

**HOUSE . . . . . No. 4431**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***David K. Muradian, Jr.***

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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 internet gaming.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David K. Muradian, Jr.</i>	<i>9th Worcester</i>	<i>1/16/2025</i>

**HOUSE . . . . . No. 4431**

By Representative Muradian of Grafton, a petition (accompanied by bill, House, No. 4431) of David K. Muradian, Jr., relative to internet gaming. Economic Development and Emerging Technologies.

**The Commonwealth of Massachusetts**

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

An Act relative to internet gaming.

*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 General Laws are hereby amended by inserting after chapter 23N the  
2 following chapter:-

3 CHAPTER 23O.

4 INTERNET GAMING.

5 Section 1. The general court hereby finds and declares that:

6 (1) it is in the best interests of the commonwealth for the commonwealth to operate  
7 internet gaming and that it is the intent of the general court to authorize internet gaming within  
8 the commonwealth and through reciprocal agreements with other approved jurisdictions;

9 (2) illegal internet gaming channels operating throughout the United States pose a critical  
10 threat to the safety and welfare of the citizens of the commonwealth and that a secure and highly

11 regulated policy framework will protect the public and positively benefit state revenues and the  
12 commonwealth's economy;

13 (3) the most effective and efficient manner in which the commonwealth can operate and  
14 regulate the forms of internet gaming authorized by the provisions of this chapter is to limit the  
15 number of authorized operators to those who are licensed;

16 (4) the granting of licenses pursuant to the provisions of this chapter, while maintaining  
17 all ownership rights and exercising control through strict regulation of all internet wagering  
18 authorized by the provisions of this chapter, constitutes an appropriate exercise by the general  
19 court of the power granted it by the commonwealth; and

20 (5) the operation of internet wagering in conjunction with brick-and-mortar casinos  
21 serves to protect, preserve, promote, and enhance the tourism industry of the commonwealth as  
22 well as the general fiscal well-being of the commonwealth and its subdivisions.

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

25 "Adjusted gross revenue", the total of all sums actually received by an internet gaming  
26 operator from internet gaming operations less the total of all sums paid out as winnings to  
27 patrons.

28 "Commission", the Massachusetts gaming commission established under section 3 of  
29 chapter 23K.

30 "Internet game", an internet-based game conducted on a computer, mobile device or any  
31 other internet device, in which a patron wagers money for the opportunity to win money or

32 something of monetary value. Authorized internet games include, but are not limited to, poker,  
33 blackjack, craps, roulette, cards, slots, progressives, jackpots, game show style games, games  
34 driven by a random number generator or remote gaming service, peer-to-peer and skill-based  
35 games or any other games substantially equivalent to those typically offered at a casino, and any  
36 other game approved by the commission.

37 "Internet gaming", the business of accepting monetary wagers on internet games via  
38 approved gaming operations that are conducted online in accordance with regulations via a  
39 computer, a laptop, a game console, a tablet, a mobile phone or any other digital device that has  
40 internet access and game play capabilities.

41 "Internet gaming account", an account established by a patron for the deposit and  
42 withdrawal of funds used for internet gaming. A patron may deposit by methods approved by the  
43 commission and withdraw funds for internet gaming and other authorized purchases, and to  
44 which the operator may credit winnings or other amounts due to or authorized by that patron;  
45 provided, however, that such account may be established, verified and funded by the patron  
46 remotely through an approved internet gaming platform, and the patron may be permitted to use  
47 the same account to participate in internet gaming and mobile or digital sports wagering with an  
48 operator licensed to conduct both internet gaming and mobile or online sports wagering.

49 "Internet gaming brand", the names, logos and brands that an internet gaming operator  
50 holds out to the public as its internet gaming platform.

51 "Internet gaming operator", a party or parties licensed by the commission to operate  
52 internet gaming.

53 "Internet gaming platform", the combination of hardware and software or other  
54 technology designed and used to manage, conduct and record internet gaming and the wagers  
55 associated with internet gaming.

56 "Internet gaming skin", a distinctly branded internet gaming platform operated by an  
57 internet gaming operator, which may encompass a website, mobile application or other portal to  
58 the internet gaming platform. The brand may be that of the internet gaming licensee or its  
59 affiliate, the internet gaming management vendor or another brand as agreed upon by the internet  
60 gaming licensee and its internet gaming management vendor.

61 "Live dealer internet game", an internet game, typically offered in a casino or any other  
62 game approved by the commission, conducted by a gaming attendant or gaming equipment or  
63 both, in a live internet game studio in which video is streamed to an internet gaming platform  
64 and patrons have the ability to communicate game decisions through the internet gaming  
65 platform, and may be permitted to interact with game attendants and fellow patrons.

66 "Live internet game studio", a physical location in the commonwealth or in a permissible  
67 jurisdiction in accordance with a multi-state internet gaming agreement, which utilizes live video  
68 and audio streaming technology to provide an internet gaming licensee with a live internet game  
69 simulcast.

70 "Online sweepstakes game", any game, contest or promotion, in which a prize is awarded  
71 based on chance, that is available on the internet and accessible on a mobile phone, computer  
72 terminal or similar access device, that utilizes a dual-currency system of payment allowing the  
73 player to exchange the currency for any prize or award or cash or cash equivalents, and simulates

74 casino-style gaming, including but not limited to, slot machines, video poker, and table games,  
75 lottery games and sports wagering.

