

SENATE No. 2958

Text of amendment (Senator Tarr) to the Senate Bill making appropriations for the fiscal year 2021 for the maintenance of the departments, boards, commissions, institutions and certain activities of the commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (Senate, No. 4).

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

1 by inserting the following new sections:-

2 "SECTION 1. Chapter 4 of the General Laws, as so appearing in the 2018 official
3 edition, is hereby amended by striking out lines 67-76, in section 7, and inserting in place thereof
4 the following:-

5 Tenth, "illegal gaming," a banking or percentage game played with cards, dice, tiles or
6 dominoes, or an electronic, electrical or mechanical device or machine for money, property,
7 checks, credit or any representative of value, but excluding: (i) a lottery game conducted by the
8 state lottery commission, under sections 24, 24A and 27 of chapter 10; (ii) a game conducted
9 under chapter 23K; (iii) a sports wager conducted under chapter 23N; (iv) pari-mutuel wagering
10 on horse races under chapters 128A and 128C and greyhound races under said chapter 128C; (v)
11 a game of bingo conducted under chapter 271; and (vi) charitable gaming conducted under said
12 chapter 271.

13 SECTION 2. The General Laws, as so appearing, are hereby amended by inserting after
14 chapter 23M, the following new chapter:

15 Chapter 23N: Authorization and Regulation of Sports Wagering

16 Section 1. Notwithstanding any provision or law to the contrary, the operation of sports
17 wagering and ancillary activities are lawful when conducted in accordance with this chapter and
18 chapter 23K.

19 Section 2. As used in this chapter, the following words shall, unless the context clearly
20 requires otherwise have the following meanings:--

21 “Category S license”, a category S1, S2, or SM license issued by the commission.

22 “Category S licensee”, an operator who holds a category S license.

23 “Category S1 license”, a license issued by the commission pursuant to this chapter that
24 permits the licensee to operate a sports pool at a category 1 gaming establishment under chapter
25 23K and operate up to 3 online sports pools.

26 “Category S2 license”, a license issued by the commission that permits the operation of
27 sports wagering in person or through a mobile application and other digital platforms at a race
28 track as defined in section 1 of chapter 128A or a license issued by the commission that permits
29 the operation of sports wagering through a mobile application and other digital platforms and in
30 person at a live thoroughbred race track approved by the commission, provided that said race
31 track makes an initial capital investment of at least \$20M and conducts at least ten race days per
32 year.

33 “Category SM license”, a license issued by the commission pursuant to this chapter that
34 permits the licensee to operate an online sports pool.

35 “Collegiate sporting event”, a sporting event in which a postsecondary athletic team or
36 teams or an individual on behalf of a postsecondary institution competes.

37 “Commission”; the Massachusetts gaming commission established in section 3 of chapter
38 23K.

39 “Electronic sports”, a single or multiplayer video game played competitively by
40 professional gamers.

41 “Gross sports wagering revenues”, the total gross receipts derived from sports wagers.

42 “In-play sports wager”, a sports wager on a sporting event after the sporting event has
43 commenced and before it concludes; provided that the commission shall approve all in-play
44 sports wagering in a manner it prescribes; provided further that this definition does not include
45 in-play sports wagers on the sole performance or nonperformance of any individual participating
46 in a collegiate sporting event or events.

47 “Online sports pool”, a sports pool operation, operating pursuant to a proper category S
48 license issued by the commission, in which wagers on sporting events are made over the internet
49 through computers, mobile applications or mobile devices.

50 “Online sports pool operator”, an entity that holds a license issued by the commission to
51 operate an online sports pool or is licensed under section 31 of chapter 23K as a gaming vendor
52 to operate an online sports pool.

53 “Personal biometric data”, an athlete’s personal and medical information including, but
54 not limited to: DNA, heart rate, blood pressure, perspiration rate, internal or external body

55 temperature, hormone levels, glucose levels, hydration levels, vitamin levels, bone density,
56 muscle density, and sleep patterns.

57 “Sports wager”, a cash or cash equivalent paid by an individual to participate in sports
58 wagering.

59 “Professional sport”, a sport in which professional athletes compete or an event
60 designated by the commission.

61 “Prohibited conduct”, any statement, action, and other communication intended to unduly
62 or unlawfully influence, manipulate, or control a betting outcome of a sporting contest or of any
63 individual occurrence or performance in a sporting contest in exchange for financial gain or to
64 avoid financial or physical harm.

