



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 regulations. The regulations were promulgated pursuant to G.L. chs. 23N, § 4, 23K, §7, and 128A, § 9, as part of the Commission’s regulatory process, and concern the following regulations:

205 CMR 248.00: Sports Wagering Account Management, specifically 205 CMR 248.12: Account Withdrawals

Sections within this regulation are being amended by the Commission to provide additional guidelines to sports wagering operators regarding withdrawals from sports wagering accounts.

205 CMR 239.00: Continuing Disclosure and Reporting Obligations of Sports Wagering Licensees, specifically 205 CMR 239.07: Audit of Operator Operations by Commission

Sections within this regulation are being amended by the Commission to allow the Commission discretion in the auditing of sports wagering operators.

205 CMR 3.00: Harness Horse Racing specifically 205 CMR 3.11: General Rules and 205 CMR 3.14: Licenses, Registrations and Fees for Participants in Racing

Sections within this regulation are being amended by the Commission to clarify language regarding standards of conduct.

Scheduled hearing date and time:

Tuesday, September 9, 2025, 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: 112 384 6557

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 can email Autumn.Birarelli@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.



Massachusetts Gaming Commission

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

Comments must be received by 5:00 PM EST on September 8, 2025. Additionally, please find the Small Business Impact Statements in accordance with M.G.L. c. 30A, § 2 attached.



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Legal Division

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 3.00 Harness Horse Racing**. Specifically, the following sections: **205 CMR 3.13(13): General Rules and 205 CMR 3.14: Licenses, Registrations and Fees for Participants in Racing**, notice of which was filed with the Secretary of the Commonwealth. These amendments were developed as part of the process of promulgating regulations governing harness horse racing in the Commonwealth. This regulation is authorized by G.L. c. 128A, §§ 9 and 9B.

These amendments apply directly to harness horse licensees conducting or participating in racing in the Commonwealth. Accordingly, these proposed regulations are not likely to have a negative impact on small businesses. In accordance with G.L. c. 30A, § 2, the Commission offers the following responses:

1. Estimate of the number of small businesses subject to the proposed regulation:

To the extent that horsemen and barns are small businesses, they may be marginally impacted by these regulations. However, the Commission does not anticipate that the proposed amendments would impact a greater number of small businesses than the previous amendment.

2. State the projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation:

Projected reporting, recordkeeping and other administrative costs are unlikely to change in any material way for compliance with the proposed amendments.

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

Some of the proposed regulations are performance standards, so as to provide further clarification regarding the responsibilities and prohibitions of anyone licensed by the Massachusetts Gaming Commission to conduct or participate in Harness Horse Racing in the Commonwealth of Massachusetts. Accordingly, performance-based standards were most appropriate here.

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.



Massachusetts Gaming Commission

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

These amendments are unlikely to deter or encourage the formation of new businesses in the Commonwealth at this time.

Massachusetts Gaming Commission
By:

/s/ Judith A. Young
Judith A. Young
Associate General Counsel

Dated: July 31, 2025



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 amendments to **205 CMR 239 Continuing disclosure and reporting obligations of sports wagering licensees**, specifically 205 CMR 239.07: Audit of Operator Operations by Commission.

These regulations were 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 regulations govern the auditing authority of the Commission over its licensees.

These regulations 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: July 21, 2025



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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 248.12, Sports Wagering Account Management**.

This regulation is being promulgated as part of the process of updating regulations governing adjudicatory hearings before the Massachusetts Gaming Commission. It sets forth the requirements for adjudicatory proceedings for new qualifiers.

The proposed 205 CMR 248.12 applies to entities licensed by the Commission under G.L. c. 23N. 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 businesses 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.

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

The standards set forth are design 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/ Autumn Birarelli
Autumn Birarelli, Staff Attorney

Dated: July 24, 2025



Massachusetts Gaming Commission

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