

HOUSE No. 361

The Commonwealth of Massachusetts

PRESENTED BY:

Adrian C. Madaro

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 extending simulcasting and horse racing authorization.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>	<i>1/20/2023</i>

HOUSE No. 361

By Representative Madaro of Boston, a petition (accompanied by bill, House, No. 361) of Adrian C. Madaro relative to extending simulcasting and horse racing authorization. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act extending simulcasting and horse racing authorization.

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. The first paragraph of section 12A of chapter 494 of the acts of 1978 is
2 hereby amended by striking out the words “and until July 31, 2023”, inserted by section 1 of
3 chapter 128 of the acts of 2022, and inserting in place thereof the following words:- and until
4 July 31, 2028.

5 SECTION 2. The last paragraph of said section 12A of said chapter 494 is hereby
6 amended by striking out the words “July 31, 2023”, inserted by section 2 of said chapter 128, and
7 inserting in place thereof the following words:- July 31, 2028.

8 SECTION 3. The introductory paragraph of section 13 of said chapter 494 is hereby
9 amended by striking out the words “and until July 31, 2023”, inserted by section 3 of said
10 chapter 128, and inserting in place thereof the following words:- and until July 31, 2028.

11 SECTION 4. Section 15 of said chapter 494 is hereby amended by striking out the words
12 “and until July 31, 2023”, inserted by section 4 of said chapter 128, and inserting in place thereof
13 the following words:- and until July 31, 2028.

14 SECTION 5. The first paragraph of section 9 of chapter 277 of the acts of 1986 is hereby
15 amended by striking out the words “and until July 31, 2023”, inserted by section 5 of said
16 chapter 128, and inserting in place thereof the following words:- and until July 31, 2028.

17 SECTION 6. The first sentence of the first paragraph of section 3 of chapter 114 of the
18 acts of 1991 is hereby amended by striking out the words “and until July 31, 2023.”, inserted by
19 section 6 of said chapter 128, and inserting in place thereof the following words:- and until July
20 31, 2028.

21 SECTION 7. The last paragraph of said section 3 of said chapter 114 is hereby amended
22 by striking out the words “July 31, 2023”, inserted by section 7 of said chapter 128, and inserting
23 in place thereof the following words:- July 31, 2028.

24 SECTION 8. The first paragraph of section 4 of said chapter 114 is hereby amended by
25 striking out the words “and until July 31, 2023”, inserted by section 8 of said chapter 128, and
26 inserting in place thereof the following words:- and until July 31, 2028.

27 SECTION 9. The last paragraph of said section 4 of said chapter 114 is hereby amended
28 by striking out the words “July 31, 2023”, inserted by section 9 of said chapter 128, and inserting
29 in place thereof the following words:- July 31, 2028.

30 SECTION 10. The first paragraph of section 5 of said chapter 114 is hereby amended by
31 striking out the words “and until July 31, 2023, inserted by section 10 of said chapter 128, and
32 inserting in place thereof the following words:- and until July 31, 2028.

33 SECTION 11. Section 45 of chapter 139 of the acts of 2001 is hereby amended by
34 striking out the words “July 31, 2023”, inserted by section 11 of said chapter 128, and inserting
35 in place thereof the following words:- July 31, 2028.

36 SECTION 12. Section 20 of chapter 449 of the acts of 2006 is hereby amended by
37 striking out the words “July 31, 2023”, inserted by section 12 of said chapter 128, and inserting
38 in place thereof the following words:- July 31, 2028.

39 SECTION 13. Section 92 of chapter 194 of the acts of 2011 is hereby amended by
40 striking out the words “July 31, 2023”, inserted by section 13 of said chapter 128, and inserting
41 in place thereof the following words:- July 31, 2028.

42 SECTION 14. Section 112 of said chapter 194 is hereby amended by striking out the
43 words “July 31, 2023”, inserted by section 14 of said chapter 128, and inserting in place thereof
44 the following words:- July 31, 2028

45 SECTION 15. Section 74 of chapter 10 of the acts of 2015 is hereby amended by striking
46 out the words “July 31, 2023”, inserted by section 15 of said chapter 128, and inserting in place
47 thereof the following words:- July 31, 2028.

48 SECTION 16. Section 17 of said chapter 128 is hereby repealed.

49 SECTION 17. Notwithstanding section 2 of chapter 128A of the General Laws, sections
50 1, 2, 2A and 4 of chapter 128C of the General Laws, section 6 of chapter 173 of the acts of 2022

51 or section 9 of chapter 128C of the General Laws to be inserted by said section 6, or any other
52 general or special law to the contrary, the running race horse meeting licensee located in Suffolk
53 county licensed to conduct live racing pursuant to said chapter 128A and simulcast wagering
54 pursuant to said chapter 128C in calendar year 2023 shall remain licensed as a running horse
55 racing meeting licensee and shall remain authorized to conduct simulcast wagering pursuant to
56 said chapter 128C, without any requirement to conduct live racing, until the later of July 31,
57 2028 or the expiration of the term of a category 2 license held by such licensee as of July 31,
58 2028 or any renewal thereof; provided, however, that the days between January 1, 2023 and
59 December 31, 2028 shall be dark days pursuant to said chapter 128C and the licensee shall be
60 precluded from conducting live racing during that period unless it applies for and is granted a
61 supplemental live racing license pursuant to said chapter 128A; provided further that the licensee
62 shall not simulcast or accept a wager on greyhound dog racing on or after August 1, 2023;
63 provided further, that all simulcasts shall comply with the Interstate Horse Racing Act of 1978,
64 15 U.S.C. 3001 et seq. or other applicable federal law; provided further, that all simulcasts from
65 states which have racing associations that do not require approval in compliance with the
66 Interstate Horse Racing Act of 1978, 15 U.S.C. 3004(a)(1)(A) shall require the approval of the
67 New England Horsemen's Benevolent & Protective Association prior to being simulcast to a
68 racing meeting licensee within the commonwealth; and provided further, that if the association
69 agrees to approve the simulcast for 1 racing meeting licensee, it shall approve the simulcast for
70 all otherwise eligible racing meeting licensees.

71 SECTION 18. Section 5 of chapter 128A of the General Laws is amended in subsection
72 (g) by striking out the words “for the conduct of racing” and inserting in place thereof the

73 following words:- for the conduct of racing, simulcasting under chapter 128C or sports wagering
74 under chapter 23N.

75 SECTION 19. Notwithstanding any general or special law to the contrary, the expiration
76 or repeal of Chapter 128A or Chapter 128C of the General Laws or any other law related to
77 racing or simulcasting, or any resulting cessation of simulcasting by the holder of a category 2
78 license for sports wagering under chapter 23N of the General Laws, shall not be cause for
79 suspension or termination of or other adverse effect on said category 2 license, and the holder of
80 such a category 2 license shall be deemed for purposes of Chapter 23N to be authorized by law
81 to conduct simulcasting for the duration of the term of the category 2 license and any renewal
82 thereof.