65 “Prohibited sporting event” includes:

66 (a)Any amateur sporting event where the participants are primarily under the age of 18;

67 (b)Any collegiate sporting event not involving Division I teams and athletes, as defined
68 by the National Collegiate Athletic Association.

69 (c)Any Olympic event;

70 (d)Any electronic sports event; and

71 (e)Any fantasy contest as defined in section 135 of chapter 219 of the acts of 2016.

72 “Prohibited sports bettor” means:

73 (a)Any member or employee of the commission and any spouse, child, sibling, or parent
74 residing in the same household as a member or an employee of the commission;

75 (b)Any contractor of the commission or its agents when such contract relates to the
76 conduct of sports wagering;

77 (c)Any contractor or employee of an entity that conducts sports wagering in another
78 jurisdiction when the bettor possesses confidential nonpublic information as a result of his or her
79 contract or employment relating to the wager being placed;

80 (d)Any amateur or professional athlete if the sports wager is based in whole or in part on
81 a sport or athletic event overseen by the athlete's sports governing body;

82 (e)Any sports agent, owner, or employee of a team, player, umpire, referee, coach, union
83 official, or official of a sports governing body if the sports wager is based in whole or part on a
84 sport or athletic event overseen by the governing sports body which oversees the individual's
85 sport;

86 (f)Any individual placing a wager as an agent of or proxy for a prohibited sports bettor;

87 (g)Any person under the age of 21;

88 (h)Any individual who has an ownership interest in, control of, or is otherwise employed
89 by a Category S licensee;

90 (i)The directors, officers, owners, and employees of the operator, and any relative living
91 in the same household as such persons; and

92 (j)Persons who hold a position of authority or influence sufficient to exert influence over
93 the participants in a sporting event;

94 (k)Persons physically located outside of the commonwealth.

95 “Sporting event”, any professional sport or athletic event, or a collegiate sport or athletic
96 event;

97 “Sports governing body”, a sports organization that has a regulatory, sanctioning or
98 organizing function for a specific sport or athletic event; provided that this definition shall
99 include, but not be limited to, a professional sports organization as defined in 28 U.S.C. section
100 3701(3) and national governing body as defined in 36 U.S.C. section 220501(b)(8).

101 “Sports pool”, the business of accepting wagers on a sporting event by any system or
102 method of wagering approved by the commission.

103 “Sports wager”, a cash or cash equivalent paid by an individual to participate in sports
104 wagering.

105 “Sports wagering”, the act of betting or wagering on sporting events or portions of
106 sporting events, the individual performance statistics of athletes in a sporting event, or a
107 combination of any of the same by any system or method of wagering approved by the
108 commission including, but not limited to in person bets, or mobile applications and other digital
109 platforms; provided that this definition includes, but is not limited to: single-game bets, teaser
110 bets, parlays, over-under, money line, pools, exchange wagering, in-game wagering, in-play bets,
111 proposition bets, and straight bets; provided further, that this definition does not include:

112 (a)Pari-mutuel betting on the outcome of thoroughbred or harness horse racing as
113 authorized under chapter 128A;

114 (b)Lottery games of the Massachusetts state lottery as authorized under section 37 of
115 chapter 10;

116 (c)Bingo as authorized under section 22B of chapter 271;

117 (d)Keno as authorized under section 27A of chapter 10;

118 (e)Fantasy contests as defined in section 135 of chapter 219 of the acts of 2016;

119 “Student athlete”, an eligible participant in a collegiate sporting event.

120 Section 3. Massachusetts Gaming Commission Regulatory Powers

121 Except as otherwise provided by this chapter, the commission shall have the authority to
122 regulate sports pools, online sports pools, and the conduct of sports wagering under this chapter
123 and chapter 23K to the extent that the commission regulates casino games. In developing rules
124 and regulations applicable to sports wagering, the commission may examine the regulations
125 implemented in other states where sports wagering is conducted and may, as far as practicable,
126 adopt a similar regulatory framework. The commission shall promulgate regulations necessary to
127 facilitate sports wagering, including, but not limited to, regulations governing the:

128 (a)amount of cash reserves to be maintained by operators to cover winning wagers;

129 (b)permitted wagers and eligible sporting events;

130 (c)maximum wagers which may be accepted by an operator from any one individual on
131 any one sporting event;

