

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Paul R. Feeney

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 regulating internet gaming.

PETITION OF:

NAME:

Paul R. Feeney

DISTRICT/ADDRESS:

Bristol and Norfolk

SENATE No.

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act regulating 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. Section 7 of chapter 4 of the General Laws is hereby amended by striking
2 out clause Tenth, as appearing in the 2024 Official Edition, and inserting in place thereof the
3 following clause:-

4 Tenth, "Illegal gaming", a banking or percentage game played with cards, dice, tiles,
5 dominoes, or an electronic, electrical or mechanical device or machine for money, property,
6 checks, credit or any representative of value, but excluding: (i) a lottery game conducted by the
7 state lottery commission under sections 24, 24A and 27 of chapter 10; (ii) a game conducted
8 under chapter 23K; (iii) sports wagering conducted under chapter 23N; (iv) internet gaming
9 conducted under chapter 23O; (v) pari-mutuel wagering on horse races under chapters 128A and
10 128C and greyhound races under said chapter 128C; (vi) a game of bingo conducted under
11 chapter 271; (vii) charitable gaming conducted under said chapter 271; and (viii) a fantasy
12 contest conducted under section 11M½.

13 SECTION 2. Section 7 of chapter 4 of the General Laws is hereby amended by striking
14 out clause Tenth, as inserted by section 1, and inserting in place thereof the following clause:-

15 Tenth, “Illegal gaming”, a banking or percentage game played with cards, dice, tiles,
16 dominoes, or an electronic, electrical or mechanical device or machine for money, property,
17 checks, credit or any representative of value, but excluding: (i) a lottery game conducted by the
18 state lottery commission under sections 24, 24A and 27 of chapter 10; (ii) a game conducted
19 under chapter 23K; (iii) sports wagering conducted under chapter 23N; (iv) internet gaming
20 conducted under chapter 23O; (v) pari-mutuel wagering on horse races under chapters 128A and
21 128C; (vi) a game of bingo conducted under chapter 271; and (vii) charitable gaming conducted
22 under said chapter 271.

23 SECTION 3. Section 4 of chapter 23K of the General Laws, as appearing in the 2024
24 Official Edition, is hereby amended by inserting the following subsection:-

25 (43) regulate and enforce chapter 23O relating to internet gaming.

26 SECTION 4. The General Laws are hereby amended by inserting after chapter 23N the
27 following chapter:-

28 CHAPTER 23O

29 AUTHORIZATION AND REGULATION OF INTERNET GAMING

30 Section 1. This chapter shall be known and may be cited as the "Massachusetts Internet
31 Gaming Act".

32 Section 2. Notwithstanding any general or special law to the contrary, the operation of
33 internet gaming and ancillary activities shall be lawful when conducted in accordance with this
34 chapter and the rules and regulations of the commission.

35 Section 3. As used in this chapter the following words shall, unless the context clearly
36 requires otherwise, have the following meanings:

37 "Adjusted gross internet gaming receipts", the total gross receipts from internet gaming
38 less the sum of: (i) the total of all winnings paid to patrons, which shall include the monetary
39 value of any merchandise or thing of value awarded as a prize; (ii) promotional credits as
40 specified in Section 14(b), and (iii) the amount of voided or cancelled wagers.

41 "Affiliate", a person who directly or indirectly controls, or is controlled by, or is under
42 common control with, a specified person.

43 "Applicant", a person who has applied for a license to engage in activity regulated under
44 this chapter.

45 "Category 1 license", a license issued by the commission to a gaming licensee, as defined
46 in section 2 of chapter 23K, that permits the operation of internet gaming.

47 "Category 2 license", a license issued by the commission to an entity that is not a gaming
48 licensee as defined in section 2 of chapter 23K, that permits the operation of internet gaming.

49 "Close associate", a person who holds a relevant financial interest in, or is entitled to
50 exercise power in, the business of an applicant or licensee and, by virtue of that interest or
51 power, is able to exercise a

52 significant influence over the management or operation of a gaming establishment or
53 business licensed under this chapter.

54 "Commission", the Massachusetts gaming commission established in section 3 of chapter
55 23K.

56 "Governmental authority", any governmental unit of a national, state or local body
57 exercising governmental functions, except the United States government.

58 "Internet game", an internet-based game conducted on a computer, mobile device or any
59 other interactive device, in which a patron wagers money or something of monetary value for the
60 opportunity to win money or something of monetary value. Authorized games include but are not
61 limited to poker, blackjack, craps, roulette, cards, slots, and any other games or those
62 substantially equivalent typically offered at a casino, and any other game approved by the
63 Commission.

64 "Internet gaming", the business of accepting wagers on internet games.

65 "Internet gaming account", a financial record established by an operator for a patron in
66 which the patron may deposit by any method approved by the commission and withdraw funds
67 for internet gaming and other authorized purchases, and to which the operator may credit
68 winnings or other amounts due to or authorized by that patron; provided, however, that such
69 account may be established and funded by the patron electronically through an approved internet
70 gaming platform, and the patron may be permitted to use the same account to participate in
71 interactive gaming and mobile or digital sports wagering pursuant to chapter 23K with an
72 operator licensed to conduct both internet gaming and mobile or digital sports wagering.

73 “Internet gaming platform provider”, an entity that contracts with a holder of a Category
74 1 license to provide an internet gaming platform on its behalf, and holds an internet gaming
75 platform provider license issued by the Commission.

76 "Internet gaming platform", a system of associated websites, mobile applications, or
77 other interactive platforms accessible via the internet, mobile, wireless, or similar
78 communication technology that a patron may use to engage in internet gaming.

79 “Internet gaming reciprocal agreement”, an agreement with any foreign or domestic
80 government or governmental agency allowing for multijurisdictional internet gaming by
81 individuals who are physically located in jurisdictions over which the governments that are party
82 to the agreement exercise legal authority.

83 "Internet gaming wager", a wager on an internet game.

84 "License", any license applied for or issued by the commission under this chapter,
85 including, but not limited to: (i) an operator license or (ii) an occupational license.

86 “Live dealer internet game”, an internet game conducted by a gaming attendant (e.g.,
87 dealer, croupier, etc.) or gaming equipment (e.g., an automated roulette wheel, ball blower,
88 gaming device, etc.), or both, in a live internet game environment in which video is streamed to
89 an internet gaming platform and patrons have the ability to communicate game decisions through
90 the internet gaming platform, and may be permitted to interact with game attendants and fellow
91 patrons.

92 “Live internet game environment”, a physical location that uses live video and audio
93 streaming technology to provide an internet gaming operator with a live dealer internet game
94 simulcast.

95 "National criminal history background check", a criminal history background check
96 conducted using the criminal history record system maintained by the Federal Bureau of
97 Investigation and based on fingerprint identification or any other method of positive
98 identification.

99 "Occupational license", a license required to be held by an employee of an operator when
100 the employee performs duties directly related to the operation of internet gaming in the
101 commonwealth in a supervisory role.

102 "Operator" or "internet gaming operator", any entity permitted under this chapter to offer
103 internet gaming to persons in the commonwealth through a category 1 license or category 2
104 license.

105 "Operator license", a category 1 license or category 2 license to operate internet gaming.

