

**SENATE . . . . . No. 134**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Barbara A. L'Italien***

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*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 online lottery products.

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PETITION OF:

NAME:

*Barbara A. L'Italien*

DISTRICT/ADDRESS:

*Second Essex and Middlesex*

**SENATE . . . . . No. 134**

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By Ms. L'Italien, a petition (accompanied by bill, Senate, No. 134) of Barbara A. L'Italien for legislation relative to online lottery products. Consumer Protection and Professional Licensure.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 2351 OF 2015-2016.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
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An Act relative to online lottery 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           SECTION 1. Section 24 of chapter 10 of the General Laws, as appearing in the 2014  
2 Official Edition, is hereby amended by striking out the first paragraph and inserting in place  
3 thereof the following paragraph: -

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

11 tickets, games, or shares may be sold, the method to be used in selling tickets, games, or shares,  
12 the licensing of agents to sell tickets, games, or shares; provided, however, that no person under  
13 the age of eighteen shall be licensed as an agent, the manner and amount of compensation, if any,  
14 to be paid licensed sales agents, and such other matters necessary or desirable for the efficient  
15 and economical operation and administration of the lottery and for the convenience of the  
16 purchasers of tickets, games, or shares and the holders of winning tickets, games, or shares;  
17 provided, however, that the amount of compensation, if any, to be paid to licensed sales agents as  
18 a commission pursuant to this section shall be calculated on the total face value of each ticket,  
19 game, or share sold and not on any discounted price of any such ticket, game, or share sold. The  
20 commission is authorized to operate the daily numbers game seven days a week. Each state  
21 lottery ticket, game, or share shall have imprinted thereon the state seal and a serial number. The  
22 commission may establish, and from time to time revise, such rules and regulations as it deems  
23 necessary or desirable and shall file the same with the office of the state secretary. With respect  
24 to a lottery or lotteries conducted online, over the internet, or through use of mobile applications,  
25 such rules and regulations shall, at a minimum, provide that:

26 (i) age verification measures be reasonably designed to block access to and prevent  
27 sales of lottery tickets or shares online or over the internet to persons under the age of eighteen;

28 (ii) sales of lottery tickets, games, or shares online, over the internet, or through the  
29 use of mobile applications are limited to transactions initiated and received or otherwise made  
30 within the commonwealth;

- 31           (iii)    privacy protections exist so that the personal and financial information of  
32 individuals who purchase lottery tickets, games, or shares online, over the internet, or through  
33 the use of mobile applications is not available as a public record upon request;
- 34           (iv)    lottery winnings in excess of \$200 but less than \$600 from lottery tickets, games,  
35 or shares conducted online, over the internet, or through use of a mobile application must be  
36 collected in person, by the winner, at a physical location that is a licensed sales agent;
- 37           (v)     lottery winnings in excess of \$600 from lottery tickets, games, or shares  
38 conducted online, over the internet, or through use of a mobile application must be collected in  
39 person, by the winner, at the lottery commission office and shall not be distributed until the  
40 commission office has determined that the individual does not have outstanding child or spousal  
41 support payments or other state debt
- 42           (vi)    maximum daily, weekly, and monthly limits exist for purchases of lottery tickets,  
43 games, or shares conducted online, over the internet, or through the use of a mobile application,  
44 and that players may lower their own deposit limit at any time;
- 45           (vii)   a player may not use direct deposit to transfer funds from a bank account to an  
46 online lottery account;
- 47           (viii)  a mechanism exists to ensure that a player has the option to withdraw any and all  
48 winnings at any time;
- 49           (ix)    an option exists to purchase an online game card from an existing licensed sales  
50 agent; and

51 (x) the use of credit or debit cards to purchase lottery tickets shall be limited to online  
52 transactions and transactions at the lottery commission office.

53 The commission shall advise and make recommendations to the director regarding the  
54 operation and administration of the lottery. The commission shall report monthly to the  
55 governor, the attorney general and the general court, the total lottery revenues, prize  
56 disbursements and other expenses for the preceding month, and shall make an annual report to  
57 the same which shall include a full and complete statement of lottery revenues, prize  
58 disbursements and other expenses, including such recommendations as it may deem necessary or  
59 advisable. The commission shall report immediately to the governor and the general court any  
60 matters which require immediate changes in the laws of the commonwealth in order to prevent  
61 abuses and evasions of the lottery law or rules and regulations promulgated thereunder or to  
62 rectify undesirable conditions in connection with the administration or operation of the state  
63 lottery.

64 SECTION 2. Section 24A of chapter 10 of the General Laws, as appearing in the 2014  
65 Official Edition, is hereby amended by inserting in line 8, after the words “creating and  
66 maintaining multi-jurisdictional lottery games”, the following words: - , including such multi-  
67 jurisdictional lottery games to be conducted online, over the internet, or through the use of  
68 mobile applications, provided that any such lottery or lotteries conducted online, over the  
69 internet, or through the use of mobile applications has been properly authorized by each state or  
70 other jurisdiction that is part of the group

71 SECTION 3. Section 3 of chapter 137 of the General Laws, as most recently amended by  
72 chapter 194, section 44 of the Acts of 2011, is hereby amended by inserting, after the words “but

73 not including gaming conducted pursuant to chapter 23K”, the following words: - and chapter  
74 10.