- 132 (d)type of wagering tickets which may be used;
- 133 (e)method of issuing tickets;
- 134 (f)method of accounting to be used by operators;
- 135 (g)types of records which shall be kept;
- 136 (h)yearly review for all Category S licensees;
- 137 (i)protections for a person placing a wager, including age verification and geo-location;
- 138 (j)security of servers, software and hardware;
- 139 (k)inspection procedures for any devices, equipment, and accessories related to sports
140 wagering;
- 141 (l)procedures for handling suspected cheating and sports-wagering irregularities;
- 142 (m)procedures for investigating complaints related to sports wagering;
- 143 (n)security mechanisms to ensure the confidentiality of personal and financial
144 information;
- 145 (o)procedures that allow a category S licensee, a professional sports team, league,
146 association, or sports governing body to submit to the commission in writing a request to prohibit
147 a type or form of wagering if the sports pool licensee, professional sports team, league,
148 association, or sports governing body believes that such wagering is contrary to public policy,
149 unfair to consumers, or affects the integrity of a particular sport or the sports betting industry.

150 The commission shall promulgate regulations to determine the criteria for assessing and acting
151 on the request.

152 Section 4. Prohibitions

153 (a) The following persons shall not be permitted to have ownership interest in, control of,
154 or otherwise be employed by a Category S licensee or place a wager on a sporting event that is
155 overseen by that person's sports governing body:

156 (1) Any person who is an athlete, coach, trainer, referee, or employee of a sports
157 governing body or any of its member teams;

158 (2) A sports governing body or any of its member teams;

159 (b) No commission member or employee may be an applicant for any license issued
160 under this chapter.

161 Section 5. Category S1 Licenses

162 (a) The commission may issue a request for Category S1 licenses.

163 (1) The commission shall establish deadlines for the receipt of all applications for a
164 Category S1 license. Applications received after the deadline shall not be reviewed by the
165 commission;

166 (2) The commission shall prescribe the form of the application pursuant to sections 9 and
167 12 of chapter 23K;

168 (3) The commission has the discretion to waive any or all portions of the suitability
169 requirements if said applicant has already met the qualifications of suitability during a prior

170 chapter 23K application process and has been awarded a gaming license. Said applicant still
171 must submit an application and provide an application fee prior to the exercise of any
172 determination or exercise of discretion made by the commission;

173 (4)The commission shall not grant a license to a gaming establishment that is currently or
174 previously has contracted with any type of illegal offshore betting;

175 (5)Applications for licenses shall be public records under section 10 of chapter 66;
176 provided however, that trade secrets or other proprietary information provided in the course of an
177 application for a gaming establishment license under this chapter, the disclosure of which would
178 place the applicant at a competitive disadvantage, may be withheld from disclosure under chapter
179 66.

180 (b) Category S1 applicants:

181 (1)shall submit an application to the commission in a manner prescribed by the
182 commission and this chapter to verify the applicant's eligibility;

183 (2)shall have a continuing duty to provide any assistance or information required by the
184 commission and to cooperate in any inquiry or investigation conducted by the commission or any
185 other lawful investigation agency. Refusal to answer or produce information, evidence or
186 testimony by an applicant may result in the denial of the license by the commission;

187 (3)shall not wilfully withhold information or knowingly give false or misleading
188 information to the commission or any other lawful investigation agency;

189 (4)shall pay an application fee of \$500,000.

190 (c) Category S1 licensees:

191 (1)shall pay an initial licensing fee of \$500,000 within 30 days after the award of the
192 license;

193 (2)shall pay a renewal fee of the greater of \$500,000 or the inflation adjusted equivalent
194 of \$500,000 in January of the year 2021, as calculated by the Consumer Price Index of the
195 Bureau of Labor Statistics for January of the current year if available; or the most recent month
196 of the prior year for which statistics are available, every five years after the date of issuance of
197 the initial license;

198 (3)shall offer sports wagering in person at said licensed facility;

199 (4)may conduct up to three online sports pools or may authorize up to three online sports
200 pool operators licensed as gaming vendors under section 31 of 23K to operate an online sports
201 pool on its behalf;

202 Section 6. Category S2 licenses

203 (a)The commission may issue a request for Category S2 licenses.

204 (1)The commission shall establish deadlines for the receipt of all applications for a
205 Category S2 license. Applications received after the deadline shall not be reviewed by the
206 commission;

207 (2)The commission shall prescribe the form of the application pursuant to sections 9 and
208 12 of chapter 23K;

209 (3)The commission has the discretion to waive any or all portions of the suitability
210 requirements if said applicant has already met the qualifications of suitability during a prior
211 chapter 23K application process and has been awarded a gaming license. Said applicant still

212 must submit an application and provide an application fee prior to the exercise of any
213 determination or exercise of discretion made by the commission;

214 (4)The commission shall not grant a license to a gaming establishment that is currently or
215 previously has contracted with any type of illegal offshore betting;

216 (5)Applications for licenses shall be public records under section 10 of chapter 66;
217 provided however, that trade secrets or other proprietary information provided in the course of an
218 application for a gaming establishment license under this chapter, the disclosure of which would
219 place the applicant at a competitive disadvantage, may be withheld from disclosure under chapter
220 66.