76 "Permissible jurisdiction", a jurisdiction other than this commonwealth from which  
77 wagers on internet gaming may be accepted pursuant to a multi-state internet gaming agreement.

78 Section 3. (a) The commission shall have exclusive jurisdiction to issue, renew, revoke or  
79 suspend internet gaming licenses, conduct investigations, impose sanctions and govern all  
80 aspects of internet gaming operations in the commonwealth.

81 (b) The commission shall promulgate rules and regulations necessary for the  
82 implementation, administration and enforcement of this chapter. The commission may  
83 promulgate emergency rules and regulations in accordance with applicable procedures for the  
84 promulgation of emergency rules and regulations.

85 (c) The commission shall promulgate regulations to prohibit: (1) the purchase or other  
86 use of any personal biometric data for internet gaming or aiding a patron in placing a wager with  
87 internet gaming operators; (2) the following advertising, marketing and branding activities: (i)  
88 advertisements, marketing and branding in such a manner that it is deceptive, false, misleading  
89 or untrue or tends to deceive or create a misleading impression whether directly or by ambiguity  
90 or omission; (ii) use of unsolicited pop-up advertisements on the internet or by text message  
91 directed to an individual on the list of self-excluded persons; (iii) any form of advertising,  
92 marketing or branding that the commission deems unacceptable or disruptive to the viewer  
93 experience; (iv) advertising, marketing and branding deemed to appeal directly to a person  
94 younger than 21 years old; and (v) advertising on any billboards or any other public signage,  
95 which fails to comply with any federal, state or local law.

96           Section 4. The commission shall have the power to: (1) hold hearings, administer oaths,  
97 issue subpoenas or subpoenas duces tecum and compel production of records or other documents  
98 and testimony of witnesses whenever, in the judgment of the commission, it is necessary; (2)  
99 promulgate rules which may include, but are not limited to, those governing the acceptance of  
100 wagers on internet games; maximum wagers which may be accepted by an operator from any  
101 one patron on any one internet game; method of accounting to be used by operators; types of  
102 records which shall be kept; protections for patrons placing wagers and enforcement of  
103 responsible gaming measures; (3) compel any person licensed by the commission to file such  
104 data, documents and information as shall appear to the commission to be necessary for the  
105 performance of the duties under this chapter, including, but not limited to, financial statements;  
106 (4) enter into arrangements with any state or state government agency for the purposes of  
107 exchanging information, entering into multi-state internet gaming agreements or performing any  
108 other act to better ensure the proper conduct of internet gaming under this chapter; and (5) be  
109 funded by the legalized internet gaming operations which it is charged with regulating, through  
110 the receipt of application fees, licensing fees, monetary fines imposed for regulatory infractions,  
111 proportional assessments or other mechanisms for equitable reimbursement of regulatory costs,  
112 and may receive governmental appropriations as may be necessary to carry out its duties and  
113 responsibilities.

114           Section 5. The commission shall establish and maintain a code of ethics governing its  
115 specific needs to apply to all members and employees of the commission. Members and  
116 employees of the commission and their spouses and cohabitants shall be prohibited from  
117 wagering on internet gaming in the commonwealth.

118           Section 6. (a) It shall be unlawful for any person to offer or accept internet gaming  
119 wagers in this commonwealth without a valid internet gaming operator license.

120           (b) The commission shall issue an internet gaming license to any holder of a gaming  
121 license under chapter 23K that meets the requirements of this chapter and the regulatory  
122 framework of the commission. A holder of an internet gaming license may offer internet gaming  
123 via internet gaming platforms. A holder of an internet gaming license may contract with gaming  
124 platform providers by issuing up to 3 internet gaming skins to gaming platform providers. The  
125 internet gaming platforms shall not be required to be branded or co-branded with the brand of the  
126 holder of the internet gaming license. Furthermore, the licensee may offer their platform under  
127 multiple internet gaming brands.

128           (c) Upon application by a gaming licensee and payment of a \$100,000 application fee, the  
129 commission shall grant an internet gaming license to an operator that provides for the right to  
130 conduct internet gaming in the commonwealth.

131           (d) Each applicant for an internet gaming skin shall meet all requirements for licensure  
132 and pay a nonrefundable license and application fee of \$50,000. The commission may adopt  
133 rules establishing additional requirements for an authorized skin holder. The commission may  
134 accept licensing by another jurisdiction that it specifically determines to have similar licensing  
135 requirements as evidence of meeting the commission licensing requirements.

136           Section 7. (a) During the first 12 months after the effective date of this chapter, the  
137 commission may issue a temporary internet gaming operator license, subject to the provisions of  
138 this chapter. A temporary internet gaming operator license issued under this chapter shall remain  
139 in effect until the earlier of the date occurring 12 months after the issuance of the authorization

140 or other date upon which the commission makes a final determination on the person's license.  
141 The effectiveness of a temporary internet gaming operator license may be extended by the  
142 commission, upon showing of good cause, for up to 6 months.

