



## **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 regulations. The regulations were promulgated pursuant to G.L. c. 23K, §§ 2, 4, and 5; and G.L. c. 23N § 4, as part of the Commission’s regulatory process, and concern the following regulations:

**205 CMR 138.00 – Uniform Standards of Accounting Procedures and Internal Controls.** This regulation has been amended to include references to sports wagering protocols for gaming licensees that also offer sports wagering within their gaming establishments consistent to the requirements within G.L. c. 23K, and G.L. c. 23N.

**205 CMR 238.00 – Additional Uniform Standards of Accounting Procedures and Internal Controls for Sports Wagering.** This regulation is intended to create a system of procedures and established internal controls necessary to standardize the protocols utilized by Sports Wagering Operators seeking licensure in the Commonwealth.

**205 CMR 247.00 – Uniform Standards of Sports Wagering.** This regulation provides the general parameters for permissible Sports Wagers that may be offered by Sports Wagering Operators.

**205 CMR 248.00 – Sports Wagering Account Management.** This regulation governs the management of Sports Wagering accounts, whether created and used at Sports Wagering Facilities or on mobile or digital Sports Wagering Platforms.

**205 CMR 257.00: Data Privacy.** This regulation sets out Sports Wagering Operators’ obligations to protect and secure the confidential information and personally identifiable Information.

### **Scheduled hearing date and time:**

**Tuesday, July 18, 2023, at 9:15 AM EST**

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: 1-646-741-5292**

**PARTICIPANT CODE: 112 997 6923**



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A complete copy of the draft regulations referenced above may be downloaded by visiting [www.massgaming.com](http://www.massgaming.com), clicking on 'Regulations and Compliance' and selecting the '[Proposed Rulemaking](#)' Section. Anyone wishing to offer comments on these regulations can email [Judith.Young@massgaming.gov](mailto:Judith.Young@massgaming.gov) and request the virtual hearing link to appear and speak. Alternatively, written comments may also be submitted to the same email address with 'Regulation Comment' in the subject line.

**Comments must be received by 5:00PM EST on July 17, 2023.**

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



Massachusetts Gaming Commission

101 Federal Street, 12<sup>th</sup> Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | [www.massgaming.com](http://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 138 UNIFORM STANDARDS OF ACCOUNTING PROCEDURES AND INTERNAL CONTROLS**.

This regulation was amended as part of the process of promulgating regulations governing sports wagering in the Commonwealth, and is primarily governed by G.L. c. 23K, §5 and G.L. c. 23N, §4. The proposed amendments are intended to incorporate obligations and responsibilities relative to Sports Wagering for gaming licensees which may be licensed to conduct Sports Wagering, such as the safeguarding and protection of confidential and personally identifiable patron information.

The regulation applies to potential sports wagering operators and the Commission. Accordingly, this regulation is 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:

This regulation is 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 this regulation.

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

No standards applicable to small businesses are set forth. 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:

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.



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

This amendment is unlikely to have any impact on the formation of new businesses in the Commonwealth.

Massachusetts Gaming Commission

By:

/s/ Caitlin Monahan

Caitlin Monahan, Deputy General Counsel

Dated: May 25, 2023



Massachusetts Gaming Commission



## **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 238 UNIFORM STANDARDS OF ACCOUNTING PROCEDURES AND INTERNAL CONTROLS**.

This regulation was amended as part of the process of promulgating regulations governing sports wagering in the Commonwealth, and is primarily governed by G.L. c. 23N, §4. These amendments are intended to establish the internal surveillance and security standards for Category 2 Sports Wagering Operators, and standards regarding the safeguarding and protection of confidential and personally identifiable patron information.

The regulation applies to potential sports wagering operators and the Commission. Accordingly, this regulation is 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:

This regulation is 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 this regulation.

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

No standards applicable to small businesses are set forth. 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:

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:



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This amendment is unlikely to have any impact on the formation of new businesses in the Commonwealth.

Massachusetts Gaming Commission  
By:

/s/ Caitlin Monahan  
Caitlin Monahan, Deputy General Counsel

Dated: May 25, 2022



Massachusetts Gaming Commission

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## **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 247 UNIFORM STANDARDS OF SPORTS WAGERING**.

This regulation was amended as part of the process of promulgating regulations governing sports wagering in the Commonwealth, and is primarily governed by G.L. c. 23N, §4. These amendments are intended to address the procedure for cancelling a portion of a parlay wager, and the parameters of permissible promotional sports wagering offers.

The regulation applies to potential sports wagering operators and the Commission. Accordingly, this regulation is 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:

This regulation is 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 this regulation.

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

No standards applicable to small businesses are set forth. 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:

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:



Massachusetts Gaming Commission

This amendment is unlikely to have any impact on the formation of new businesses in the Commonwealth.

Massachusetts Gaming Commission  
By:

/s/ Caitlin Monahan  
Caitlin Monahan, Deputy General Counsel

Dated: May 25, 2023



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## **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 248 SPORTS WAGERING ACCOUNT MANAGEMENT**.

This regulation was amended as part of the process of promulgating regulations governing sports wagering in the Commonwealth, and is primarily governed by G.L. c. 23N, §4. These amendments are intended to incorporate standards regarding the safeguarding and protection of confidential and personally identifiable patron account information.

The regulation applies to potential sports wagering operators and the Commission. Accordingly, this regulation is 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:

This regulation is 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 this regulation.

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

No standards applicable to small businesses are set forth. 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:

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:



Massachusetts Gaming Commission

This amendment is unlikely to have any impact on the formation of new businesses in the Commonwealth.

Massachusetts Gaming Commission  
By:

/s/ Caitlin Monahan  
Caitlin Monahan, Deputy General Counsel

Dated: May 25, 2023



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## **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 amendments to **205 CMR 257 SPORTS WAGERING DATA PRIVACY**.

This regulation was promulgated as part of the process of promulgating regulations governing sports wagering in the Commonwealth, and is authorized by G.L. c. 23N, §4. It governs the use, protection and retention of patron data by Sports Wagering Operators.

This regulation is unlikely to have an impact on small businesses as it governs the behavior of Sports Wagering Operators who are not 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:

This regulation is 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 this regulation.

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

No standards applicable to small businesses are set forth. 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:

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:

This amendment is unlikely to have any impact on the formation of new businesses in the Commonwealth.



Massachusetts Gaming Commission

Massachusetts Gaming Commission  
By:

/s/ Caitlin Monahan  
Caitlin W. Monahan, Deputy General Counsel

Dated: May 25, 2023



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