

SENATE No. 151

The Commonwealth of Massachusetts

PRESENTED BY:

Jennifer L. Flanagan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to lottery online products.

PETITION OF:

NAME:

Jennifer L. Flanagan

DISTRICT/ADDRESS:

Worcester and Middlesex

SENATE No. 151

By Ms. Flanagan, a petition (accompanied by bill, Senate, No. 151) of Jennifer L. Flanagan for legislation relative to lottery online products. Consumer Protection and Professional Licensure.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 101 OF 2013-2014.]

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to lottery online products.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Notwithstanding any general or special law to the contrary:

2 SECTION 1. Section 24 of chapter 10 of the General Laws, as appearing in the 2010
3 Official Edition, is hereby amended by striking out the first paragraph and inserting in place
4 thereof the following paragraph: -

5 The commission is hereby authorized to conduct a state lottery, including a lottery or
6 lotteries conducted online or over the internet, and shall determine the types of lottery or lotteries
7 to be conducted, the price, or prices, of tickets or shares in the lottery, the numbers and sizes of
8 the prizes on the winning tickets or shares, the manner of selecting the winning tickets or shares,
9 the manner of payment of prizes to the holders of winning tickets or shares, the frequency of the
10 drawings or selections of winning tickets or shares and the type or types of locations at which

11 tickets or shares may be sold, the method to be used in selling tickets or shares, the licensing of
12 agents to sell tickets or shares; provided, however, that no person under the age of eighteen shall
13 be licensed as an agent, the manner and amount of compensation, if any, to be paid licensed sales
14 agents, and such other matters necessary or desirable for the efficient and economical operation
15 and administration of the lottery and for the convenience of the purchasers of tickets or shares
16 and the holders of winning tickets or shares; provided, however, that the amount of
17 compensation, if any, to be paid to licensed sales agents as a commission pursuant to this section
18 shall be calculated on the total face value of each ticket or share sold and not on any discounted
19 price of any such ticket or share sold. The commission is authorized to operate the daily
20 numbers game seven days a week. Each state lottery ticket or share shall have imprinted thereon
21 the state seal and a serial number. The commission may establish, and from time to time revise,
22 such rules and regulations as it deems necessary or desirable and shall file the same with the
23 office of the state secretary. With respect to a lottery or lotteries conducted online or over the
24 internet, such rules and regulations shall, at a minimum, provide that (i) age verification
25 measures be reasonably designed to block access to and prevent sales of lottery tickets or shares
26 online or over the internet to persons under the age of eighteen and (ii) sales of lottery tickets or
27 shares online or over the internet are limited to transactions initiated and received or otherwise
28 made within the Commonwealth. The commission shall advise and make recommendations to
29 the director regarding the operation and administration of the lottery. The commission shall
30 report monthly to the governor, the attorney general and the general court, the total lottery
31 revenues, prize disbursements and other expenses for the preceding month, and shall make an
32 annual report to the same which shall include a full and complete statement of lottery revenues,
33 prize disbursements and other expenses, including such recommendations as it may deem

34 necessary or advisable. The commission shall report immediately to the governor and the
35 general court any matters which require immediate changes in the laws of the commonwealth in
36 order to prevent abuses and evasions of the lottery law or rules and regulations promulgated
37 thereunder or to rectify undesirable conditions in connection with the administration or operation
38 of the state lottery.

39 SECTION 2. Section 24A of chapter 10 of the General Laws, as appearing in the 2010
40 Official Edition, is hereby amended by inserting in line 8, after the words “creating and
41 maintaining multi-jurisdictional lottery games”, the following words: - , including such multi-
42 jurisdictional lottery games to be conducted online or over the internet, provided that any such
43 lottery or lotteries conducted online or over the internet has been properly authorized by each
44 state or other jurisdiction that is part of the group

45 SECTION 3. Section 3 of chapter 137 of the General Laws, as most recently amended by
46 chapter 194, section 44 of the Acts of 2011, is hereby amended by inserting, after the words “but
47 not including gaming conducted pursuant to chapter 23K”, the following words: - and chapter
48 10.