143 (b) A temporary internet gaming operator license shall allow an applicant for an internet  
144 gaming operator license to engage in all functions of internet gaming during the duration of the  
145 temporary internet gaming operator license.

146 (c) A temporary internet gaming operator license may not be issued unless: (1) the  
147 applicant has submitted a complete application for an internet gaming operator license; (2) the  
148 applicant agrees to pay or has paid the internet gaming operator license fee prior to issuance of  
149 the temporary internet gaming license; (3) the commission has completed a preliminary  
150 background investigation of the applicant and any qualifier or key employee of the applicant  
151 determined by the commission to be included in the investigation and found no adverse  
152 information that would impact suitability for licensure; and (4) the applicant holds a plenary  
153 license in good standing to conduct internet gaming issued by a proper authority in another state  
154 or territory of the United States that the commission has determined imposes requirements for  
155 licensure and qualification substantially equivalent to or exceeding the requirements in this  
156 commonwealth.

157 Section 8. (a) It shall be the affirmative responsibility of each applicant and licensee to  
158 establish by clear and convincing evidence the applicant's or licensee's individual qualifications,  
159 and for an internet gaming operator licensee, the qualifications of each person who is required to  
160 be qualified under this chapter.

161 (b) All applicants shall pay a non-refundable application fee in an amount prescribed by  
162 regulation.

163 (c) An applicant for licensure is required to demonstrate by clear and convincing  
164 evidence that the applicant, and all of its qualifiers, has good character, honesty and integrity,  
165 and financial stability, integrity and responsibility.

166 (d) The officers, directors, persons holding directly or indirectly greater than 5 per cent  
167 ownership interest in an internet gaming operator applicant or licensee, any person having  
168 significant influence or control over internet gaming operations, and any other person who the  
169 commission designates as appropriate for qualification, shall be required to be qualified under  
170 this chapter.

171 (e) The officers and directors of an applicant's or licensee's parent companies and persons  
172 holding directly or indirectly greater than 5 per cent ownership interest in a parent company of an  
173 internet gaming operator applicant or licensee shall be required to be qualified under this chapter.

174 (f) Any applicant, licensee, registrant or any other person who must be qualified pursuant  
175 to this chapter shall provide all information required and satisfy all requests for information  
176 pertaining to qualification and in the form specified by regulation.

177 (g) All applicants, licensees, registrants and persons who must be qualified pursuant to  
178 this chapter shall waive liability as to the commonwealth and its instrumentalities and agents, for  
179 any damages resulting from any disclosure or publication in any manner, other than a willfully  
180 unlawful disclosure or publication, of any material or information acquired during inquiries,  
181 investigations or hearings.

182 (h) All applicants, licensees, registrants and persons who must be qualified pursuant to  
183 this chapter shall have the continuing duty to provide any assistance or information required by  
184 the commission, and to cooperate in any inquiry, investigation or hearing conducted by the  
185 commission.

186 (i) All applicants, registrants, qualifiers or licensees shall pay the costs of all background  
187 investigations, as applicable.

188 (j) No internet gaming operator license shall be issued unless all persons designated as  
189 qualifiers by the commission have been found qualified under this chapter and are not  
190 disqualified by reason of any disqualification criteria in this chapter.

191 Section 9. An internet gaming operator license application shall be denied if: (1) the  
192 applicant or any person required to be found suitable under this chapter or regulation has been  
193 convicted of a felony or an offense involving embezzlement, theft, fraud or perjury within the  
194 past 10 years in any jurisdiction, unless the conviction has been expunged by a court of  
195 competent jurisdiction; (2) the commission determines by clear and convincing evidence that the  
196 applicant or any person required to be found suitable under this chapter or regulation has  
197 committed a felony or an offense involving embezzlement, theft, fraud or perjury within the past  
198 10 years in any jurisdiction even if such conduct has not been prosecuted or, if prosecuted, has  
199 been terminated in a manner other than with a conviction; (3) the applicant has intentionally  
200 provided material information on the application that is untruthful, misleading or inaccurate; or  
201 (4) the applicant has failed to cooperate with the background investigation.

202 Section 10. (a) No person shall be employed by or perform services for an internet  
203 gaming operator unless the person has been licensed or registered in accordance with procedures

204 and standards established by the commission. The commission shall designate by regulation  
205 which positions require a key employee license or an employee registration.

206 (b) An applicant for a key employee license shall establish its individual qualifications,  
207 including good character, honesty and integrity and financial stability, integrity and  
208 responsibility by clear and convincing evidence.

209 (c) The commission shall deny an application for a key employee license or revoke a key  
210 employee license if the applicant or licensee is disqualified from licensure by any of the  
211 following: (1) has been convicted of a felony or other crime involving embezzlement, theft, fraud  
212 or perjury within the past 10 years; (2) submitted an application for a license that willfully,  
213 knowingly or intentionally contains false or misleading information; (3) committed prior acts  
214 which have not been prosecuted or in which the applicant was not convicted, but form a pattern  
215 of misconduct that makes the applicant unsuitable for a license; or (4) has affiliates or close  
216 associates including members of organized crime and other persons of disreputable character,  
217 that would not qualify for a license or whose relationship with the applicant may pose an  
218 injurious threat to the interests of the public in awarding a gaming license to the applicant.

