



Legal Division

June 20, 2025

The Honorable Michael D. Hurley
Senate Clerk
Office of the Senate Clerk
24 Beacon Street | Room 335
Boston, MA 02133

The Honorable Timothy Carroll
House Clerk
Office of the House Clerk
24 Beacon Street | Room 145
Boston, MA 02133

Dear Senate Clerk Hurley and House Clerk Timothy Carroll:

Pursuant to M.G.L. c. 128A, § 9B and M.G.L. c. 6 § 222 the Massachusetts Gaming Commission (“Commission”) hereby files 205 CMR 3.00, specifically, **205 CMR 3.13: Licensee: duties and obligations**, **205 CMR 3.15: Owners**, **205 CMR 3.21 Trainers**, **205 CMR 3.23: Claiming Races**, **205 CMR 3.32: Testing**, **205 CMR 3.33: Postmortem Examinations** with the Clerks of the Senate and the House of Representatives.

205 CMR 3.13(13) is being amended to require a warning light system of green, yellow, and red beacon style lights and sirens in the event of an accident and also assigns the duties of the judges to monitor, control and trigger the accident warning lights to indicate to the drivers to proceed with caution if yellow, cease racing if red, and an “all clear” green light to signal for warm ups and live racing to continue.

205 CMR 3.15(3) is being amended to clarify that an owner may not have or employ more than two trainers on the grounds of the Association without approval of the Board of Judges. This change is being made in order to reduce any potential for confusion of which owner and which trainers are associated with one or more horses on the grounds.

205 CMR 3.21(8) is being amended to clarify that a trainer must ensure that specific equipment is secured properly, including side straps on number pads to be taped, for all races. This serves as a method to reduce the possibility for the equipment to become loose and interfere with the safety of the drivers or the animals.

205 CMR 3.23(12)(13) is being amended to clarify when a claim should be voided if a horse dies on the track or suffers an injury which requires euthanasia of the horse while the horse is on the racetrack, and, when a claim is voidable at the discretion of the new owner in three scenarios. These changes provide a new owner with a method of recourse and promotes the health of the animal by deterring an individual from knowingly entering a sick or injured horse in a claiming race.

205 CMR 3.32(3)(k) is being amended to clarify the different scenarios that can occur when a sample is tested and when there is a request for a split sample. It further defines the standard



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presumption if the referee laboratory is unable to reach a valid testing conclusion or if the split sample was not of sufficient quantity for the referee laboratory to reach a valid testing conclusion.

205 CMR 3.33(6) is being amended to require a mortality review after the death of a racehorse, to be conducted by the Director of Racing. The Director of Racing's primary role would be to gather information surrounding the death of each racehorse and to ultimately arrive, if possible, at conclusions and recommendations to the appropriate entity or person.

These regulations are largely governed by M.G.L. c. 128A, §§ 9 and 9B. A public hearing was held regarding these proposed amendments on May 27, 2025. If you have any questions or need additional information, please feel free to reach me at melanie.foxx@massgaming.gov or (857) 202-0429. Thank you for your attention to this matter.

Respectfully submitted,

Massachusetts Gaming Commission
By:

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Associate General Counsel

Enclosures



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