

HOUSE No. 356

The Commonwealth of Massachusetts

PRESENTED BY:

Leigh Davis, (BY REQUEST)

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 concerning horse racing and simulcasting within the Commonwealth of Massachusetts.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Janel Munoa</i>		<i>1/17/2025</i>

HOUSE No. 356

By Representative Davis of Great Barrington (by request), a petition (accompanied by bill, House, No. 356) of Janel Munoa relative to horse racing or simulcasting licensing in cities and towns. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act concerning horse racing and simulcasting within the Commonwealth of Massachusetts.

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 purpose of this legislation is to ensure that the citizens of
2 Massachusetts have the opportunity to decide whether horse racing or simulcasting shall be
3 licensed in their City or Town.

4 SECTION 2. For purposes of this Act, “horse racing” shall mean every meeting where
5 horses are raced for speed and “simulcast location” or “simulcast facility” shall mean any
6 location where any form of betting on the speed or ability of horses is permitted.

7 SECTION 3. (a) Except as provided in this section, there shall be no license for a horse
8 racing or a simulcast location in any City or Town other than those already licensed and
9 operating as of January 1, 2025.

10 (b) Notwithstanding the provisions of M.G.L. c. 128C, section 13A of M.G.L. c. 128A,
11 section 33 of M.G.L. c. 271, nor any other general or special law to the contrary, there shall be
12 no license granted by the Massachusetts Gaming Commission nor any other state or local

13 commission or agency, for horse racing other than the current licensee in the Town of Plainville,
14 and no simulcast facility other than those licensed and in operation on January 1, 2025, unless or
15 until each of the following conditions has been met prior to any application being submitted to
16 the Gaming Commission for such license.

17 (c) The following shall be condition precedent to any consideration by a City or Town
18 for the approval of a location for horse racing and/or simulcasting:

19 (i) The proponent seeking such approval shall provide the Host City Council or Town
20 Executive Body (hereafter “Select Board”) with the following documents:

21 Economic Impact Study; Community Impact Study; and Traffic Study and Mitigation
22 Plan for the proposed facility. Such studies to consider the impact on abutting communities as
23 well as the host community.

24 A Proposed Host Community Agreement.

25 For horse racing: An engineered plan of the proposed track, stables, buildings, parking,
26 all facilities required by the Massachusetts Gaming Commission, and all planned amenities.

27 For horse racing: A survey of the proposed location(s) that includes a delineation of all
28 wetlands and all areas subject to the Wetlands Protection Act.

29 (ii) The Proponent shall make the above required plans and documents readily accessible
30 and available to the public at a location in the Host City or Town, as well as online, at the time
31 each is provided to the City or Town government.

32 (d) Once the City Council or Town Select Board receives all of the above documents and
33 plans, it shall meet to decide whether to move forward. No further action shall be taken unless

34 said Council or Board votes to go to the next step. If the Council or Board votes to move
35 forward with consideration of the application, it shall schedule at least one public hearing to give
36 the proponent an opportunity to present its plan and to provide for public comment. At such
37 public hearing, the public shall be provided a minimum of two hours for comments, or the same
38 number of minutes to speak as the proponent or its agents use at such hearing for its presentation
39 and other commentary, whichever is greater.

40 (e) The Proponent shall publish notice of any public hearing and the proposed plan and
41 track location twice prior to such public hearing; once at least 60 days before the hearing, and the
42 other at least 30 and no less than 10 days prior to such hearing;

43 (f) After said public hearing(s), no further action shall be taken on such application
44 unless the City Council or Town Select Board votes to begin negotiations for a Host Community
45 Agreement with the Proponent. All such deliberations and negotiations related to horse racing or
46 simulcasting shall be held in public, with liberal opportunity for public comment.

47 (g) No vote to approve a Host Community Agreement or horse racing or simulcast
48 location shall be taken by the City Council or Town Select Board before said location and any
49 plan for racing has been approved by the City or Town Planning Board, Conservation
50 Commission, and Board of Health, after public meetings and the opportunity for public input.
51 The Planning Board and the Conservation Commission shall each hold at least one public
52 hearing before any approval.

53 (h) The City Council or Select Board, or the Planning Board or Conservation
54 Commission, may request a peer review of any plan or study or survey. The cost of such peer
55 review shall be borne by the Proponent.

56 (i) If, subsequent to all public hearings and approval by the Planning Board,
57 Conservation Commission, and Board of Health, the City Council/Town Select Board approves a
58 Host Community Agreement and approves the location and project, then such approval shall not
59 take effect unless ratified by citizen ballot, and also by Town Meeting in any Town.

60 (j) The approval in a City or Town of a horse racing or simulcasting location and plan,
61 approval of a Host Community Agreement, as well as all necessary ratification votes, shall all be
62 in the same calendar year, and shall all be concluded prior to November 15 of said calendar year.

63 SECTION 4. Notwithstanding the above, the Massachusetts Gaming Commission shall
64 not approve any license for horse racing if, prior to the Commission's initial approval vote, the
65 City Council or Town Meeting of any abutting City or Town votes to oppose the issuance of
66 such license.

67 SECTION 5. This act shall take effect upon its passage.