221 (b) Category S2 applicants:

222 (1)shall submit an application to the commission in a manner prescribed by the
223 commission and this chapter to verify the applicant's eligibility;

224 (2)shall have a continuing duty to provide any assistance or information required by the
225 commission and to cooperate in any inquiry or investigation conducted by the commission or any
226 other lawful investigation agency. Refusal to answer or produce information, evidence or
227 testimony by an applicant may result in the denial of the license by the commission;

228 (3)shall not wilfully withhold information or knowingly give false or misleading
229 information to the commission or any other lawful investigation agency;

230 (4)shall pay an application fee of \$500,000.

231 (c) Category S2 licensees:

232 (1)shall pay an initial licensing fee of \$500,000 within 30 days after the award of the
233 license;

234 (2)shall pay a renewal fee of the greater of \$500,000 or the inflation adjusted equivalent
235 of \$500,000 in January of the year 2021, as calculated by the Consumer Price Index of the
236 Bureau of Labor Statistics for January of the current year if available; or the most recent month
237 of the prior year for which statistics are available, every five years after the date of issuance of
238 the initial license;

239 (3)shall offer sports wagering in person at said licensed facility;

240 (4)may conduct up to three online sports pools or may authorize up to three online sports
241 pool operators licensed as gaming vendors under section 31 of 23K to operate an online sports
242 pool on its behalf;

243 Section 7. Category SM Licenses

244 (a)The commission may issue a request for Category SM licenses and shall issue no more
245 than five category SM licenses.

246 (1)The commission shall establish deadlines for the receipt of all applications for a
247 Category SM license. Applications received after the deadline shall not be reviewed by the
248 commission;

249 (2)The commission shall prescribe the form of the application pursuant to sections 9 and
250 12 of chapter 23K;

251 (3) Upon receipt of an application for a Category SM license the commission shall
252 commence an investigation into the suitability of the applicant pursuant to section 12 of chapter
253 23K;

254 (4) The commission shall not grant a license to a gaming establishment that is currently or
255 previously has contracted with any type of illegal offshore betting;

256 (5) Applications for licenses shall be public records under section 10 of chapter 66;
257 provided however, that trade secrets or other proprietary information provided in the course of an
258 application for a gaming establishment license under this chapter, the disclosure of which would
259 place the applicant at a competitive disadvantage, may be withheld from disclosure under chapter
260 66.

261 (b) Category SM applicants:

262 (1) shall submit an application to the commission in a manner prescribed by the
263 commission and this chapter to verify the applicant's eligibility;

264 (2) shall have a continuing duty to provide any assistance or information required by the
265 commission and to cooperate in any inquiry or investigation conducted by the commission or any
266 other lawful investigation agency. Refusal to answer or produce information, evidence or
267 testimony by an applicant may result in the denial of the license by the commission;

268 (3) shall not wilfully withhold information or knowingly give false or misleading
269 information to the commission or any other lawful investigation agency;

270 (4) shall pay an application fee of \$500,000;

271 (c) Category SM licensees:

272 (1)shall pay an initial licensing fee of \$500,000 within 30 days after the award of the
273 license;

274 (2)shall pay a renewal fee of the greater of \$500,000 or the inflation adjusted equivalent
275 of \$500,000 in January of the year 2021, as calculated by the Consumer Price Index of the
276 Bureau of Labor Statistics for January of the current year if available; or the most recent month
277 of the prior year for which statistics are available, every five years after the date of issuance of
278 the initial license;

279 (3)shall conduct one online sports pool;

280 (4)shall hold in escrow the amount equal to deposits and unsettled bets. No escrow assets
281 shall be commingled;

282 Section 8. The following regulations shall apply to Category S licensees:

283 (a) Category S licensees shall verify that a person placing a wager is twenty-one years of
284 age;

285 (b)Category S licensees shall prohibit the use of credit cards in placing sports wagers on
286 its premises, website or online application, however this provision does not exclude the use of
287 debit cards;

288 (c)Category S licensees shall allow individuals to restrict themselves from placing wagers
289 with the operator;

