

Massachusetts House of Representatives Bill Summary

Bill #:	H.496
Title:	An Act protecting the Commonwealth's gaming industry.
Sponsor:	Rep. Jeffrey N. Roy
Committee:	Economic Development and Emerging Technologies
Hearing Date:	November 13, 2025
Reporting Deadline:	December 17, 2025 (Subject to extensions under House Rule 27)
Prior History:	2023-2024 (H.421): Study Order
Key Terms:	<p>Category 1 license - a license issued by the commission that permits the licensee to operate a gaming establishment with table games and slot machines.</p> <p>Category 2 license - a license issued by the commission that permits the licensee to operate a gaming establishment with no table games and not more than 1,250 slot machines.</p> <p>Gaming license - a license issued by the commission that permits the licensee to operate a gaming establishment.</p> <p>Gaming licensee - a person or entity who holds a gaming license under this chapter.</p> <p>Host community - a municipality in which a gaming establishment is located or in which an applicant has proposed locating a gaming establishment.</p> <p>Slot machine - a mechanical, electrical or other device, contrivance or machine which, upon insertion of a coin, token or similar object therein, or upon payment of any consideration whatsoever, is available to play or operate, the play or operation of which, whether by reason of the skill of the operator or application of the element of chance, or both, may deliver or entitle the individual playing or operating the machine to receive cash, or tokens to be exchanged for</p>

cash, or to receive merchandise or any other thing of value, whether the payoff is made automatically from the machine or in any other manner, except that the cash equivalent value of any merchandise or other thing of value shall not be included in determining the payout percentage of a slot machine.

Table Games - a game, other than a slot machine, which is authorized by the commission to be played in a gaming establishment.

Current Law: *Chapter 23K of MGL governs the Massachusetts Gaming Commission & Casino Gaming Licensure*

- Section 2 of this chapter provides statutory definitions for terms such as “category 1 license”, “category 2 license,” “Host Community,” “Slot machines,” “Table games”, etc.
- Section 4 of this chapter list the powers of the Massachusetts Gaming Commission as including the power to “(12) develop criteria, in addition to those outlined in this chapter, to assess which applications for gaming licenses will provide the highest and best value to the commonwealth and the region in which a gaming establishment is to be located” and to “(13) determine which applicants shall be awarded gaming licenses, gaming vendor licenses and other licenses in accordance with this chapter”
- Section 9 of this chapter delegates to the Massachusetts Gaming Commission the authority to prescribe the application process for gaming licenses but provides a mandate that certain information must be included within the application materials.
- Section 11 of this chapter gives the Massachusetts Gaming Commission the power to set the minimum investment required for a Category 2 (slots-only) license. The law requires that the company spend at least \$125 million to build and develop the facility (such as the gaming floor and amenities), though the Commission decides whether land costs and certain infrastructure count toward that amount. This section also requires the company to pay a \$25 million licensing fee to the state within 30 days of receiving the license. Finally, the Commission must provide ongoing oversight to ensure the company remains financially stable and has enough resources to complete construction and operate responsibly throughout the life of the license.

- Section 17 requires the Massachusetts Gaming Commission, after reviewing a full license application, to determine which municipalities qualify as “surrounding communities” and which live entertainment venues qualify as “impacted venues” affected by a proposed gaming establishment. If an applicant has not reached agreements with those communities or venues, it must do so within 30 days, with the Commission stepping in to ensure a fair resolution if negotiations stall. The Commission must also hold a public hearing in the host community (or nearby if requested) to gather input, review the project’s design, amenities, community integration, and mitigation plans, and consider letters of support or opposition. After the hearing, the Commission has 30–90 days to act on the application by granting, denying, or extending review for up to 30 additional days. If an application is denied, the Commission must provide its reasoning and factual findings if requested but ultimately has full discretion to issue or deny a license, and applicants have no legal right to a license or further review if rejected.
- Section 18 requires the Massachusetts Gaming Commission, when deciding whether to award a gaming license, to issue written findings showing how each applicant would advance key public objectives. These include protecting the state lottery from harm, promoting local businesses and cross-marketing with restaurants, hotels, retailers, and entertainment venues, and ensuring large capital investment. Applicants must present strong workforce development and training plans, create quality jobs, and demonstrate responsible hiring practices that promote diversity, equal opportunity, and career advancement (including childcare support and tuition assistance). Proposals must also include a high-quality facility with amenities that enhance regional tourism, detailed market and site analyses, and sustainability commitments such as green building certification, renewable energy use, water conservation, and energy efficiency. Applicants must address problem gambling, mitigate community impacts, contract with local businesses, maximize state revenues, purchase domestically manufactured slot machines when possible, and implement supplier diversity and affirmative action programs.
- Section 20 authorizes the Massachusetts Gaming Commission to issue no more than one Category 2 (slots-only) license, and only if the applicant meets all eligibility criteria and demonstrates clear value to the Commonwealth; and during the first five years may only be transferred in cases of

ownership changes, loss of suitability, or other circumstances deemed significant by the Commission. Each license lasts five years, with renewal procedures set by the Commission; renewal fees must cover review costs but may not be less than \$100,000.

- Section 55 sets the daily tax and assessment rates on casino revenues. Category 1 resort casinos must pay a tax equal to 25% of their gross gaming revenue each day, while Category 2 slots parlors must pay a higher tax of 40% of gross gaming revenue, plus an additional 9% assessment on gross gaming revenue that goes directly to the Race Horse Development Fund. All taxes and assessments must be paid to the Commission on the day after the wagers are made.

Summary: This bill amends Chapter 23K, which governs casino gaming in Massachusetts, by updating and potentially expanding the scope of Category 2 licenses. It clarifies that a Category 2 license is limited to operating up to 1,250 slot machines with no table games but gives the Massachusetts Gaming Commission discretion to authorize an expansion of up to 30 table games and 250 additional slot machines. To pursue such an expansion, the licensee must formally request it, the host community's governing body must approve, and the Commission must hold two public hearings (including one locally) before determining the proposal meets legal requirements and serves the Commonwealth's best interests. Any authorization to expand does not create a new license and automatically ends if the underlying Category 2 license is not renewed, suspended, surrendered, or terminated.

Section 1 of this Bill makes several changes to Chapter 23K

- First, Section 1 of the bill amends Section 2 of Chapter 23K by updating the statutory definition of a Category 2 License. Under the new language, a Category 2 license allows a gaming establishment to operate only slot machines (no table games), with a cap of up to 1,250 slot machines, *unless the Commission decides otherwise under the provisions of Chapter 23K*.
- Second, Section 1 of the bill amends Section 11 of Chapter 23K to give the Massachusetts Gaming Commission the authority, at its discretion, to allow a Category 2 (slots-only) licensee to expand operations to include up to 30 table games and 250 additional slot machines. This expansion would require a formal request from the licensee and official approval

from the host community's governing body (Mayor and City Council or Board of Selectmen and Town Meeting). If those approvals are secured, the Commission may authorize the expansion only after confirming the request meets the application requirements of Section 9 and, following two public hearings (one of which must be held in the host community), determining that the change is in the best interests of the Commonwealth.

Section 2 of this bill states generally that any authorization granted by the Commission under this amendment does not create a new, separate license and will automatically end if the Category 2 license is not renewed under Section 20(f) of Chapter 23K, or if the license is terminated, surrendered, or suspended.

Notes: Identical to S.308