106 "Person", an individual, corporation, association, entity, operation, firm, partnership, trust
107 or other form of business association.

108 “Poker”, the traditional game of poker, and any derivative of the game of poker as
109 approved by the Commission, in which 2 or more authorized participants play against each other
110 and wager on the value of the cards in the authorized participants' hands.

111 "Promotional gaming credit", an internet gaming credit or other item issued by an
112 operator free of charge to a patron to enable the placement of an internet gaming wager.

113 "Qualified gaming entity", an entity that: (i) holds a gaming license as defined in section
114 2 of chapter 23K; or (ii) offers an internet gaming pursuant to a valid license in three or more
115 jurisdictions in the United States.

116 "Permissible jurisdiction" a jurisdiction other than this commonwealth from which
117 wagers on internet gaming may be accepted pursuant to an internet gaming reciprocal agreement.

118 "Wager", a sum of money or thing of value risked on an uncertain occurrence.

119 Section 4. (a) The commission shall regulate the conduct of internet gaming under this
120 chapter.

121 (b) The commission shall promulgate rules and regulations necessary for the
122 implementation, administration and enforcement of this chapter. The commission may
123 promulgate emergency rules and regulations in accordance with applicable procedures for the
124 promulgation of emergency rules and regulations.

125 (c) The commission shall promulgate regulations to prohibit the following
126 advertising, marketing and branding activities: (A) advertisements, marketing and branding in
127 such a manner that it is deceptive, false, misleading, or untrue, or tends to deceive or create a
128 misleading impression whether directly, or by ambiguity or omission; (B) use of unsolicited pop-
129 up advertisements on the internet or by text message directed to an individual on the list of self-
130 excluded persons; (C) advertising, marketing and branding that targets a person younger than 21
131 years old; and (D) advertising on any billboards, or any other public signage, which fails to
132 comply with any federal, state or local law.

133 (d)(1) The commission may promulgate rules and regulations including, but not limited
134 to, those governing the acceptance of wagers on an internet game, types of wagering receipts
135 which may be used; methods of issuing receipts; methods of accounting to be used by operators;
136 types of records to be kept; types of systems for wagering; and any other internet gaming- related
137 issues.

138 (2) The commission shall promulgate rules and regulations regarding protections for
139 patrons placing wagers and the promotion of social responsibility and responsible gaming that
140 shall include, but not be limited to, a requirement that an operator: (i) implement responsible
141 gaming programs that include comprehensive employee trainings on responding to
142 circumstances in which individuals present signs of gambling addiction; (ii) assess and address
143 problem gaming by an operator's consumers; (iii) permit a consumer to permanently close an
144 account registered to the consumer on any or all internet gaming platforms owned or operated by
145 the operator at any time and for any reason; (iv) offer consumers access to their account history
146 and account details; (v) refrain from making claims as to a consumer's winnings or money earned
147 that is not net of wagers placed; (vi) allow a consumer to withdraw funds without further
148 solicitation or promotion in the manner in which the funds were deposited; (vii) annually submit
149 a problem gaming plan for approval by the commission, in consultation with the department of
150 public health, that includes the objectives of and timetables for implementing the plan,
151 identification of the persons responsible for implementing and maintaining the plan, procedures
152 for identifying consumers with suspected or known problem gaming behavior, procedures for
153 providing information to consumers concerning problem gaming identification and resources,
154 procedures to prevent gaming by minors and self-excluded persons and any other information the
155 commission may require; and (viii) shall not offer or provide a line of credit to any consumer.

156 (3) The commission shall promulgate regulations that require internet gaming
157 platforms to prominently display upon each entry into the application or platform the telephone
158 number “1-800-GAMBLER” and website for a problem gambling hotline overseen by the
159 department of public health.

160 (e) The commission shall: (i) determine the eligibility of a person to hold or continue
161 to hold a license; (ii) issue all licenses; and (iii) maintain a record of all licenses issued under this
162 chapter.

163 (f) The commission shall levy and collect all fees, surcharges, civil penalties and
164 taxes on adjusted gross internet gaming receipts imposed by this chapter, except as otherwise
165 provided under this chapter.

166 (g) The commission shall have the authority to enforce this chapter and any rule or
167 regulation of the commission and may request that the attorney general bring an action to enforce
168 this chapter or any rule or regulation of the commission by civil action or petition for injunctive
169 relief.

170 (h) The commission may hold hearings, administer oaths and issue subpoenas or
171 subpoenas duces tecum in order to enforce this chapter and the rules and regulations of the
172 commission.

173 (i) The commission shall identify opportunities to enter into internet gaming
174 reciprocal agreements with jurisdictions from which wagers on internet games may be accepted.

175 (j) The commission may exercise any other powers necessary to effectuate this
176 chapter and the rules and regulations of the commission.

177 Section 5. (a) A person shall not engage in any activity in connection with internet
178 gaming in the commonwealth unless all required licenses have been obtained in accordance with
179 this chapter and the rules and regulations of the commission.

180 (b) The commission shall not grant an operator license until it determines that each
181 person who has control of the applicant meets all qualifications for licensure. For the purposes of
182 this chapter, the following shall be considered to have control of an applicant: (i) a person who
183 owns 10 per cent or more of a corporate applicant and who has the ability to control the activities
184 of the corporate applicant; provided, however, that a bank or other licensed lending institution
185 that holds a mortgage or other lien acquired in the ordinary course of business shall not be
186 considered to have control of an applicant; (ii) a person who holds a beneficial or proprietary
187 interest of 10 per cent or more of a non-corporate applicant's business operation and who has the
188 ability to control the activities of the non-corporate applicant; and (iii) at the commission's
189 discretion, an executive, employee or agent having the power to exercise significant influence
190 over decisions concerning the applicant's internet gaming operations in the commonwealth.

191 (c) A person having control of an applicant pursuant to subsection (b) shall submit to
192 the commission an application in a form determined by the commission. Each such person who
193 is a natural person shall also submit to the commission: (i) fingerprints for a national criminal
194 records check by the department of state police and the Federal Bureau of Investigation; and (ii)
195 a signed authorization for the release of the person's information by the department of state
196 police and the Federal Bureau of Investigation; provided, however, that a person having control
197 of an applicant who is a natural person that has submitted to a national criminal records check in
198 any jurisdiction within the previous year shall not be required to submit to another national
199 criminal records check if such person submits to the commission the results of such previous

200 national criminal records check. Any applicant convicted of any disqualifying offense, as
201 determined by the commission, shall not be licensed.

202 (d) Each person licensed under this chapter shall give the commission written notice
203 not more than 30 days after any change to any material information provided in the application
204 for a license or renewal.

205 (e) A commission employee shall not be an applicant for any license issued under
206 this chapter.

207 Section 6. (a) A licensed qualified gaming entity may operate internet gaming upon the
208 approval of the commission.

