

**Summary of Chapter 194 of the Acts of 2011 (the “Gaming Law”)  
 Prepared for the Massachusetts Gaming Commission (“MGC”) May 14, 2012  
 This chart is intended solely as an index to the provisions of St. 2011, c. 194. The section summaries  
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<b>Appropriations for Commission Operations</b>
<b>Funds Created or Affected by the Gaming Law</b>
<b>Applicant/Licensee Payments and Fines</b>
<b>Actions Involving Other Agencies and Advisory Boards</b>
<b>Required Regulations and Procedures</b>
State Racing Commission Transition
Criminal Law
<b>Licensing and Oversight of External Operations</b>
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<b>Internal Operations</b>
<b>Other/General</b>

Section of Gaming Law	Subject Area	Effective Date Y/M/D	1 <sup>st</sup> Deadline Y/M/D	2 <sup>nd</sup> Deadline Y/M/D	Summary of Section and Massachusetts Gaming Commission (“MGC”) Duties	Chapter/Section of General or Session Laws Amended <sup>1</sup>
-	Preamble	11/11/22			Emergency preamble (H.B. No. 3807) to provide for economic investments and job creation in the commonwealth.	
1	Appropriations	11/11/22	12/06/30	13/06/30	The appropriations in § 2A of the Gaming Law are made for the fiscal year ending <b>June 30, 2012</b> . Those appropriations do not revert at the end of this fiscal year but are available for expenditure until <b>June 30, 2013</b> .	
2	NA				There is no section 2 in the Gaming Law	
2A	Appropriations	11/11/22	12/06/30	13/06/30	Provides for an appropriation of funds for certain costs associated with the implementation of expanded gaming including: <ul style="list-style-type: none"> <li>• \$5,000,000 for costs associated with implementation of expanded gaming including but not limited to negotiation and execution of a compact with a federally recognized Indian tribe in Region C;</li> <li>• \$500,000 for implementation and operation of division of gaming enforcement within AG’s Office.</li> </ul> These appropriations are subject to the appropriations deadlines in §1 of the Gaming Law	12/11M

<sup>1</sup> General Laws are noted in the format Chapter Number/Section Number. Session Laws are preceded with an “S” and noted in the format Chapter Number/Year.

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3	Illegal Gaming	11/11/22	NA	NA	Changes the definition of “Illegal Gaming” pursuant to <b>G.L. c. 4, § 7</b> : <ul style="list-style-type: none"> <li>• Broad definition with 5 exclusions <ul style="list-style-type: none"> <li>○ State lottery (G.L. c. 10, § 24, 24A, 27)</li> <li>○ Games conducted pursuant to Chapter 23K</li> <li>○ Authorized pari-mutuel wagering (G.L. c.128A and 128C)</li> <li>○ Bingo (G.L. c. 271)</li> <li>○ Charitable gaming (G.L. c. 271)</li> </ul> </li> </ul>	4/7
4	Racing Comm’n	12/05/20	12/05/20	14/07/31	Repeals <b>G.L. c. 6, § 48</b> and abolishes the State Racing Commission (“SRC”) effective <b>May 20, 2012</b> .	6/48
5	Technical Amend.	11/11/22	NA	NA	Amends <b>G.L. c. 10, § 35</b> , which establishes the State Lottery Fund, to change name to the State Lottery and <b>Gaming</b> Fund	10/35
6	Technical Amend.	11/11/22	NA	NA	Amends <b>G.L. c. 10, § 39</b> , providing for disposition of funds from “beano” games, to change the disposition of funds from State Lottery Fund to State Lottery <b>and Gaming</b> Fund	10/39
7	Greyhound Council	11/11/22	NA	NA	Repeals <b>G.L. c. 10, §§ 64, 65</b> relating to the retired greyhound care and adoption council and the greyhound adoption trust fund.	10/64,65
8	ABCC	11/11/22	NA	NA	Adds <b>G.L. c. 10, § 72A</b> requiring the Commissioner of the Alcoholic Beverages Control Commission (“ABCC”) to establish a Gaming Liquor Enforcement Unit to enforce, regulate and control the distribution of alcoholic beverages in a gaming establishment.  The Gaming Liquor Enforcement Unit will work with the MGC’s investigations and enforcement bureau (the “Bureau”). Although the unit’s investigators will be assigned by the ABCC, the MGC will designate the number of investigators necessary to staff the unit. <b>The MGC shall reimburse the ABCC for the costs of operating the unit and will have final approval over the unit’s budget.</b>  The code of ethics established pursuant to G.L. c. 23K, § 3 will apply to members of the unit. Members of the unit may not place a wager in a gaming establishment licensed pursuant to <b>G.L. c. 23K</b> .	10/72A