290 (d)Category S licensees shall maintain records in accordance with regulations
291 promulgated by the commission;

292 (e)Category S licensees shall not accept wagers on prohibited sporting events or from
293 prohibited bettors as defined in this chapter;

294 (f)Category S licensees shall implement responsible gaming programs that include
295 comprehensive employee trainings on responding to circumstances in which individuals present
296 signs of a gambling addiction;

297 (g)Category S licensees shall not purchase or otherwise use any personal biometric data
298 of an athlete for the purpose of sports wagering;

299 (h)Category S licensees shall verify that a person is not a prohibited sports bettor as
300 defined in this chapter; and

301 (i)Category S licensees shall maintain the security of wagering data, customer data, and
302 other confidential information from unauthorized access and dissemination.

303 (j)Category S licensees shall be required to maintain all hardware and servers in the
304 commonwealth;

305 (k)Category S licensees shall have a continuing duty to provide any assistance or
306 information required by the commission and to cooperate in any inquiry or investigation
307 conducted by the commission or any other lawful investigation agency. Refusal to answer or
308 produce information, evidence or testimony by an applicant may result in a fine, or a suspension,
309 revocation or non-renewal of said license;

310 (l)Category S licensees shall not wilfully withhold information or knowingly give false or
311 misleading information to the commission or any other lawful investigation agency;

312 (m) Category S licensees shall be subject to a yearly review as described by the
313 commission. If said operator violates any section of this act or Chapter 23K it will be at the
314 discretion of the commission whether to renew, suspend or revoke said license;

315 Section 10. The commission shall promulgate regulations for the implementation,
316 administration and enforcement of this chapter including, without limitation, advertising
317 regulations that:

318 (a) Prohibit the targeting of minors, students, schools or colleges, problem gamblers, or
319 other vulnerable persons, and which may include limitations on the form, content, quantity,
320 timing, and location of advertisements.

321 (b) Prohibit the depiction of minors, students, schools or colleges, or school or college
322 settings; provided that incidental depiction of non-featured minors will not be a violation of this
323 subsection;

324 (c) Establish criteria to ensure advertisements do not state or imply endorsement by
325 minors, collegiate athletes, colleges, or college athletic associations;

326 (d) Require the disclosure of the sports pool operator;

327 (e) Provide information about links to resources relating to gambling addiction.

328 (f) Require the prohibition of the following advertising, marketing, and branding
329 activities:

330 (1) Advertisements, marketing, and branding in such a manner that it is deemed to be
331 deceptive, false, misleading, or untrue, or tends to deceive or create a misleading impression
332 whether directly, or by ambiguity or omission;

333 (2)Advertising, marketing and branding by means of television, radio, internet, mobile
334 applications, social media, or other electronic communication, billboard or other outdoor
335 advertising, or print publication, unless at least 85% of the audience is reasonably expected to be
336 21 years of age or older as determined by reliable and current audience composition data;

337 (3)Advertising, marketing, and branding that utilizes statements, designs, representations,
338 pictures or illustrations that portray anyone younger than 21 years old;

339 (4)Advertising, marketing, and branding including, but not limited to, mascots, cartoons,
340 brand sponsorships and celebrity endorsements, that is deemed to appeal to a person younger
341 than 21 years old;

342 (5)Advertising on any billboards, or any other public signage, which fails to comply with
343 all state and local ordinances and requirements;

344 (6)Use of unsolicited pop-up advertisements on the internet or text message;

345 (7)Advertising, marketing or branding, on or in public or private vehicles and at bus
346 stops, taxi stands, transportation waiting areas, train stations, airports, or other similar
347 transportation venues including, but not limited to, vinyl-wrapped vehicles or signs or logos on
348 transportation vehicles or company cars;

349 (8)Any other advertising, marketing, or branding that the commission otherwise deems
350 unacceptable or disruptive to viewer experience.

351 (g) Require all representations concerning winnings to be accurate, not misleading, and
352 capable of substantiation at the time the representation is made; an advertisement is misleading if

353 it makes representations about average winnings without representing the average net winnings
354 of all players.

355 (h) Prohibit licensees under this chapter from advertising in publications or other media
356 in Massachusetts that are aimed at minors;

357 Section 11. Pursuant to section 71 of chapter 23K, the commission shall study issues
358 including, but not limited to: 1) an assessment of whether problem sports wagering is comorbid
359 with problem gambling or gaming; 2) an assessment as to whether the individuals participating
360 in sports wagering are different than those who participate in other forms of gaming or gambling;
361 3) an assessment of the impact of sports wagering on youth under the age of 25; and 4) an
362 assessment of the impact of sports wagering on college athletics and professional sports.

