking](#)' section. Anyone wishing to offer comments on this regulation can email judith.young@massgaming.gov and request the virtual hearing link to appear and speak. Alternatively, written comments may also be submitted to that same email address with 'Regulation Comment' in the subject line. Comments must be received by **9:15 a.m. on Tuesday, March 21, 2023.**

Additionally, attached please find the accompanying Small Business Impact Statements in accordance with M.G.L. c.30A, §2.



Massachusetts Gaming Commission

101 Federal Street, 12th Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | www.massgaming.com



SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission (“Commission”) hereby files this Small Business Impact Statement in accordance with G.L. c. 30A, §2, relative to the proposed amendment of **205 CMR 106.00 : INFORMATION AND FILINGS; 205 CMR 107.00 : PROFESSIONAL PRACTICE; 205 CMR 109.00 : AUTHORITY OF THE COMMISSION TO ACT IN AN EMERGENCY SITUATION; 205 CMR 202.00: SPORTS WAGERING AUTHORITY AND DEFINITIONS; 205 CMR 213.00: WITHDRAWAL OF AN APPLICATION; 205 CMR 229.00 : REVIEW OF A PROPOSED TRANSFER OF INTEREST; and 205 CMR 256.00 : SPORTS WAGERING ADVERTISING.**

These regulations were amended as part of the process of promulgating and amending regulations governing sports wagering in the Commonwealth, and is primarily governed by G.L. c. 23K, § 5 and G.L. c. 23N, § 4, respectively.

The amendment to 205 CMR 106, 205 CMR 107, 205 CMR 109, 205 CMR 202 and the proposed drafts of 205 CMR 213, 205 CMR 229, and 205 CMR 256 apply to potential sports wagering operators and the Commission. Accordingly, these regulations are unlikely to have an impact on small businesses. Under G.L. c.30A, §2, the Commission offers the following responses to the statutory questions:

1. Estimate of the number of small businesses subject to the proposed regulation:

These regulations are unlikely to have an impact on small businesses.

2. State the projected reporting, recordkeeping, and other administrative costs required for compliance with the proposed regulation:

There are no projected reporting, recordkeeping, or other administrative costs required for small businesses to comply with these regulations.

3. State the appropriateness of performance standards versus design standards:

No standards applicable to small businesses are set forth. If provided, standards are performance standards.

4. Identify regulations of the promulgating agency, or of another agency or department of the Commonwealth, which may duplicate or conflict with the proposed regulation:



Massachusetts Gaming Commission

There are no conflicting regulations in 205 CMR, and the Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth.

5. State whether the proposed regulation is likely to deter or encourage the formation of new businesses in the Commonwealth:

These regulations as proposed, are unlikely to have any impact on the formation of new businesses in the Commonwealth.

Massachusetts Gaming Commission
By:

/s/ Judith A Young
Judith A. Young, Associate General Counsel

Dated: February 16, 2023



Massachusetts Gaming Commission

101 Federal Street, 12th Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | www.massgaming.com



SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission (“Commission”) hereby files this Small Business Impact Statement in accordance with G.L. c. 30A, §2, relative to the proposed amendment of **205 CMR 232.00 : DISCIPLINE OF SPORTS WAGERING OPERATORS AND OTHER LICENSEES, AND REGISTRANTS; 205 CMR 239: CONTINUING DISCLOSURE AND REPORTING OBLIGATIONS OF SPORTS WAGERING LICENSEES; 205 CMR 241.00: SURVEILLANCE AND MONITORING.**

These regulations were promulgated as part of the process of promulgating regulations governing Sports Wagering in the Commonwealth, and are primarily governed by G.L. c. 23N, §4. These regulations are intended to establish and govern the processes for discipline, monitoring, surveillance, and reporting requirements for Sports Wagering Operators, vendors, and occupational licensees, respectively.

The proposed drafts of 205 CMR 232, 205 CMR 239 and 205 CMR 241 are unlikely to have an impact on small businesses as they pertain to the enforcement and regulation of sports wagering entities. Under G.L. c.30A, §2, the Commission offers the following responses to the statutory questions:

1. Estimate of the number of small businesses subject to the proposed regulation:

These regulations are unlikely to have an impact on small businesses.

2. State the projected reporting, recordkeeping, and other administrative costs required for compliance with the proposed regulation:

There are no projected reporting, recordkeeping, or other administrative costs required for small businesses to comply with these regulations.

3. State the appropriateness of performance standards versus design standards:

No standards applicable to small businesses are set forth. The standards are performance standards with specific objectives.

4. Identify regulations of the promulgating agency, or of another agency or department of the Commonwealth, which may duplicate or conflict with the proposed regulation:

The Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth.



Massachusetts Gaming Commission

5. State whether the proposed regulation is likely to deter or encourage the formation of new businesses in the Commonwealth:

The proposed regulations pertain to the security, enforcement and reporting standards of entities that are categorized as Operators, vendors, or occupational licensees. They are unlikely to have any impact on the formation of new businesses in the Commonwealth.

Massachusetts Gaming Commission
By:

/s/ Judith A Young
Judith A. Young, Associate General Counsel

Dated: February 16, 2023



Massachusetts Gaming Commission