219 (d) The commission shall deny or revoke an employee registration if the person is  
220 disqualified by any of the following: (1) has been convicted of a felony or other crime involving  
221 embezzlement, theft, fraud or perjury in the past 10 years; (2) submitted a registration form that  
222 willfully, knowingly or intentionally contains false or misleading information; (3) committed  
223 prior acts which have not been prosecuted or in which the registrant was not convicted, but form  
224 a pattern of misconduct that makes the registrant unsuitable; or (4) has affiliates or close  
225 associates, including members of organized crime and other persons of disreputable character,

226 that would not qualify for a license or whose relationship with the applicant may pose an  
227 injurious threat to the interests of the public in awarding a registration to the applicant.

228 Section 11. (a) It shall be unlawful for any person to provide services, goods, software or  
229 other components for offering internet games under this chapter, to any internet gaming operator  
230 or provider without first obtaining a valid internet gaming supplier license.

231 (b) A non-refundable application fee of \$15,000 shall apply to all internet gaming  
232 supplier applicants.

233 (c) A person who conducts business, directly or indirectly, with an internet gaming  
234 license applicant or gaming licensee for provision of goods or services that directly relates to  
235 internet gaming, including, but not limited to, a person who does any of the following, shall be  
236 required to obtain a valid internet gaming supplier license: (1) manufactures, sells, leases,  
237 supplies or distributes devices, machines, equipment, accessories or items that: (i) are used in  
238 conducting internet gaming operations; (ii) are used in connection with a game that is played in  
239 internet gaming; (iii) have the capacity to affect the calculation, storage, collection, electronic  
240 security or control of the gaming revenues from internet gaming; (2) provides maintenance  
241 services or repairs internet gaming equipment; (3) provides gaming software systems such as  
242 accounting and patron monitoring systems; (4) serves as an independent testing laboratory; (5)  
243 supplies internet gaming software or systems; (6) manages, controls or administers the internet  
244 games or the bets or wagers associated with the games; (7) provides items or services that the  
245 commission has determined are used in or are incidental to internet gaming; or (8) provides game  
246 content or serves as a game aggregator.

247 (d) Applicants for a supplier license are required to affirmatively demonstrate their good  
248 character, honesty and integrity and their financial stability, integrity and responsibility.

249 (e) The commission shall establish regulations governing the scope of licensing for  
250 suppliers.

251 Section 12. (a) Any license issued pursuant to this chapter shall be valid for a period of 5  
252 years.

253 (b) At least 90 days prior to the expiration of a license, the licensee shall submit a  
254 renewal application as required by the commission.

255 (c) A renewal fee shall be paid as follows: (1) \$100,000 for an internet gaming operator's  
256 license; (2) \$50,000 for an internet gaming platform provider license; and (3) \$15,000 for an  
257 internet gaming supplier license.

258 Section 13. (a) For the privilege of holding a license to operate internet wagering under  
259 this chapter, the commonwealth shall impose and collect 15 per cent of the licensee's adjusted  
260 gross revenue for the operation of internet gaming. This privilege tax is in lieu of all other taxes  
261 and fees imposed on the operation of internet gaming or on the proceeds from the operation of  
262 internet gaming in this commonwealth.

263 (b) The tax levied and collected pursuant to this chapter is due and payable to the  
264 commission in monthly installments on a date to be determined by the commission and in a  
265 payment method as prescribed by the commission.

266 (c) A person who is required to file a return under this chapter must keep a record of all  
267 documents used to determine information the person provides in a return. These records shall be

268 open at all times for inspection by the commission or an authorized representative of the  
269 commission and shall be kept for the applicable period of statute of limitations as set forth under  
270 state law.

271 (d) If the amount of adjusted gross wagering revenue is a negative number for any month,  
272 the internet gaming operator shall carry forward the negative amount to the return filed for the  
273 subsequent month.

274 Section 14. (a) An operator may accept wagers from an individual physically located  
275 within this commonwealth using a mobile or other digital platform or an internet wagering  
276 device, approved by the commission, through the patron's internet wagering account.

277 (b) An internet gaming account may only be opened by an individual 21 years of age or  
278 older.

279 (c) Internet gaming accounts may be established remotely and be capable of depositing  
280 and withdrawing funds remotely.

281 (d) Total deposits by an individual over a 24-hour period shall not exceed \$20,000.

282 (e) Internet gaming operators and platform providers may permit patrons to make  
283 deposits to and withdrawals from internet gaming accounts using the following methods: (1)  
284 online and mobile payment systems that support online money transfers; (2) debit cards; (3)  
285 digital wallets where the provider of the digital wallet provides assurance that a credit card has  
286 not been used to deposit funds into the digital wallet; (4) prepaid cards not purchased with credit  
287 cards; (5) bank wires; (6) cash via casino locations or other approved retail locations; or (7) any  
288 other form approved by the commission.

