



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. 23N § 4, as part of the Commission’s regulatory process, and concern the following regulations:

205 CMR 16.00: Procedures for the Approval of a Simulcast-Only Facility

The proposed regulation would govern the process by which the Commission receives, reviews, and evaluates requests for approval by a licensed simulcast entity to simulcast at a new location. The regulation is particularly concerned with input from the community or communities where the proposed facility will be located.

205 CMR 221.00: Sports Wagering License

This regulation is being amended to fix an apparent conflict between 205 CMR 221.01(1) and (2) that would require operators requesting a renewal of their temporary license to pay \$1,000,000 upon requesting the renewed license, and another \$1,000,000 within 30 days after receiving it. This revision clarifies that the operator needs to submit the \$1,000,000 fee only once.

Scheduled hearing date and time:

Tuesday, March 5, 2024, at 9:30 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: 112 030 2345

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 these regulations can email 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 5:00 PM EST on March 4, 2024. Additionally, please find the accompanying Small Business Impact Statements in accordance with M.G.L. c. 30A, § 2 attached.



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 adoption of **205 CMR 16.00, PROCEDURES FOR THE APPROVAL OF A SIMULCAST-ONLY FACILITY**

This regulation is being promulgated as part of the process of updating regulations governing live racing in the Commonwealth. It sets forth the application and suitability review process for racing meeting licenses.

The proposed 205 CMR 16.00 applies to prospective and current race track 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:

Small business are unlikely to be subject to this regulation.

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. This regulation governs prospective and current race track operators, none of which will be or are small businesses.

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

The standards set forth are compliance requirements, akin to 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 regulation, which clarifies the Commission's application review process for the relocation of simulcasting facilities, will support the formation of small businesses supporting race track operations in the Commonwealth.

Massachusetts Gaming Commission
By:

/s/ Justin Stempeck
Justin Stempeck, General Counsel

Dated: January 11, 2024



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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 proposed amendments to **205 CMR 221 SPORTS WAGERING LICENSE FEES**.

This regulation was developed as part of the process of promulgating regulations governing sports wagering in the Commonwealth, and is primarily governed by G.L. c. 23N, §4.

The adoption of 205 CMR 221 applies to 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 are set forth in this regulation.

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

Sports wagering is a new industry in the Commonwealth and these regulations are intended to encourage it, not deter it.

Massachusetts Gaming Commission
By:

/s/ Carrie Torrasi
Carrie Torrasi, Deputy General Counsel

Dated: January 11, 2024



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