209 (b)(1) The commission shall issue a category 1 license to any holder of a gaming license,
210 as defined in section 2 of chapter 23K, that meets the requirements of this chapter and the rules
211 and regulations of the commission; provided, however, that any holder of a category 1 license
212 shall not be issued a category 2 license. A holder of a category 1 license may offer internet
213 gaming under a maximum of two internet gaming platforms. A holder of a category 1 license
214 may contract with up to two internet gaming platform providers to operate the internet gaming
215 platforms on its behalf. Each internet gaming platform shall be offered under a single distinct
216 brand, except that each internet gaming platform may use a second distinct brand to offer poker.
217 The internet gaming platforms shall not be required to be branded or co-branded with the brand
218 of the category 1 licensee. This subsection does not prohibit a holder of a category 1 license from
219 using fewer than two internet gaming platforms or from using a single brand to offer both
220 internet poker and other internet games on an internet gaming platform.

221 (2) The commission shall issue a category 2 license to any entity that meets the
222 requirements of this chapter and the rules and regulations of the commission; provided, however,
223 the commission shall issue no more than 4 category 2 licenses. Any holder of a category 2
224 license shall not be issued a category 1 license. Each category 2 license permits the operation of
225 internet gaming under one internet gaming platform. Each internet gaming platform offered
226 pursuant to a category 2 license shall be offered under a single distinct brand, except that each
227 platform may use a second distinct brand to offer poker. This subsection does not prohibit a
228 holder of a category 2 license from using a single brand to offer both internet poker and other
229 internet games. If there are more than 4 applicants for a category 2 license, the commission shall
230 issue licenses to the applicants that the commission determines to be the best-qualified based on
231 the following factors:

- 232 (1) Expertise in the business of internet gaming;
- 233 (2) Integrity, sustainability, and safety of the internet gaming platform;
- 234 (3) Past relevant experience of the applicant;
- 235 (4) Advertising and promotional plans to increase and sustain revenue;
- 236 (5) The amount of adjusted gross internet gaming receipts and associated tax revenue that
237 an applicant is projected to generate;
- 238 (6) Demonstrated commitment to and plans for the promotion of responsible gaming;
- 239 (7) Capacity to increase the number of bettors on the applicant's platform; and
- 240 (8) History of doing business in the commonwealth.

241 (3) Nothing in this chapter shall require a category 2 licensee to partner with or have any
242 commercial relationship with a category 1 licensee.

243 (c)(1) A qualified gaming entity may submit to the commission a request for a temporary
244 license for the immediate commencement of internet gaming operations subject to paragraph (3)
245 of this subsection. Such request shall include an initial licensing fee of \$1,000,000 payable to the
246 commission.

247 (2) Upon receiving a request for a temporary license, the executive director of the
248 commission shall review the request. If the executive director determines that the entity
249 requesting the temporary license is a qualified gaming entity and has paid the internet gaming
250 initial licensing fee pursuant to paragraph (1), the commission shall authorize the qualified
251 gaming entity to conduct internet gaming for a period of 1 year under a temporary license or
252 until a final determination on its operator license application is made.

253 (3) All qualified gaming entities that submit an application for temporary licensure
254 within 30 days of the date on which the Commission first begins to accept applications for an
255 internet gaming license shall be given an equal opportunity to commence offering, conducting,
256 or operating internet gaming on the same day.

257 (d) Prior to issuing an operator license or an internet gaming provider license, the
258 commission shall commence an investigation into the suitability of the applicant. The
259 commission may use information obtained from the applicant pursuant to chapter 23K, chapter
260 23N, chapter 128A, chapter 128C, or information from other jurisdictions where the applicant is
261 authorized to conduct internet gaming wagering. In evaluating the suitability of the applicant, the
262 commission shall consider the overall reputation of the applicant including, but not limited to: (i)

263 the integrity, honesty, good character and reputation of the applicant; (ii) the financial stability,
264 integrity and background of the applicant; (iii) the business practices and the business ability of
265 the applicant to establish and maintain a successful internet gaming operation; (iv) whether the
266 applicant has a history of compliance with gaming licensing requirements in other jurisdictions;
267 (v) whether the applicant, at the time of application, has been issued a judgment against it in
268 litigation involving its business practices; and (vi) the suitability of all parties in interest to the
269 license, including affiliates and close associates, and the financial resources of the applicant.

270 (e) The commission may deny an application, if the commission determines during
271 its investigation that an applicant has failed to: (i) establish the applicant's integrity or the
272 integrity of any affiliate, close associate, financial resources or any person required to be
273 qualified by the commission; (ii) demonstrate responsible business practices in any jurisdiction;
274 or (iii) overcome any other reason, as determined by the commission, as to why it would be
275 injurious to the interests of the commonwealth to award the applicant an operator license.

276 (f) Upon application by a qualified gaming entity that is not denied pursuant to
277 subsection (e) and payment of the initial licensing fee pursuant to subsection (g) or (k), the
278 commission shall grant a license to a qualified gaming entity that provides the right to conduct
279 internet gaming; provided, that the qualified gaming entity shall meet the requirements for
280 licensure under this chapter and the rules and regulations of the commission.

281 (g) An operator license shall be issued for a 5- year period upon payment of a
282 \$5,000,000 initial licensing fee, and may be renewed for 5-year periods upon payment of a
283 \$5,000,000 renewal fee; provided, that the operator shall continue to meet all requirements under
284 this chapter and the rules and regulations of the commission. The commission shall credit any

285 initial licensing fee paid pursuant to paragraph (1) of subsection (c) to a successful applicant for
286 an operator license or an internet gaming platform provider license against the licensing fee due
287 under this subsection or subsection (k).

288 (h) An operator shall submit to the commission such documentation or information as
289 the commission may require to demonstrate that the operator continues to meet the requirements
290 of this chapter and the rules and regulations of the commission. An operator shall submit
291 required documentation or information no later than 5 years after issuance of its operator license
292 and every 5 years thereafter, or within lesser periods based on circumstances specified by the
293 commission. Any request from the commission for such documentation within a lesser period
294 shall provide at least 120 days for the operator to comply.

295 (i) No licensee shall transfer an operator license, or any direct or indirect interest in
296 the license, without the majority approval of the commission. A person seeking to acquire such
297 license through a transfer shall qualify and otherwise be determined by the commission to be
298 eligible for licensure under this chapter. The commission may reject a proposed license transfer
299 or a proposed transfer of interest in the license to an unsuitable person and may reject a proposed
300 transfer that, in the determination of the commission, would be injurious to the interests of the
301 commonwealth. The commission may promulgate regulations governing this process which may
302 include assessment of a fee to reflect the cost associated with reviewing the proposed transfer.
303 Such fee shall not exceed \$200,000.

304 (j) Applications for operator licenses shall be public records under section 10 of
305 chapter 66; provided however, that trade secrets, competitively-sensitive or other proprietary

306 information provided in the course of an application for an operator license under this chapter
307 shall be withheld from disclosure under said section 10 of said chapter 66.

308 (k) The commission shall establish by regulation licensing standards, application
309 requirements, and fees for internet gaming platform providers.

310 Section 7. (a) An applicant for an operator license shall pay to the commission a
311 nonrefundable processing fee of \$200,000 for the costs associated with the processing of the
312 application and investigation of the applicant; provided, however, that if the costs of the
313 investigation exceed the initial application fee, the applicant shall pay the additional amount to
314 the commission not more than 30 days after notification of insufficient fees or the application
315 shall be rejected.

316 (b) All fees in this section shall be deposited into the Internet Gaming Control Fund
317 established in section 14.

