



October 31, 2022

The Honorable Ronald Mariano
Speaker of the House
Ronald.Mariano@mahouse.gov

Re: Agency Filing; HB5047/ Chapter 128 of the Acts of 2022

Dear Speaker Mariano,

The Massachusetts Gaming Commission (Commission) submits the proposed legislation below for consideration during the 193rd Annual Session.

The Commonwealth's racing laws have historically expired annually, with the most recent expiration set for July 31, 2023 through the extension granted by HB5047 (signed into law as Chapter 128 of the Acts of 2022 on August 2, 2022.) The Commission appreciates early action in extending the deadline to ensure the racing industry in the Commonwealth, including simulcasting, continues without disruption. The Commission expresses gratitude for the proactive efforts related to HB5047 and previous iterations of the bill, and urges the Legislature to consider safeguarding the Commonwealth's racing industry further by enacting the continuation of the racing law for three years as opposed to one. As such, the proposed legislation indicates an expiry date of July 31, 2026.

As the Commonwealth's legislative process allows, the Commission is submitting this proposed legislation in accordance with the Agency Filing period deadline and guidelines.

Respectfully submitted,

MASSACHUSETTS GAMING COMMISSION

Handwritten signature of Cathy Judd-Stein in black ink.

Cathy Judd-Stein, Chair

Handwritten signature of Eileen M. O'Brien in black ink.

Eileen M. O'Brien, Commissioner

Handwritten signature of Bradford R. Hill in blue ink.

Bradford R. Hill, Commissioner

Handwritten signature of Nakisha L. Skinner in black ink.

Nakisha L. Skinner, Commissioner



Jordan M. Maynard, Commissioner

Submitted to: House Clerk's Office, house.clerk@mahouse.gov on November 2, 2022

An Act to further regulate horse racing.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to further regulate simulcasting, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION A1. Chapter 128C of the General Laws is hereby amended by adding the following section:-

Section 9. Notwithstanding sections 1 to 8, inclusive, or any other general or special law to the contrary, no racing meeting licensee, including a licensee holding racing meetings in connection with a state or county fair, as defined in section 1 of chapter 128A, shall simulcast or accept a simulcast wager on greyhound dog racing.

SECTION 1. The first paragraph of section 12A of chapter 494 of the acts of 1978 is hereby amended by striking out the words "and until July 31, 2023", inserted by section 1 of chapter 128 of the Acts of 2022, and inserting in place thereof the following words:- and until July 31, 2026.

SECTION 2. The last paragraph of said section 12A of said chapter 494 is hereby amended by striking out the words "July 31, 2023", inserted by section 2 of said chapter 128, and inserting in place thereof the following words:- July 31, 2026.

SECTION 3. The introductory paragraph of section 13 of said chapter 494 is hereby amended by striking out the words "and until July 31, 2023", inserted by section 3 of said chapter 128, and inserting in place thereof the following words:- and until July 31, 2026.

SECTION 4. Section 15 of said chapter 494 is hereby amended by striking out the words "and until July 31, 2023", inserted by section 4 of said chapter 128, and inserting in place thereof the following words:- and until July 31, 2026.

SECTION 5. The first paragraph of section 9 of chapter 277 of the acts of 1986 is hereby amended by striking out the words "and until July 31, 2023", inserted by section 5 of said chapter 128, and inserting in place thereof the following words:- and until July 31, 2026.

SECTION 6. The first sentence of the first paragraph of section 3 of chapter 114 of the acts of 1991 is hereby amended by striking out the words "and until July 31, 2023", inserted by section 6 of said chapter 128, and inserting in place thereof the following words:- and until July 31, 2026.

SECTION 7. The last paragraph of said section 3 of said chapter 114 is hereby amended by striking out the words "July 31, 2023", inserted by section 7 of said chapter 128, and inserting in place thereof the following words:- July 31, 2026.

SECTION 8. The first paragraph of section 4 of said chapter 114 is hereby amended by striking out the words

“and until July 31, 2023”, inserted by section 8 of said chapter 128, and inserting in place thereof the following words:- and until July 31, 2026.

SECTION 9. The last paragraph of said section 4 of said chapter 114 is hereby amended by striking out the words “July 31, 2023”, inserted by section 9 of said chapter 128, and inserting in place thereof the following words:- July 31, 2026.

SECTION 10. The first paragraph of section 5 of said chapter 114 is hereby amended by striking out the words “and until July 31, 2023”, inserted by section 10 of said chapter 128, and inserting in place thereof the following words:- and until July 31, 2026.

SECTION 11. Section 45 of chapter 139 of the acts of 2001 is hereby amended by striking out the words “July 31, 2023”, inserted by section 11 of said chapter 128, and inserting in place thereof the following words:- July 31, 2026.

SECTION 12. Section 20 of chapter 449 of the acts of 2006 is hereby amended by striking out the words “July 31, 2023”, inserted by section 12 of said chapter 128, and inserting in place thereof the following words:- July 31, 2026.

SECTION 13. Section 92 of chapter 194 of the acts of 2011 is hereby amended by striking out the words “July 31, 2023”, inserted by section 13 of said chapter 128, and inserting in place thereof the following words:- July 31, 2026.

SECTION 14. Section 112 of said chapter 194 is hereby amended by striking out the words “July 31, 2023”, inserted by section 14 of said chapter 128, and inserting in place thereof the following words:- July 31, 2026.

SECTION 15. Section 74 of chapter 10 of the acts of 2015 is hereby amended by striking out the words “July 31, 2023”, inserted by section 15 of said chapter 128, and inserting in place thereof the following words:- July 31, 2026.

SECTION 16. Section 17 of chapter 128 of the Acts of 2022 is hereby repealed.

SECTION 17. Notwithstanding section 2 of chapter 128A of the General Laws and sections 1, 2, 2A and 4 of chapter 128C of the General Laws or any other general or special law to the contrary, the running race horse meeting licensee located in Suffolk county licensed to conduct live racing pursuant to said chapter 128A and simulcast wagering pursuant to said chapter 128C in calendar year 2022 shall remain licensed as a running horse racing meeting licensee until July 31, 2026 and shall remain authorized to conduct simulcast wagering pursuant to said chapter 128C until July 31, 2026; provided, however, that the days between the effective date of this act and July 31, 2026 shall be dark days pursuant to said chapter 128C and the licensee shall be precluded from conducting live racing during that period unless it applies for and is granted a supplemental live racing license pursuant to said chapter 128A; provided further, that all simulcasts shall comply with the Interstate Horse Racing Act of 1978, 15 U.S.C. 3001 et seq. or other applicable federal law; provided further, that all simulcasts from states which have racing associations that do not require approval in compliance with the Interstate Horse Racing Act of 1978, 15 U.S.C. 3004(a)(1)(A) shall require the approval of the New England Horsemen’s Benevolent & Protective Association prior to being simulcast to a racing meeting licensee within the commonwealth; and provided further, that if the association agrees to approve the simulcast for 1 racing meeting licensee, it shall approve the simulcast for all otherwise eligible racing meeting licensees.

SECTION 18. Section A1 shall take effect on August 1, 2023.