289 (f) Internet gaming accounts shall meet the following requirements: (1) a patron shall not  
290 have more than one internet gaming account with each internet gaming brand; (2) be registered  
291 in the name of the patron; (3) be established through the internet gaming operator or platform  
292 provider; (4) accounts shall not be transferable; (5) virtual private network or similar technology  
293 that falsifies a patron's physical location is prohibited; (6) collusion, cheating or other unlawful  
294 activity as outlined in state law or by the commission is prohibited; and (7) age-verification  
295 measures are required by the internet gaming operator or platform provider to establish internet  
296 gaming accounts remotely.

297 (g) Internet gaming platforms shall meet the following requirements: (1) age and location  
298 verification mechanisms designed to prevent an individual less than 21 years of age from  
299 establishing an internet wagering account; (2) age and location verification mechanisms to  
300 prevent individuals not physically located within the commonwealth or within a permissible  
301 jurisdiction from establishing an internet wagering account; (3) ensure internet wagering is  
302 limited to transactions that are initiated and received within the commonwealth or a permissible  
303 jurisdiction; (4) verify that an internet wagering patron is physically located within the  
304 commonwealth or permissible jurisdiction when a wager is made; and (5) ensure that proper  
305 payments and refunds are made to patrons expeditiously or in a time period required by  
306 regulation.

307 (h) The commission shall establish rules and conditions for suspension or termination by  
308 the commission or operator of an internet gaming account.

309 Section 15. (a) The commonwealth may enter into reciprocal agreements with  
310 permissible jurisdictions for the conduct of internet gaming, provided such agreements are not

311 inconsistent with federal law and the law of the jurisdiction in which the person placing a wager  
312 is located.

313 (b) An internet gaming operator or platform provider in this commonwealth may accept  
314 internet gaming wagers from persons physically located in a permissible jurisdiction pursuant to  
315 a reciprocal agreement.

316 (c) A reciprocal agreement with a permissible jurisdiction may allow a person physically  
317 located in this commonwealth to place a wager with an internet gaming operator or platform  
318 provider in such permissible jurisdiction.

319 Section 16. (a) The commonwealth hereby creates the Player Health Program to increase  
320 public awareness of problem gambling, promote responsible gaming and provide services for  
321 problem gambling prevention, treatment and recovery services.

322 (b) The commission shall develop and administer the Player Health Program.

323 (c) The Player Health Program Fund is hereby established and consists of the following  
324 funding mechanisms: (1) fees deposited in association with this chapter; (2) money appropriated  
325 to the fund by the legislature; (3) money received from other sources including, but not limited  
326 to, donations or gifts; and (4) a specific percentage of the tax levied on gaming revenue, as set by  
327 regulation.

328 (d) Expenses associated with the Player Health Program Fund shall be paid from money  
329 in the fund.

330 (e) Any money in the fund following expenses in the state fiscal year shall remain in the  
331 fund and shall not revert to the General Fund.

332 (f) The Player Health Program may include the following duties and responsibilities: (1)  
333 development and implementation of awareness campaigns to educate the public on the risks  
334 associated with gambling and the consequences of problem gambling; (2) development and  
335 implementation of treatment programs for individuals with gambling addiction and comorbid  
336 disorders; (3) coordination with other states and their regulatory frameworks to gather  
337 information and implement best practices; (4) contract with public or private entities to assist  
338 with the conducting and implementation of the Player Health Program; and (5) consultation with  
339 national and state entities dedicated to responsible and problem gambling in developing best  
340 practices.

341 Section 17. (a) Each internet gaming operator shall implement a responsible gaming lead  
342 for the commonwealth who shall be responsible for collaborating with the commission in  
343 ensuring at risk patrons are provided responsible gaming information such as community-based  
344 resources and resources available by the operator.

345 (b) The commission shall work with internet gaming operators to designate trained AI  
346 solutions to identify potentially risky or dangerous play based upon a patron's account activity  
347 and previous behavior. Automated triggers should include but not be limited to: (1) total deposits  
348 exceeding a sum specified by the commission in a patron's account over a 24-hour period; (2)  
349 patrons accessing voluntary exclusion program but failing to finalize process; (3) patrons  
350 requesting multiple cool-off periods within a specified time period; (4) continuous cancellations  
351 of withdrawals; (5) abnormal increases in patron's time spent on internet gaming platform  
352 compared to previous weeks; (6) abnormal increases in the amount of wagers during a patron's  
353 sessions; and (7) any automated triggers as approved by the commission.

354 (c) An internet game shall not actively encourage patrons to chase their losses, increase  
355 their bet or increase the amount they have decided to gamble or continue to gamble after they  
356 have indicated that they wish to stop.

357 (d) An internet game shall not include specific features or functions which would allow  
358 the patron to bypass normal gameplay, such as directly accessing a bonus game, by increasing  
359 the amount wagered in order to access a specific feature.

360 (e) An internet game must be capable of allowing a registered patron to establish the  
361 following responsible gaming limits. Any decrease to these limits may not be effective later than  
362 the registered patron's next login. Any increase to these limits must become effective only after  
363 the time period of the previous limit has expired and the registered patron reaffirms the requested  
364 increase: (1) a deposit limit must be offered on a daily, weekly and monthly basis and must  
365 specify the maximum amount of money a registered patron may deposit during a particular  
366 period of time; (2) a limit on the amount of money spent on a daily, weekly and monthly basis  
367 must be offered. The registered patron shall be unable to participate in gaming for the remainder  
368 of the time selected if the registered patron reaches the loss limit; (3) a limit on the maximum  
369 amount of any single wager on any internet game; (4) a time-based limit must be offered on a  
370 daily basis and must specify the maximum amount of time, measured hourly from the registered  
371 patron's login to log off, a registered patron may spend engaging in internet gaming, provided  
372 that if the time-based limit is reached a registered patron is permitted to complete any round of  
373 play or active or prepaid event; and (5) a temporary suspension of a patron's internet gaming  
374 account must be offered for any number of hours or days, as selected by the registered patron,  
375 which shall not be less than 72 hours.