318 Section 8. (a) All persons employed by an operator to perform duties directly related to
319 the operation of internet gaming in the commonwealth in a supervisory role shall maintain a
320 valid occupational license issued by the commission. The commission shall issue such
321 occupational license to a person who meets the requirements of this section. The holder of an
322 occupational license issued by the commission pursuant to Chapter 23K or 23N shall be deemed
323 qualified to hold an occupational licensing for internet gaming without additional review.

324 (b) An occupational license authorizes the licensee to be employed in the capacity
325 designated by the commission while the license is active. The commission may establish, by rule
326 or regulation, job classifications with different requirements based on the extent to which a
327 particular job impacts, or has the potential to impact, the lawful operation of internet gaming.

328 (c) An applicant for an occupational license shall submit any required application
329 forms established by the commission and shall pay a nonrefundable application fee of \$100. An
330 employer may pay an application fee on behalf of an applicant.

331 (d) Not later than March 1 of the third calendar year following the issuance or
332 renewal of an occupational license, an occupational license holder shall pay a nonrefundable
333 license renewal fee of \$100 and submit a renewal application on a form established by the
334 commission. An employer may pay the license renewal fee on behalf of the licensed employee.

335 Section 9. (a) The commission may deny a license to any applicant, reprimand any
336 licensee or suspend or revoke a license if the applicant or licensee: (i) has knowingly made a
337 false statement of a material fact to the commission; (ii) has had a license revoked by any
338 governmental authority responsible for regulation of gaming activities; (iii) has been convicted
339 of a felony or other crime involving embezzlement, theft, fraud, perjury, or a gambling-related
340 offense; (iv) has not demonstrated to the satisfaction of the commission financial responsibility
341 sufficient to adequately meet the requirements of the proposed enterprise; (v) has affiliates or
342 close associates that would not qualify for a license or whose relationship with the applicant may
343 pose an injurious threat to the interests of the commonwealth in awarding an operator license to
344 the applicant; or (vi) in the case of an operator or an applicant for an operator license, is not the
345 true owner of the business or is not the sole owner and has not disclosed the existence or identity
346 of other persons who have an ownership interest in the business.

347 (b) The commission may deny, suspend or revoke an operator license or reprimand any
348 licensee if the applicant or licensee has not met the requirements of this chapter.

349 Section 10. (a) An operator shall post rules for game play governing each internet game
350 available to the operator's patrons.

351 (b) The game rules, together with any other information the commission deems
352 appropriate, shall be accessible to any patrons of the internet gaming operator.

353 Section 11. (a) An operator shall employ commercially reasonable methods to: (i)
354 prohibit the operator, directors, officers, owners and employees of the operator and any relative
355 living in the same household as any such person from placing wagers with the operator; (ii) (iii)
356 prohibit persons from placing wagers as agents or proxies for others; and (iv) maintain the
357 security of wagering data, customer data and other confidential information from unauthorized
358 access and dissemination; provided, however, that nothing in this chapter shall preclude the use
359 of internet or cloud-based hosting of such data and information or disclosure as required by court
360 order, other law or this chapter.

361 (b) The commission shall designate a state law enforcement entity to have primary
362 responsibility for conducting, or assisting the commission in conducting, investigations into
363 potentially criminal conduct related to internet gaming.

364 (c) The commission and operators shall use commercially reasonable efforts to
365 cooperate with investigations conducted by law enforcement agencies, including, but not limited
366 to, using commercially reasonable efforts to provide or facilitate the provision of anonymized
367 account-level betting information relating to persons placing wagers. All disclosures under this
368 section are subject to the obligation of an operator to comply with all federal, state and local laws
369 and regulations, including, but not limited to, laws and regulations relating to privacy and
370 personally identifiable information.

371 (d) An operator shall use commercially reasonable efforts to cooperate with the
372 commission in all gaming-related investigations. Each gaming licensee shall make readily
373 available all documents, materials, equipment, personnel and any other items requested during an
374 investigation; provided, however, that material that the gaming licensee considers a trade secret
375 or detrimental to the gaming licensee if it were made public may, with the commission's
376 approval, be protected from public disclosure and the gaming licensee may require nondisclosure
377 agreements with the commission before disclosing such material.

378 (e) An operator shall immediately report to the commission any information relating
379 to: (i) criminal or disciplinary proceedings commenced against the operator in connection with
380 its operations; or (ii) suspicious or illegal wagering activities, including, but not limited to: (A)
381 use of funds derived from illegal activity; (B) wagers to conceal or launder funds derived from
382 illegal activity; (C) use of agents to place wagers; and (D) use of false identification.

383 (f) An operator shall make commercially reasonable efforts to maintain records of all
384 wagers placed by its patrons, including: (i) personally identifiable information of a patron who
385 places a wager through an internet gaming platform; (ii) amount and type of the wager; (iii) the
386 time the wager was placed; (iv) the location of the wager, including the Internet Protocol address
387 if applicable; (v) the outcome of the wager; and (vi) records of abnormal wagering activity for 3
388 years after the activity occurs. The commission may request personally identifiable information
389 only in instances where anonymized information is insufficient to fulfill a specified regulatory
390 need pursuant to section (f). An operator shall make these records available for inspection upon
391 request of the commission or as required by court order.

392 (g) An operator shall use commercially reasonable efforts to maintain, in real time
393 and at the account level, anonymized information for each patron, including: (i) the amount and
394 type of wager

395 (ii) the time the wager was placed; (iii) the location of the wager, including the Internet
396 Protocol address if applicable; (iv) the outcome of the wager; and (v) records of abnormal
397 wagering activity. The commission may request the information in the form and manner as it
398 requires. The commission shall request anonymized data unless there is a specific need for
399 personalized information pursuant to section (e) in which case the basis for such need shall be
400 disclosed to the operator, which shall have the opportunity to appeal such request. Nothing in
401 this section shall require an operator to provide any information prohibited by federal, state or
402 local laws or regulations, including, but not limited to, laws and regulations relating to privacy
403 and personally identifiable information.

404 (g) An operator shall conduct a single background check on any employee hired before
405 the operator was issued an operator license. Background checks shall search for criminal history,
406 charges or convictions involving corruption and association with organized crime.

407 Section 12. (a) An operator shall: (i) employ a monitoring system to identify irregularities
408 that could signal criminal activities and promptly report such information to the commission for
409 further investigation; provided, however, that system requirements and specifications shall be
410 developed according to industry standards and implemented by the commission as part of the
411 minimum internal control standards; (ii) promptly report to the commission any facts or
412 circumstances related to the operation of a internet gaming license that constitute a violation of
413 state or federal law and promptly report to the appropriate state or federal authorities any

414 suspicious betting over a threshold set by the operator that has been approved by the
415 commission; (iii) conduct all internet gaming activities and functions in a manner that does not
416 pose a threat to the public health, safety or welfare of the residents of the commonwealth; (iv)
417 keep current in all payments and obligations to the commission; (v) prevent any person from
418 tampering or interfering with the operation of internet gaming; (vi) ensure that internet gaming
419 occurs only using a commission-approved internet gaming platform to accept wagers initiated
420 within the commonwealth or a permissible jurisdiction; (vii) maintain sufficient cash and other
421 supplies to conduct internet gaming at all times; (viii) maintain daily records showing the gross
422 internet gaming receipts and adjusted gross internet gaming receipts of the operator; (ix) timely
423 file with the commission any additional reports required by this chapter or by any rule or
424 regulation; and (x) use commercially reasonable efforts to prevent a person under 21 years old
425 from placing a wager.

