



# THE COMMONWEALTH OF MASSACHUSETTS OFFICE OF THE ATTORNEY GENERAL

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## **Notice of Public Hearing and Comment Period**

Notice is hereby given pursuant to M.G.L. c.93A §2(a), that the Office of the Attorney General (AGO) will hold a public hearing and comment period on the following proposed regulation:

Amendments to 940 C.M.R. 34.00 (promulgated pursuant to M.G.L. c. 93A, § 2(a))

The proposed regulations are intended to protect Massachusetts consumers who play fantasy contests for prizes from unfair and deceptive acts and practices that may arise in the gaming process. They are also intended to protect the families of persons who play fantasy contests to the extent that they may be affected by unfair and deceptive practices that lead to unaffordable losses. The draft regulations describe certain unfair or deceptive acts or practices but are not intended to define all contests and related activities that violate c. 93A or MGL. c. 12, § 11M ½.

A hybrid public hearing will be held on Wednesday, July 22, 2026, at 10:00 am in Conference Room 2 located on the 21<sup>st</sup> Floor of One Ashburton Pl, Boston, MA 02108 and virtually using this link: <https://teams.microsoft.com/meet/256619675709863?p=GQYixeZIW8A7u3gR2b>

Individuals who provide notice of their intent to testify will be afforded an earlier opportunity to speak. Speakers are strongly encouraged to provide notice of their intent to testify by emailing the address below with the subject line: "Regulations Hearing Comment – 940 CMR 34.00." Comments may be submitted in writing by contacting the Attorney General's Office via letter or email by 5pm on Friday, July 24<sup>th</sup>. **All written comments submitted to the AGO are a public record in their entirety and will be provided in response to a public records request.**

Email: [AGOregs@mass.gov](mailto:AGOregs@mass.gov).

Postal Mail: Massachusetts Office of the Attorney General  
Attn: Policy & Government Affairs Division  
One Ashburton Place, 20th Floor  
Boston, MA 02108

A copy of the proposed regulations 940 CMR 34.00 may be obtained by contacting the above address or email address or by visiting: <https://www.mass.gov/doc/940-cmr-3400-fantasy-contest-operations-in-massachusetts/download>.

To request interpretive services, please submit your request at least five (5) business days prior to the public hearing.

**Small Business Impact Statement**  
(As required by M.G.L. c. 30A §§ 2, 3 & 5)  
Amendments to 940 CMR 34.00

**Estimate of the Number of Small Businesses Impacted by the Regulation: 0**

- **Will small businesses have to create, file, or issue additional reports?**  
No.
- **Will small businesses have to implement additional recordkeeping procedures?**  
No.
- **Will small businesses have to provide additional administrative oversight?**  
No.
- **Will small businesses have to hire additional employees in order to comply with the proposed regulation?**  
No.
- **Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?**  
No.
- **Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?**  
No.
- **Are performance standards more appropriate than design or operational standards to accomplish the regulatory objective? (Performance standards express requirements in terms of outcomes, giving the regulated party flexibility to achieve regulatory objectives and design/operational standards specify exactly what actions regulated parties must take.)**  
No.
- **Do any other regulations duplicate or conflict with the proposed regulation?**  
No.
- **Does the regulation require small businesses to cooperate with audits, inspections, or other regulatory enforcement activities?**  
No.
- **Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?**  
No.
- **Is the regulation likely to *deter* the formation of small businesses in Massachusetts?**  
No.
- **Is the regulation likely to *encourage* the formation of small businesses in Massachusetts?**  
No.
- **Does the regulation provide for less stringent compliance or reporting requirements for small businesses?**  
No.
- **Did the agency consolidate or simplify compliance or reporting requirements for small businesses?**  
No.

- **Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?**  
No.
- **Are there alternative regulatory methods that would minimize the adverse impact on small businesses?**  
No.