376 (f) When an internet gaming account is suspended, the registered patron shall continue to  
377 have access to the internet gaming account and shall be permitted to withdraw funds from the  
378 account.

379 (g) Promotion of internet gaming shall be restricted to those 21 years of age and older.

380 (h) Advertising shall disclose that internet gaming is for adults 21 years of age or older.

381 (i) Marketing shall not use characters, performers or influencers who primarily appeal to  
382 audiences under the age of 21. For example, advertising should not appear on media aimed at  
383 children like children's television programming or social media networks aimed at children.

384 (j) Advertising shall not be permitted on college or university campuses.

385 (k) Advertising messages should contain language promoting responsible gaming,  
386 including state mandates as approved by the commission, and provide for a toll-free helpline like  
387 1-800-GAMBLER.

388 (l) The use of "risk-free" language shall be prohibited.

389 Section 18. The commission may require an internet gaming operator to pay license and  
390 renewal fees in an amount prescribed by regulation. The license issuance fee shall be based upon  
391 the cost of investigation and consideration of the license application. The renewal fee shall be  
392 based upon the cost of maintaining enforcement, control and regulation of internet gaming  
393 operations.

394 Section 19. (a) It shall be unlawful for any person or entity to operate, conduct or  
395 promote online sweepstakes games within the commonwealth.

396 (b) It shall be unlawful for any person or entity to take any action to support or assist in  
397 the operation, conduct or promotion of online sweepstakes games within the commonwealth.

398 (c) Whoever violates subsections (a) or (b) shall be subject to a fine of not less than  
399 \$10,000 and not more than \$100,000 for each violation and subject to potential loss of gaming  
400 license.

401 (d) Repeat offenders shall be subject to increased fines, potential loss of gaming license,  
402 and potential imprisonment of up to 2 years.

403 (e) The commission may conduct investigations, hold hearings and issue subpoenas to  
404 ensure compliance with this section.

405 Section 20. (a) Whoever knowingly tampers with software, computers or other equipment  
406 used to conduct internet gaming to alter the odds or the payout of a game or disables the game  
407 from operating according to the rules of the game as promulgated by the commission is guilty of  
408 a crime and shall be subject to imprisonment for a term of not more than 5 years and a fine of not  
409 more than \$50,000 and in the case of a person other than a natural person, to a fine of not more  
410 than \$200,000 and any other appropriate disposition authorized by the commission.

411 (b) In addition to the penalties provided in subsection (a), an employee of the internet  
412 gaming operator who violates subsection (a) shall have their license revoked and shall be subject  
413 to such further penalty as the commission deems appropriate.

414 (c) In addition to the penalties provided in subsection (a), an internet gaming operator  
415 that violates subsection (a) shall have its license to conduct internet gaming revoked and shall be  
416 subject to such further penalty as the commission deems appropriate.

417 (d) Any person who knowingly offers or allows to be offered any internet game that he or  
418 she knows has been tampered with in a way that affects the odds or the payout of a game is  
419 guilty of a crime and shall be subject to imprisonment for a term of not more than 5 years and a  
420 fine of not more than \$50,000 and in the case of a person other than a natural person, to a fine of  
421 not more than \$200,000 and any other appropriate disposition authorized by the commission.

422 (e) In addition to the penalties provided in subsection (d), an employee of the internet  
423 gaming operator who violates subsection (d) shall have their license revoked.

424 (f) In addition to the penalties provided in subsection (d), an internet gaming operator that  
425 violates subsection (d) shall have its license to conduct internet gaming revoked.

426 Section 21. (a) A licensed internet gaming operator shall be permitted to operate 24 hours  
427 a day unless otherwise directed by the commission.

428 (b) For record keeping and tax purposes, the gaming day in a gaming facility shall  
429 commence as set by regulation.

430 (c) An applicant for an internet gaming operator license shall create, maintain and file  
431 with the commission a description of its internal procedures and administrative and accounting  
432 controls for the conduct of internet gaming in a form and manner prescribed by regulation.

433 (d) The commission shall have broad discretion in approving or rejecting the internal  
434 controls of an internet gaming operator or applicant that are submitted pursuant to this chapter.

435 (e) An inspector or agency of the commission shall have the power and authority to stop  
436 internet gaming operations until corrective action is taken where the inspector knows or

437 reasonably suspects that the approved internal controls are not being followed by the internet  
438 gaming operator.

439 (f) The commission may utilize the services of a private testing laboratory that has  
440 obtained a license as a gaming vendor to perform the testing of internet gaming equipment  
441 needed for approval.

