



## **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 proposal was developed pursuant to G.L. c. 23K § 4, and G.L. c. 23N § 4, as part of the Commission’s regulation promulgation process, and concerns the following regulation:

**205 CMR 152.00: Individuals Excluded from Gaming and Sports Wagering** This regulation governs involuntary exclusion from gaming and sports wagering, and also describes the criteria for exclusion from gaming establishments and sports wagering, in both digital and retail establishments.

**Scheduled hearing date and time:**

**Tuesday, April 25, 2023, at 9:15 A.M. 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: 111 588 1219**

A complete copy of the draft regulation 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 this regulation 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 9:15AM EST on April 25, 2023.**

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



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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 152: INDIVIDUALS EXCLUDED FROM A GAMING ESTABLISHMENT**.

This regulation is being promulgated as part of the process of promulgating regulations governing sports wagering in the Commonwealth, and is primarily governed by G.L. c. 23K, §§ 4(28), 4(37), and 45 and G.L. c. 23N, §§ 4, 13(e). It provides for the establishment and maintenance of a list, and associated protocols and procedures, for exclusion of individuals from gaming and sports wagering.

The proposed amendments to 205 CMR 152 apply 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. This regulation governs sports wagering operators and gaming licensees, none of which are or will be 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.



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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 regulation will have no effect on the formation of new businesses in the Commonwealth.

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By:

/s/ Caitlin Monahan

Caitlin W. Monahan, Deputy General Counsel

Dated: March 3, 2023



Massachusetts Gaming Commission

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