363 Section 12. The commission shall establish and facilitate a confidential integrity helpline
364 for players, athletes, coaches, employees of a sports organization, employees of a sports pool
365 operator, and members of the general public to report allegations of potential violations of this
366 act. There shall be a helpline phone number prominently displayed on the commission website
367 and incorporated into public service announcements, displays and marketing mediums to ensure
368 widest dissemination and availability.

369 Section 13. A sports pool operator or sports organization may not discharge, demote,
370 suspend, threaten, harass, or in any other manner discriminate against an employee because of
371 any lawful act done by the employee to provide information, cause information to be provided,
372 or otherwise assist in an investigation regarding any conduct which the employee reasonably
373 believes constitutes a violation of this act.

374 Section 14. Enforcement and penalties under this section shall be pursuant to sections 6
375 and 35, 36, 37, 38, 39, 40, 41, 42 and 43 of chapter 23K.

376 Section 15. Winnings from sports wagering shall be subject to sections 51 and 52 of
377 chapter 23K.

378 Section 16.

379 (a)All Category S licensees shall pay a monthly tax of 10 percent on gross sports
380 wagering revenue on sports wagers received in person at a licensed facility;

381 (b)All Category S licensees shall pay a monthly tax of 12 percent on gross sports
382 wagering revenue on sports wagers received through electronic means not on site at a licensed
383 facility;

384 (c)The operator of fantasy contests as defined in section 135 of chapter 219 of the acts of
385 2016 shall pay a tax of 12 percent on revenue from fantasy contests that shall be remitted to the
386 commission no less frequently than monthly by the operator;

387 (d)There shall be established a separate fund to be known as the Collegiate Health,
388 Wellness and Education Fund. Five percent of sports wagering revenue shall be deposited into
389 the Collegiate Health, Wellness and Education Fund annually to educate student athletes on
390 relevant sports wagering regulations, the procedures for reporting a violation of those
391 regulations, and for the protection of the student athletes reporting such violations. All remaining
392 funds under this section shall be deposited into the Gaming Revenue Fund established 59 of
393 Chapter 23K.

394 (e) There shall be established a separate fund to be known as the Commonwealth
395 Economic Recovery Fund to be administered by the executive office of housing and economic
396 development. One hundred percent of the application fees established under proposed Chapter
397 23N section 5 (b)(4), section 6 (b)(4), and section 7 (b)(4), , additionally one hundred percent of
398 the initial licensing fee established under proposed Chapter 23N section 5 (c)(1), section 6 (c)(1),
399 and section 7 (c)(1), shall be deposited into the Commonwealth Economic Recovery fund
400 annually for the first two years after initial licenses are issued. Said fund shall provide grants to
401 municipalities in a manner determined by the secretary of housing and economic development.

402 SECTION 2. Section 2 of chapter 271 of the general laws is hereby amended in line 4, by
403 striking out “except as permitted under chapter 23k” and inserting in its place thereof the
404 following:- “except as permitted under chapters 23K or 23N”.

405 SECTION 3. Section 3 of chapter 271 of the general laws is hereby amended, in line 1,
406 by striking out “Except as permitted under chapter 23K” and inserting in its place thereof the
407 following:- “Except as permitted under chapters 23K or 23N.”

408 SECTION 4. Section 5 of chapter 271 of the general laws is hereby amended, in line 1,
409 by striking out “except as permitted under chapter 23K” and inserting in its place thereof the
410 following:- “except as permitted under chapters 23K or 23N.”

411 SECTION 5. Section 5B of chapter 271 of the general laws is hereby amended, in
412 line584, by striking out “under chapter 23K” and inserting in its place thereof the following:-
413 “under chapters 23K or 23N.”

414 SECTION 6. Section 8 of chapter 271 of the general laws is hereby amended, by striking
415 out lines 10-11 and inserting in its place thereof the following:- “other gaming or wagering that
416 is not being conducted pursuant to chapters 23K or 23N.”

417 SECTION 7. Section 17A of Chapter 271 of the general laws is hereby amended by
418 striking line 16 and inserting in its place the following:- “authorized pursuant to the provisions of
419 chapters 23K, 23N or section 5C of chapter 128A.”

420 SECTION 8. Section 16 (e) of proposed chapter 23N is hereby repealed

421 SECTION 9. Section 8 shall take effect on December 31, 2022 or two years after the
422 issuance of licenses established under this act.