442 Section 22. Any information that is submitted, collected or gathered as part of an  
443 application to or background investigation conducted by, the commission for a license or  
444 registration is confidential except as provided by regulation and shall not be subject to disclosure  
445 to any third party, unless the request for the information is made by a duly authorized law  
446 enforcement agency or pursuant to a court order.

447 Section 23. (a) The commission shall establish and maintain a list of persons who are to  
448 be excluded from internet gaming, to be known as the exclusion list.

449 (b) The commission shall implement procedures for placement of persons on the  
450 exclusion list.

451 (c) An updated list of excluded persons shall be distributed to all internet gaming  
452 operators on a regular and continuing basis upon placement of a person on the list.

453 (d) Internet gaming operators shall implement effective procedures to ensure that persons  
454 on the exclusion list are prohibited from engaging in internet gaming.

455 (e) An internet gaming operator shall be subject to disciplinary action for knowingly  
456 allowing a person on the exclusion list to participate in internet gaming.

457 (f) The exclusion list may include any of the following persons: (1) a career offender  
458 whose participation in internet gaming would be inimical to the public interest; (2) an associate  
459 of a career offender whose association is such that his or her participation in internet gaming  
460 would be inimical to the public interest; (3) any person who has been convicted of a criminal  
461 offense in any jurisdiction, which is punishable by more than 6 months of incarceration or who  
462 has been convicted of any crime or offense involving moral turpitude, and whose participation in  
463 internet gaming would be inimical to the public interest; or (4) any person whose participation in  
464 internet gaming would be inimical to the public interest including, but not limited to: (i) persons  
465 found to have cheated in internet gaming activity; (ii) persons whose privileges for licensure  
466 have been revoked; (iii) persons with a documented history of conduct involving the undue  
467 disruption of the gaming operations in a gaming facility or internet gaming operations; and (iv)  
468 persons subject to an order of a court of competent jurisdiction excluding such persons from  
469 gaming facilities or internet gaming operations.

470 (g) A person's participation in internet gaming may be considered inimical to the public if  
471 known attributes of such person's character and background: (1) are incompatible with the  
472 maintenance of public confidence and trust in the credibility, integrity, and stability of licensed  
473 gaming operations; (2) could reasonably be expected to impair the public perception of, and  
474 confidence in, the strict regulatory process created by this chapter and regulations; or (3) would  
475 create or enhance a risk of the fact or appearance of unsuitable, unfair or illegal practices,  
476 methods or activities in the conduct of internet gaming or in the business or financial  
477 arrangements incidental thereto.

478 (h) A finding of inimicality may be based upon the following: (1) the character or  
479 background of the person; (2) the history and nature of the involvement of the person with

480 gaming operations in any gaming jurisdiction; or (3) any other factor reasonably related to the  
481 maintenance of public confidence in the regulatory process and the integrity of internet gaming  
482 operations.

483 Section 24. (a) The commission shall establish procedures for placement on and removal  
484 from a voluntary self-exclusion list that can also allow players to opt in to a national voluntary  
485 self-exclusion program.

486 (b) An individual whose name is placed on the voluntary self-exclusion list shall be  
487 prohibited from establishing an internet gaming account and engaging in internet gaming for the  
488 duration of the exclusion period and shall not collect any winnings or recover any losses  
489 resulting from any internet gaming activity.

490 (c) An individual may request to have his or her name placed on the voluntary self-  
491 exclusion list by completing the application and procedure prescribed by the commission.

492 (d) The commission may approve placement on the voluntary self-exclusion list if it  
493 determines that the application has been made voluntarily by the individual.

494 (e) An individual may select any of the following time periods as a minimum length of  
495 exclusion: (1) 1 year; (2) 3 years; (3) 5 years; or (4) lifetime.

496 (f) An internet gaming operator license may be conditioned, suspended or revoked, and  
497 the internet gaming operator assessed a civil administrative penalty pursuant to this chapter if it  
498 is determined that an internet gaming operator has: (1) knowingly or recklessly failed to exclude  
499 any individual who is on the voluntary self-exclusion list from internet gaming. It shall not be  
500 deemed a knowing or reckless failure if an individual on the voluntary self-exclusion list

501 shielded his or her identity or otherwise attempted to avoid identification; or (2) failed to abide  
502 by any provision of the internet gaming operator's approved written policy and procedures for  
503 compliance with the voluntary self-exclusion program.

504           Section 25. (a) An internet gaming operator shall submit to the commission an annual  
505 audit of its accounting records prepared by a certified public accountant in accordance with  
506 generally accepted accounting principles and applicable state and federal laws.

507           (b) An internet gaming operator shall submit the report of the auditor to the commission  
508 within 4 months after the end of the financial year, unless the period is extended by the  
509 commission for good cause shown.

510           (c) In addition to the requirements to engage an external auditor, an internet gaming  
511 operator shall conduct internal audits of its processes, procedures, and accounting records as  
512 necessary to ensure compliance with its approved internal control systems and submit its written  
513 findings to the commission.

514           (d) An internet gaming operator who is in violation of the requirements of subsections (a)  
515 through (c) shall be liable for any sanctions as established by this chapter.

516           (e) The commission shall have the power and authority to conduct audits of the internet  
517 gaming operations of an internet gaming operator on an annual basis and at such other times  
518 deemed necessary by the commission.