426 Section 13. (a) Holders of category 1 and category 2 licenses may accept wagers on
427 internet games authorized pursuant to this chapter.

428 (b) Holders of an operator license may accept wagers on internet games authorized
429 pursuant to this chapter from individuals physically located within the commonwealth or a
430 permissible jurisdiction using internet gaming platforms approved by the commission, through
431 the patron's internet gaming account. The branding for each internet gaming platform shall be
432 determined by the operator. All bets authorized pursuant to this section must be initiated within
433 the commonwealth or a permissible jurisdiction. Consistent with the intent of the federal
434 Unlawful Internet Gambling Enforcement Act of 2006, 31 U.S.C. section 5361 to 5367,
435 inclusive, the intermediate routing of electronic data related to a lawful wager authorized

436 pursuant to this chapter shall not determine the location or locations in which the wager is
437 initiated, received or otherwise made.

438 (c) An internet gaming operator shall be permitted to offer live dealer internet games
439 simulcast from a live internet game environment in any location. Live internet game
440 environments shall not be required to be located in the commonwealth.

441 (d) An operator shall not knowingly accept a wager from a person who is less than 21
442 years of age.

443 (e)(1) The commission or operator may ban any person from participating in the play or
444 operation of any internet gaming consistent with rules and regulations promulgated by the
445 commission. A list of all excluded patrons shall be kept by the commission and provided to each
446 licensee. No patron on the exclusion list shall be permitted to participate in internet gaming
447 pursuant to this chapter.

448 (2) The commission shall establish a list of self-excluded persons from internet
449 gaming. A person may request their name to be placed on the list of self-excluded persons by
450 filing a statement with the commission acknowledging that they are a problem gambler and by
451 agreeing that, during any period of voluntary exclusion, they shall not collect any winnings or
452 recover any losses resulting from any internet gaming. The commission shall adopt further
453 regulations for the self-excluded persons list including procedures for placement, removal and
454 transmittal of the list to internet gaming operators. The commission may adopt regulations to
455 exclude from participation in internet gaming any person that has self-excluded from sports
456 wagering pursuant to Chapter 23N. The commission may revoke, limit, condition, suspend or
457 fine an internet gaming operator if the operator knowingly or recklessly fails to exclude any

458 person placed on the list of self-excluded persons. The list of self-excluded persons from internet
459 gaming shall not be open to public inspection.

460 (3) An operator that operates internet gaming may allow patrons to set self- imposed
461 limitations on the internet gaming platform.

462 (f) No employee may place an internet gaming wager through any internet gaming
463 platform owned or operated by their employer.

464 (g) Sections 24, 24A and 27 of chapter 10 of the General Laws shall not apply to an
465 operator conducting internet gaming in accordance with this chapter.

466 Section 14. (a) An excise is hereby imposed upon internet gaming operators in the
467 commonwealth at the rate of 20 per cent of the operator's adjusted gross internet gaming receipts.
468 The accrual method of accounting shall be used for purposes of calculating the amount of the tax
469 owed by the licensee. The excise shall be paid to the commission at the time provided for filing
470 the return pursuant to subsection (c).

471 (b) Promotional credits shall be calculated into an operator's adjusted gross internet
472 gaming receipts according to this subsection.

473 (1) Until January 1, 2028, when determining the promotional credits deduction used for
474 calculating "adjusted gross internet gaming receipts" each month, as defined in Section 3, an
475 internet gaming operator shall include all promotional credits used by patrons.

476 (2) On or after January 1, 2028, when determining the promotional credits deduction used
477 for calculating "adjusted gross internet gaming receipts" each month, as defined in Section 3, an

478 internet gaming operator shall only include a portion of the total promotional credits used by
479 patrons as follows:

480 (A) on and after January 1, 2028, through June 30, 2029, no more than two and one-
481 half percent of the total amount of all wagers placed by patrons with that internet gaming
482 operator each month;

483 (B) on and after July 1, 2029, through June 30, 2030, no more than two and one-
484 fourth percent of the total amount of all wagers placed by patrons with that internet gaming
485 operator each month;

486 (C) on and after July 1, 2030, through June 30, 2031, no more than two percent of the
487 total amount of all wagers placed by patrons with that internet gaming operator each month; and

488 (D) on and after July 1, 2031, no more than one and three-quarters percent of the total
489 amount of all wagers placed by patrons with that internet gaming operator each month.

490 (3) For the purposes of subsection (b)(2) of this section, a mobile sports betting
491 operator shall not:

492 (A) carry over to the next month any promotional credits placed in excess of the
493 deduction allowed for any month; or

494 (B) carry forward any unused free bet credits accumulated before January 1, 2028.

495 (c)(1) The excise imposed and collected pursuant to subsection shall be due and payable
496 to the commission in monthly installments on or before the fifteenth calendar day following the
497 calendar month in which the adjusted gross internet gaming receipts were received.

498 (2) On or before the fifteenth calendar day of each month, the operator shall complete
499 and submit the return for the preceding month by electronic communication to the commission in
500 a form prescribed by the commission that provides:

501 (i) the total gross internet gaming receipts and adjusted gross internet gaming
502 receipts from operation of internet gaming during that month; and

503 (ii) any additional information necessary in the computation and collection of the tax
504 on adjusted gross internet gaming receipts required by the commission.

505 (3) The excise amount shown to be due shall be remitted by electronic funds transfer
506 simultaneously with the filing of the return.

507 (4) When an operator's adjusted gross internet gaming receipts for a month is a
508 negative number because the winnings paid to wagerers and excise taxes paid pursuant to federal
509 law exceed the operator's total gross receipts from internet gaming, the commission shall allow
510 the operator to carry over the negative amount to returns filed for subsequent months. The
511 negative amount of adjusted internet gaming receipts shall not be carried back to an earlier
512 month and taxes previously received by the commission shall not be refunded unless the operator
513 surrenders its license and the operator's last return reported negative adjusted internet gaming
514 receipts.

515 (d) The excise on adjusted gross internet gaming receipts imposed by this section shall be
516 in lieu of all other state and local taxes and fees imposed on the operation of, or the proceeds
517 from operation of, internet gaming.

518 (e) Annually, not later than July 1, the commission shall publish on its website a report
519 stating the amount in fees, surcharges and civil penalties received from operators and taxes
520 received from operators and from people or entities that offer internet gaming.

521 Section 15. (a) There shall be established and set up on the books of the commonwealth a
522 separate fund to be known as the Internet Gaming Control Fund. The commission shall be the
523 trustee of the fund and shall expend money to finance the operational activities of the
524 commission pertaining to internet gaming. The fund shall be credited with: (i) any appropriation,
525 bond proceeds or other monies authorized by the general court and specifically designated to be
526 credited thereto; (ii) the proceeds of any fees collected pursuant to this section unless otherwise
527 specified; (iii) fees collected pursuant to sections 7 and 8; and (iv) such additional funds as are
528 subject to the direction and control of the commission. All available money in the fund that is
529 unexpended at the end of each fiscal year shall not revert to the General Fund and shall be
530 available for expenditure in the subsequent fiscal year.

