



Legal Division

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 a regulation within 205 CMR. The proposal was developed pursuant to G.L. and G.L. c. 23N § 4, as part of the Commission’s regulation promulgation process, and concerns the following regulations:

205 CMR 256.00: SPORTS WAGERING ADVERTISING,

Specifically, 205 CMR 256.02: Application, and 256.04: False or Misleading Advertising

This regulation governs the requirements with respect to sports wagering advertising and is being amended for clarity purposes. The change to 205 CMR 256.02(1) is a minor language change to clarify the scope of the regulation. The change to 205 CMR 256.04 adds language requiring marketing and advertising disclosures

Monday June 16, 2025, at 9:30 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: 111 776 7405

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 **5 p.m. on Friday, June 13, 2025.**

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 amendments to **205 CMR 256 Sports Wagering Advertising**, specifically 205 CMR 256.02: *Application* and 205 CMR 256.04: *False or Misleading Advertising*.

This regulation was promulgated as part of the process of promulgating regulations governing sports wagering in the Commonwealth, and are authorized by G.L. c. 23N, §4. These amendments will clarify the procedures associated with advertising and marketing of sports wagering in the Commonwealth.

These amendments are unlikely to have an impact on small businesses as they govern 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:

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. 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 regulations are likely to deter or encourage the formation of new businesses in the Commonwealth:



Massachusetts Gaming Commission

These amendments are unlikely to have any impact on the formation of new businesses in the Commonwealth.

Massachusetts Gaming Commission
By:

/s/ Justin Stempeck
Justin Stempeck, Deputy General Counsel

Dated: March 19, 2025



Massachusetts Gaming Commission

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