

SENATE No. 191

The Commonwealth of Massachusetts

PRESENTED BY:

Michael F. Rush

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 local aid lottery expansion.

PETITION OF:

NAME:

Michael F. Rush

DISTRICT/ADDRESS:

Norfolk and Suffolk

SENATE No. 191

By Mr. Rush, a petition (accompanied by bill, Senate, No. 191) of Michael F. Rush for legislation relative to local aid lottery expansion. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

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

An Act relative to local aid lottery expansion.

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

1 SECTION 1. Chapter 10 of the General Laws is hereby amended by inserting after
2 section 27A the following new section:-

3 Section 27B. (a) The lottery commission is hereby authorized and directed to implement
4 online games of skill, including, but not limited to, fantasy sports, so-called, poker, so-called,
5 and other games of skill, subject to the provisions of, and preempted and superseded by, any
6 applicable federal law.

7 (b) The commission is authorized to sell pre-paid play cards, subject to proof of age
8 verification, and may be sold by any agent licensed to sell lottery tickets pursuant to section 27.
9 Said cards may be recharged and resold by any such agent.

10 (c) Purchase of online products shall require a secure website to access any customer
11 account by entering a unique password for each online purchaser. Geo-location tools shall be

12 employed by any platform provider, authorized under this section, to ensure that a player is a
13 resident of the commonwealth.

14 (d) (1) The commission shall develop a request for proposals (“RFP”) that solicits
15 competitive bids from private vendors to develop any such online platform and such platform
16 shall maximum flexibility to allow for changes in technology and changes in consumer behavior.
17 Such provider shall work within the framework of the lottery’s existing system and fully
18 coordinate all functions so that the lottery maintains its requisite level of control. Any such
19 provider shall implement and employ a responsible gaming policy that shall be independent of,
20 and enhance, the lottery’s own policies. (2) Basic qualifications for consideration shall include
21 the following: experience in platform development; experience in developing gaming platforms;
22 experience in website security, including an ability to address all key security areas, such as
23 fraud detection, hacking, and prevention of distributed denial of service; demonstration of good
24 character, honesty and integrity; ability to maintain and grow the site, based on actual experience
25 and demand growth; a history of working cooperatively with clients to produce systems that
26 provide the maximum flexibility for and benefit to the client rather than the vendor. (3) Any such
27 vendor shall provide a “free-play site”, so-called, developed concurrently with the gaming site.
28 Any successful bidder shall be compensated based on a percentage of sales established by the
29 commission. The successful bidder shall directly or through a sub-contracting arrangement,
30 develop a loyalty program that recognizes and rewards regular lottery customers who play both
31 online and traditional lottery games of chance.

32 (e) All revenues received from sales authorized by this section shall be deposited in the
33 State Lottery Fund and shall provide local property tax relief and local services pursuant to the

34 provisions of section 35. The first one hundred twenty-five million dollars shall be distributed to
35 the cities and towns, subject to appropriation.