531 (b) The commission shall establish fees for any investigation into a violation of this
532 chapter or regulation promulgated hereunder by an internet gaming operator to be paid by the
533 internet gaming operator including, but not limited to, billable hours by commission staff
534 involved in the investigation and the costs of services, equipment or other expenses that are
535 incurred by the commission during the investigation.

536 (c) The commission's costs of regulating internet gaming shall be covered by: (i) the
537 fees set forth in subsection (b); (ii) any other fees specified in this chapter; or (iii) any other
538 designated sources of funding. The commission shall not assess internet gaming operators

539 pursuant to this chapter in proportion to each operator's share of the commonwealth's total
540 adjusted gross internet gaming receipts.

541 (d) If the fees collected pursuant to subsections (b) and (c) exceed the cost required to
542 maintain regulatory control, the surplus funds shall be credited in proportional shares against
543 each internet gaming operator's next assessment.

544 (e) The commission shall annually assess and collect a \$1,000,000 fee in shares
545 to be determined by the commission against each internet gaming operator. The fee collected
546 pursuant to this subsection shall be deposited into the Public Health Trust Fund established in
547 section 58 of said chapter 23K and shall be used for the costs of services and public health
548 programs provided for in said section 58 of said chapter 23K.

549 Section 16. (a) The commission may assess a civil administrative penalty on an operator
550 who fails to comply with any provision of this chapter or any regulation or order adopted by the
551 commission; provided, however, that the noncompliance shall have occurred after the
552 commission has given such operator written notice of the noncompliance and the time stated in
553 the notice for coming into compliance has elapsed; provided further, that the commission may
554 assess a penalty without providing written notice if the failure to comply: (i) was part of a pattern
555 of noncompliance and not an isolated instance; (ii) was willful or neglectful and not the result of
556 error; (iii) resulted in a significant breach to the integrity of the operator or the internet gaming
557 laws of the commonwealth; or (iv) consisted of failure to promptly report to the commission any
558 knowledge of evidence or circumstances that would cause a reasonable person to believe that a
559 violation of this chapter has been committed. The civil administrative penalty shall be in addition
560 to any other civil penalty that may be prescribed by law.

561 (b) For the purpose of determining whether such noncompliance was part of a pattern
562 of noncompliance and not an isolated instance, the commission shall consider, but not be limited
563 to; (i) whether the commission had previously notified the operator of such noncompliance on
564 more than 1 occasion during the previous month or of any noncompliance with the same
565 provision of a law, regulation, order, license or approval as the current noncompliance during the
566 previous 6-month period; or (ii) whether the current and previous instances of noncompliance,
567 considered together, indicate a potential threat to the integrity of the operator and internet
568 gaming in the commonwealth or an interference with the commission's ability to efficiently and
569 effectively regulate internet gaming in the commonwealth and enforce any regulation, license or
570 order. If an operator that has received a notice of noncompliance fails to come into compliance
571 within the time period stated in the notice, the civil administrative penalty may be assessed by
572 the commission upon the operator from the date of receipt of such notice.

573 (c) If the commission seeks to assess a civil administrative penalty on an operator, the
574 commission shall cause to be served upon the operator, by service in hand or by certified mail,
575 return receipt requested, a written notice of its intent to assess a civil administrative penalty that
576 shall include: (i) a concise statement of the alleged act or omission for which such civil
577 administrative penalty is sought to be assessed; (ii) each law, regulation, order, license or
578 approval that has not been complied with as a result of such alleged act or omission; (iii) the
579 amount that the commission seeks to assess as a civil administrative penalty for each alleged act
580 or omission; (iv) a statement of the operator's right to an adjudicatory hearing on the proposed
581 assessment; (v) the requirements the operator shall comply with to avoid being deemed to have
582 waived the right to an adjudicatory hearing; and (vi) the manner of payment thereof if the
583 operator elects to pay the penalty and waive an adjudicatory hearing. After written notice of

584 noncompliance or intent to assess a civil administrative penalty has been given, each day
585 thereafter during which noncompliance occurs or continues shall constitute a separate offense
586 and shall be subject to a separate civil administrative penalty if reasonable efforts have not been
587 made by the operator to promptly come into compliance.

588 (d) If the commission seeks to assess a civil administrative penalty on an operator, the
589 operator shall have the right to an adjudicatory hearing under chapter 30A, the provisions of
590 which shall apply except when they are inconsistent with the provisions of this chapter.

591 (e) An operator shall be deemed to have waived its right to an adjudicatory hearing
592 unless, not more than 21 days after the date of the commission's notice that the commission seeks
593 to assess a civil administrative penalty, the operator files with the commission a written
594 statement denying the occurrence of any of the acts or omissions alleged by the commission in
595 the notice or asserting that the amount of the proposed civil administrative penalty is excessive.
596 In an adjudicatory hearing authorized under chapter 30A, the commission shall be required to
597 prove, by a preponderance of the evidence, the occurrence of each act or omission alleged by the
598 commission in the notice.

599 (f) If an operator waives the right to an adjudicatory hearing, the proposed civil
600 administrative penalty shall be final immediately upon such waiver. If a civil administrative
601 penalty is assessed at the conclusion of an adjudicatory hearing, the civil administrative penalty
602 shall be final upon the expiration of 30 days unless an action for judicial review of the decision is
603 commenced under chapter 30A.

604 (g) An operator who institutes proceedings for judicial review of the final assessment
605 of a civil administrative penalty shall place the full amount of the final assessment in an interest-

606 bearing escrow account in the custody of the clerk or magistrate of the reviewing court. The
607 establishment of an interest-bearing escrow account shall be a condition precedent to the
608 jurisdiction of the reviewing court unless the party seeking judicial review demonstrates, in a
609 preliminary hearing held not more than 20 days after the filing of the complaint, the presence of
610 a substantial question for review by the court or the operator's inability to pay. Upon such a
611 demonstration, the court may grant an extension or waiver of the interest-bearing escrow account
612 requirement or may require, in lieu of such interest-bearing escrow account, the posting of a
613 bond payable directly to the commonwealth in the amount of 125 per cent of the assessed
614 penalty.

615 If, after judicial review, in a case where the escrow account requirement has been waived,
616 and in cases where a bond has been posted in lieu of such requirement, the court affirms, in
617 whole or in part, the assessment of a civil administrative penalty, the commission shall be paid
618 the amount thereof together with interest at the rate provided in section 6C of chapter 231. If,
619 after judicial review in a case where an interest-bearing escrow account has been established, the
620 court affirms the assessment of such penalty, in whole or in part, the commission shall be paid
621 the amount thereof together with the accumulated interest in the interest-bearing escrow account.
622 If the court sets aside the assessment of a civil administrative penalty in a case where the amount
623 of such penalty has been deposited in an interest-bearing escrow account, the operator on whom
624 the civil administrative penalty was assessed shall be repaid the amount so set aside, together
625 with the accumulated interest thereon.