519           (f) The commission may retain the services of a consultant to conduct an audit of an  
520 internet gaming operator.

521 (g) An internet gaming operator shall cooperate with an audit conducted by the  
522 commission or its consultant, and make available for examination all requested books, records,  
523 accounts and financial statements.

524 Section 26. (a) The commission may assess a civil administrative penalty on an internet  
525 gaming operator who fails to comply with any provision of this chapter, rules or any regulation  
526 or order adopted by the commission; provided, however, that the noncompliance shall have  
527 occurred after the commission has given such operator written notice of the noncompliance and  
528 the time stated in the notice for coming into compliance has elapsed; provided further, that the  
529 commission may assess a penalty without providing written notice if the failure to comply: (1)  
530 was part of a pattern of noncompliance and not an isolated instance; (2) was willful or neglectful  
531 and not the result of error; (3) resulted in a significant breach to the integrity of the operator or  
532 the internet gaming laws of the commonwealth; or (4) consisted of failure to promptly report to  
533 the commission any knowledge of evidence or circumstances that would cause a reasonable  
534 person to believe that a violation of this chapter has been committed.

535 (b) For the purpose of determining whether such noncompliance was part of a pattern of  
536 noncompliance and not an isolated instance, the commission shall consider, but not be limited to;  
537 (1) whether the commission had previously notified the internet gaming operator of such  
538 noncompliance on more than 1 occasion during the previous month or of any noncompliance  
539 with the same provision of a law, regulation order, license or approval as the current  
540 noncompliance during the previous 6-month period; or (2) whether the current and previous  
541 instances of noncompliance, considered together, indicate a potential threat to the integrity of the  
542 operator and internet gaming in the commonwealth or an interference with the commission's

543 ability to efficiently and effectively regulate internet gaming in the commonwealth and enforce  
544 any regulation, license or order.

545 (c) When the commission has determined that the actions or inactions of a licensee or  
546 registrant constitute a regulatory violation, in its discretion it may impose any sanctions it deems  
547 appropriate, including but not limited to the power to: (1) impose fines on licensees and  
548 registrants in amounts as established by regulation; (2) impose conditions on licenses and  
549 registrations; (3) issue letters of reprimand; (4) issue cease and desist orders against licensees and  
550 registrants; (5) suspend licenses and registrations; and (6) revoke licenses and registrations.

551 (d) In considering appropriate sanctions in a particular case, the commission shall  
552 consider: (1) the risk to the public and to the integrity of gaming operations created by the  
553 conduct of the licensee or registrant; (2) the seriousness of the conduct of the licensee or  
554 registrant, and whether the conduct was purposeful and with knowledge that it was in  
555 contravention of the provisions of this chapter or of any regulations adopted thereunder; (3) any  
556 justification or excuse for such conduct by the licensee or registrant; (4) the prior history of the  
557 licensee or registrant with respect to gaming activity; (5) the corrective action taken by the  
558 licensee or registrant to prevent future misconduct of a like nature from occurring; and (6) in the  
559 case of a monetary penalty, the amount of the penalty in relation to the severity of the  
560 misconduct and the financial means of the licensee or registrant. The commission may impose  
561 any schedule or terms of payment of such penalty as it may deem appropriate.

562 (e) It shall be no defense to disciplinary action before the commission that an applicant,  
563 licensee, registrant, intermediary company or holding company inadvertently, unintentionally or  
564 unknowingly violated a provision of this chapter or of any regulations adopted thereunder. Such

565 factors shall only go to the degree of the penalty to be imposed by the commission, and not to a  
566 finding of a violation itself.

567 (f) A violation of this chapter or of any regulations adopted thereunder, which is an  
568 offense of a continuing nature shall be deemed to be a separate offense on each day during which  
569 it occurs.

570 (g) The application of the regulatory sanctions prescribed herein shall not prejudice a  
571 criminal prosecution for the same, similar or related conduct.

572 Section 27. Annually, on or before a date determined by the commission, an internet  
573 gaming operator shall provide all transactional data relating to internet gaming conducted in this  
574 commonwealth to any college or university located in the commonwealth requesting such  
575 information, excluding any personally identifiable or otherwise confidential information.

576 Section 28. No person shall operate a place of public accommodation, club, including a  
577 club or association limited to dues-paying members or similar restricted groups or similar  
578 establishment in which computer terminals or similar access devices are advertised and made  
579 available to be used principally for purposes of accessing authorized internet games.

580 Section 29. This chapter does not prohibit selling internet lottery games, including, but  
581 not limited to, digital representations of lottery games.

582 Section 31. There shall be established and set up on the books of the commonwealth a  
583 separate fund to be known as the Internet Gaming Fund which shall receive revenues collected  
584 pursuant to this chapter. Fines collected under this chapter shall not be deposited into the fund,  
585 but shall be deposited into the General Fund. The fund shall not be subject to appropriation. The

586 commission shall be the trustee and administrator of the fund and shall transfer monies from the  
587 fund. All expenses of the commission incurred in the administration and enforcement of this  
588 chapter shall be paid from the fund.

589 SECTION 2. This act shall take effect on January 1, 2026.