626 (h) Each operator who fails to timely pay a civil administrative penalty and each
627 operator who issues a bond under this section and fails to timely pay to the commission the
628 amount required for the bond, shall be liable to the commonwealth for up to 3 times the amount

629 of the civil administrative penalty, together with costs, plus interest accrued from the time the
630 civil administrative penalty became final and attorneys' fees, including all costs and attorneys
631 fees incurred directly in the collection of the penalty. The rate of interest shall be the rate
632 provided in section 6C of chapter 231. The commission may require that the amount of a civil
633 administrative penalty imposed under this section exceed any economic benefit realized by a
634 person.

635 (i) The commission may impose conditions on, suspend or revoke an operator's license
636 or reprimand or assess a fine on an operator upon a finding that the operator: (i) has committed a
637 criminal or civil offense under this chapter or under any other law; (ii) is not in compliance with
638 internet gaming regulations promulgated pursuant to this chapter; (iii) is under criminal
639 investigation in another jurisdiction; (iv) has breached a condition of licensure; (v) has affiliates,
640 close associates or employees that are not qualified or licensed under this chapter with whom the
641 operator continues to conduct business or employ; (vi) is no longer capable of maintaining
642 operations as an internet gaming operator; or (vii) whose business practice, upon a determination
643 by the commission, is injurious to the policy objectives of this chapter.

644 Section 17. There shall be established and set up on the books of the commonwealth an
645 Internet Gaming Fund which shall receive revenues collected pursuant to sections 6 and 14. The
646 commission shall be the trustee of the fund and shall transfer monies from the fund as follows:

647 (1) 45 per cent to the General Fund;

648 (2) 17.5 per cent to the Workforce Investment Trust Fund
649 established in section 18;

650 (3) 27.5 per cent to the Gaming Local Aid Fund established in section 63 of section
651 23K;

652 (4) 1 per cent to the Youth Development and Achievement Fund established in
653 section 19; and

654 (5) 9 per cent to the Public Health Trust Fund established in section 58 of section
655 23K.

656 Section 18. (a) There shall be credited to the Workforce Investment Trust Fund any
657 internet gaming revenue transferred from the Internet Gaming Fund pursuant to section 16.
658 Monies transferred to the fund shall be continuously expended, without regard for fiscal year,
659 exclusively for carrying out the purposes of this section. Money remaining in the fund at the end
660 of a fiscal year shall not revert to the General Fund.

661 (b) The fund shall be administered by the secretary of housing and economic
662 development. Money in the fund shall be competitively granted to develop and strengthen
663 workforce opportunities for low- income communities and vulnerable youth and young adults in
664 the commonwealth, including providing opportunities and strategies to promote stable
665 employment and wage growth.

666 (c) Eligible grant recipients shall provide opportunities which: (i) target at risk youth,
667 including resources to empower youth to succeed in the workforce; (ii) provide job skills
668 trainings, including programs offering trainings in multiple languages and areas for development,
669 including education and hands on skills; (iii) promote adult literacy, including strategies to
670 master reading and writing and providing digital formats to increase accessibility; and (iv)
671 provide English language learning programs to promote access to the workforce. The secretary

672 of housing and economic development shall establish criteria to evaluate applications for the
673 grant program; provided, that the criteria shall include, but shall not be limited to, at risk
674 populations; provided further, that preference shall be given to eligible grant recipients providing
675 opportunities for individuals who meet at least 2 of the following: (i) is under 30 years of age;
676 (ii) is a victim of violence; (iii) is over 18 years of age and does not have a high school diploma;
677 (iv) has been convicted of a felony; (v) has been unemployed or has had a family income below
678 250 per cent of the federal poverty level for not less than 6 months; (vi) lives in a census tract
679 where over 20 per cent of the populations fall below the federal poverty line; or (vii) is an
680 immigrant, refugee or person of color.

681 (d) Annually, not later than October 1, the secretary of housing and economic
682 development shall provide a report of the grants given and a breakdown of expenditures made by
683 the fund. The report shall be posted on the website of the executive office of housing and
684 economic development.

685 Section 18. (a) The commission may impose on any person who violates this chapter a
686 civil penalty not to exceed \$2,000 for each violation or \$5,000 for violations arising from the
687 same series of events. Such penalty shall be imposed on all persons and is not limited to persons
688 licensed under this chapter.

689 (b) The commission may condition, suspend, reprimand, assess a fine or revoke an
690 operator license upon a finding that a licensee: (i) has committed a criminal or civil offense
691 under this chapter or under any other laws of the commonwealth; (ii) is not in compliance with
692 internet gaming regulations; (iii) is under criminal investigation in another jurisdiction; (iv) has
693 breached a condition of licensure; (v) has affiliates, close associates or employees that are not

694 qualified or licensed under this chapter with whom the licensee continues to conduct business or
695 employ; (vi) is no longer capable of maintaining operations as an internet gaming operator; or
696 (vii) whose business practice, upon a determination by the commission, is injurious to the policy
697 objectives of this chapter.

698 Section 19. (a) Whoever, other than an operator under this chapter, engages in accepting,
699 facilitating or operating an internet gaming operation shall be punished by imprisonment in the
700 house of correction for not more than 90 days or by a fine not to exceed \$10,000, or both; and
701 for a second offense, by imprisonment in the house of correction for not more than 6 months or
702 by a fine of not more than \$50,000, or both; and in the case of a third or subsequent violation by
703 imprisonment in the state prison for not less than 1 but not more than 5 years or by a fine of not
704 less than \$25,000 and not more than \$100,000, or both.

705 Section 22. An operator shall not discharge, demote, suspend, threaten, harass or in any
706 other manner discriminate against an employee because of any lawful act done by the employee
707 to provide information, cause information to be provided or otherwise assist in an investigation
708 regarding any conduct that the employee reasonably believes constitutes a violation of this
709 chapter.

710 Section 23. (a) The commission shall develop an annual research agenda in order to
711 understand the social and economic effects of internet gaming in the commonwealth and to
712 obtain scientific information relative to the neuroscience, psychology, sociology, epidemiology
713 and etiology of internet gaming. The secretary of health and human services, with the advice and
714 consent of the commission, may expend funds from the Public Health Trust Fund established in
715 section 58 of chapter 23K to implement the objectives of the internet gaming research agenda;

716 provided, however, that the objectives of the internet gaming research agenda shall, to the extent
717 practicable, be substantially similar to the objectives of the research agenda established under
718 section 71 of said chapter 23K. The internet gaming research agenda shall also include, but not
719 be limited to: (i) an assessment of whether problem internet gaming is comorbid with problem
720 gambling; (ii) an assessment as to whether the individuals participating in internet gaming are
721 different than those who participate in other forms of gaming or gambling; (iii) an assessment of
722 the impact of internet gaming on youth under the age of 25; and (v) the costs of implementing
723 this chapter.

724 (b) Annually, the commission shall make scientifically-based recommendations that
725 reflect the results of the research under clause (a) to the clerks of the senate and house of
726 representatives, the senate and house committees on ways and means, the joint committee on
727 economic development and emerging technologies, the joint committee on mental health,
728 substance use and recovery and the joint committee on public health. The commission shall
729 consider any such recommendations, research and findings in all decisions related to enhancing
730 responsible gambling and mitigating problem internet gaming. The recommendations shall be
731 posted on the commission's website.

732 Section 24. (a) The commission may enter into internet gaming reciprocal
733 agreements, provided such agreements are not inconsistent with federal law and the law of the
734 jurisdiction in which the person placing a wager is located.

735 (b) An internet gaming operator in this commonwealth may accept internet gaming
736 wagers from persons physically located in a permissible jurisdiction pursuant to a reciprocal
737 agreement.

738 (c) A reciprocal agreement with a permissible jurisdiction may allow a person
739 physically located in this commonwealth to place a wager with an internet gaming operator in
740 such permissible jurisdiction.

741 SECTION 5. Section 1 of chapter 137 of the General Laws, as appearing in the 2024
742 Official Edition, is hereby amended by inserting after the figure "23N", in line 3, the following
743 words:- or internet gaming conducted pursuant to chapter 23O.

744 SECTION 6. Section 2 of said chapter 137, as so appearing, is hereby amended by
745 inserting after the figure "23N", in line 3, the following words:- or an operator who offers
746 internet gaming pursuant to chapter 23O.

747 SECTION 7. Section 3 of said chapter 137, as so appearing, is hereby amended by
748 inserting after the figure "23N", in line 7, the following words:- or internet gaming conducted
749 pursuant to chapter 23O.

750 SECTION 8. Section 1 of chapter 271 of the General Laws, as so appearing, is hereby
751 amended by striking out, in line 4, the words "chapter 23K and 23N" and inserting in place
752 thereof the following words:- chapters 23K, 23N, and 23O.

753 SECTION 9. Section 2 of said chapter 271, as so appearing, is hereby amended by
754 striking out, in line 4, the words "chapters 23K and 23N" and inserting in place thereof the
755 following words:- chapters 23K, 23N, and 23O.

756 SECTION 10. Section 3 of said chapter 271, as so appearing, is hereby amended by
757 striking out, in line 1, the words "chapters 23K and 23N" and inserting in place thereof the
758 following words:- chapters 23K, 23N, and 23O.

759 SECTION 11. Section 5 of said chapter 271, as so appearing, is hereby amended by
760 striking out, in line 1, the words "chapters 23K and 23N" and inserting in place thereof the
761 following words:- chapters 23K, 23N, and 23O.

762 SECTION 12. Section 5A of said chapter 271, as so appearing, is further amended by
763 inserting after the words "chapter 23N", in line 32, the following words:- or internet gaming
764 conducted pursuant to chapter 23O.

765 SECTION 13. Section 5B of said chapter 271, as so appearing, is hereby amended by
766 striking out, in line 58, the words "chapters 23K and 23N" and inserting in place thereof the
767 following words:- chapters 23K, 23N, and 23O.

768 SECTION 14. Section 8 of said chapter 271, as so appearing, is hereby amended by
769 striking out, in lines 10 to 11, the words "other game that is not being conducted pursuant to
770 chapter 23K and any other sports wagering that is not being conducted pursuant to chapter 23N."
771 and inserting in place thereof the following words:- other game that is not being conducted
772 pursuant to chapter 23K, any other sports wagering that is not being conducted pursuant to
773 chapter 23N, and any other internet gaming that is not being conducted pursuant to chapter 23O.

774 SECTION 15. Section 17 of said chapter 271, as so appearing, is hereby amended by
775 inserting after the words "chapter 23N", in line 27, the following words:- or for the purpose of
776 internet gaming conducted in accordance with chapter 23O.

777 SECTION 16. Said chapter 271, as so appearing, is hereby further amended by striking
778 out section 17A and inserting in place thereof the following section:-

779 Section 17A. Except as permitted under chapter 23N and chapter 23O, whoever uses a
780 telephone, internet or other communications technology or, being the occupant in control of
781 premises where a telephone, internet or other communications technology is located or a
782 subscriber for such communications technology, knowingly permits another to use a telephone,
783 internet or other communications technology so located or for which such person subscribes, as
784 the case may be, for the purpose of accepting wagers or bets, or buying or selling of pools, or for
785 placing all or any portion of a wager with another, upon the result of a trial or contest of skill,
786 speed or endurance of man, beast, bird or machine, or upon the result of an athletic game or
787 contest, or upon the lottery called the numbers game, or for the purpose of reporting the same to
788 a headquarters or booking office, or who under another name or otherwise falsely or fictitiously
789 procures telephone, internet or other communications technology service for oneself or another
790 for such purposes, shall be punished by a fine of not more than \$2,000 or by imprisonment for
791 not more than 1 year; provided, however, that this section shall not apply to use of telephones or
792 other devices or means to place wagers authorized pursuant to the provisions of section 5C of
793 chapter 128A.

794 SECTION 17. Section 19 of said chapter 271, as so appearing, is hereby amended by
795 inserting after the words "chapter 23N", in line 19, the following words:- or to advertising of
796 internet gaming conducted pursuant to chapter 23O.

797 SECTION 18. Section 20 of said chapter 271, as so appearing, is hereby amended by
798 adding the following sentence:- Nothing in this section shall prohibit an operator licensed under
799 chapter 23O from posting, advertising or displaying materials relevant to its internet gaming
800 operations.

801 SECTION 19. Section 23 of said chapter 271, as so appearing, is hereby amended by
802 inserting after the words "chapter 23N", in line 31, the following words:- or internet gaming
803 conducted pursuant to chapter 23O.

804 SECTION 20. Section 27 of said chapter 271, as so appearing, is hereby amended by
805 inserting after the words "chapter 23N", in line 15, the following words:- or internet gaming
806 conducted pursuant to chapter 23O.

807 SECTION 21. Section 28 of said chapter 271, as so appearing, is hereby amended by
808 inserting after the word "chapter 23N", in line 12, the following words:- or internet gaming
809 conducted pursuant to chapter 23O.

810 SECTION 22. Section 42 of said chapter 271, as so appearing, is hereby amended by
811 inserting after the words "chapter 23N", in line 4, the following words:- or internet gaming
812 conducted pursuant to chapter 23O.

813 SECTION 23. The Massachusetts gaming commission shall conduct a study on the
814 participation by minority business enterprises, women business enterprises and veteran business
815 enterprises in the internet gaming industry in the commonwealth. The study shall include, but not
816 be limited to, an analysis of: (i) participation in activities related to the regulation, licensing and
817 promotion of internet gaming operators; (ii) the level of participation of women, minority and
818 veteran employees working for internet gaming licensees and employers; (iii) the level of
819 participation by minority-owned and women-owned businesses that contract with or provide
820 services to internet gaming licensees and employers; (iv) any barriers to employment of women
821 and minorities in the internet gaming industry; and (v) methods for increasing racial and gender
822 diversity in the workforce in the internet gaming industry, including whether to set reasonable

823 and appropriate goals and procedures for increasing the number of minority business enterprises
824 providing internet gaming industry-related services to internet gaming licensees and employers.
825 The commission shall report on its findings and submit any recommendations to the clerks of the
826 senate and house of representatives, the house and senate committees on ways and means, the
827 joint committee on racial equity, civil rights, and inclusion and the joint committee on economic
828 development and emerging technologies not later than December 31, 2025.