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9	AG	11/11/22	NA	NA	<p>Adds <b>G.L. c. 12, 11M</b> establishing a “Division of Gaming Enforcement” (the “Division”) within the Attorney General’s Office (“AG”). The AG shall designate an assistant attorney general as the director of gaming enforcement. The Division will enforce criminal violations of <b>G.L. c. 23K</b>.</p> <p>The AG “shall establish a code of ethics for all division employees which shall be more restrictive than chapters <b>268A and 268B</b>.” Specific requirements are spelled out in the Act.</p> <p>Employees of the Division or those engaged by them in the course of an investigation may not place a wager in a gaming establishment licensed pursuant to <b>G.L. c. 23K</b> except in the performance of their duties.</p> <p>The Division will be reimbursed for its expenses by the MGC on a quarterly basis. However, the MGC shall not approve a reimbursement request if the request would exceed an annual reimbursement of \$3 million.</p>	12/11M
10	Gambling Adv. Comm’n	11/11/22	NA	NA	Repeals <b>G.L. c. 12B</b> establishing the Massachusetts Gambling Advisory Commission	12B
11	Racing Comm’n	12/05/20	12/05/20	NA	Amends <b>G.L. c. 13, § 9</b> to remove reference to SRC in statute regarding boards of registration effective <b>May 20, 2012</b>	13/9
12	Racing Comm’n	12/05/20	12/05/20	NA	Amends <b>G.L. c. 13, § 9B</b> to remove reference to SRC in statute regarding boards of registration effective <b>May 20, 2012</b>	13/9B
13	Racing Comm’n	12/05/20	12/05/20	NA	Amends <b>G.L. c. 13, § 9B</b> to remove reference to SRC in statute regarding boards of registration effective <b>May 20, 2012</b>	13/9B
14	Technical Amend.	11/11/22	NA	NA	Amends <b>G.L. c. 22C, § 38</b> requiring court clerks to report convictions involving gaming to state police to clarify that it only applies to “illegal” gaming.	22C/38

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15	State Police	11/11/22	NA	NA	<p>Adds <b>G.L. c. 22C, § 70</b> requiring the Colonel of State Police to establish a “Gaming Enforcement Unit” to investigate criminal violations of <b>G.L. c. 23K</b> and any other general or special law pertaining to gaming.</p> <p>The Gaming Enforcement Unit is to work with the Bureau and the Division to investigate criminal activity related to gaming. The officers and employees of the Unit will be assigned by the State Police.</p> <p>Employees of the unit may not place a wager in a gaming establishment licensed pursuant to <b>G.L. c. 23K</b> except in the performance of their duties. The code of ethics established by the MGC pursuant to <b>G.L. c. 23K, § 3</b> applies to all officers and employees of the unit.</p>	22C/70
16	Gaming Act	11/11/22 <sup>2</sup>	NA	NA	Amends the General Laws by inserting <b>G.L. c. 23K creating the MASSACHUSETTS GAMING COMMISSION.</b>	23K
16.01	Purposes	11/11/22	NA	NA	<p>Provides the General Court’s findings and declarations re:</p> <ol style="list-style-type: none"> <li>(1) public confidence</li> <li>(2) financial stability and integrity</li> <li>(3) highest standards of licensing</li> <li>(4) state lottery and local aid</li> <li>(5) new employment opportunities, preserve jobs in existing industries</li> <li>(6) local small businesses and tourism</li> <li>(7) unique cultural and social resources</li> <li>(8) combat compulsive gambling, provide community mitigation</li> <li>(9) license shall be a revocable privilege</li> <li>(10) “The power and authority of the MGC is to be construed broadly as necessary for the implementation, administration and enforcement of the chapter.”</li> </ol>	23K/1

<sup>2</sup> Certain sections of G.L. c. 23K have separate effective dates. Those separate effective dates are described below.

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16.02	Definitions	11/11/22	NA	NA	Provides definitions applicable to G.L. c. 23K including without limitation: <ul style="list-style-type: none"> <li>• Bureau, the investigations and enforcement bureau in the commission.</li> <li>• Category 1 license (table games and slot machines)</li> <li>• Category 2 license (no table games and not more than 1,250 slot machines)</li> <li>• Chair (the chair of the commission)</li> <li>• Commission (the Massachusetts gaming commission)</li> <li>• Commissioner (a member of the commission)</li> <li>• Division (division of gaming enforcement in the AG’s office).</li> <li>• Executive director (ED of the Commission)</li> <li>• Governing body (in a city having a Plan D or Plan E charter the city manager and city council and in any other city the mayor and the city council and in towns the board of selectmen)</li> <li>• Host community</li> <li>• Major policymaking position (defined by position or salary)</li> <li>• State police (department of state police)</li> <li>• Surrounding communities (municipalities in proximity to a host community which the commission determines experience or are likely to experience impacts)</li> </ul>	23K/2
16.03	Commission	11/11/22	NA	NA	Establishes MGC and includes the subsections (a-x) described below	23K/3
16.03(a)	Commissioners	11/11/22	NA	NA	Establishes the MGC and its membership and requires a background investigation to be conducted into the financial stability, integrity and responsibility of a candidate for the MGC. No person who has been convicted of a felony may be a commissioner.	23K/3(a)
16.03(b)	Residency	11/11/22	12/06/19	NA	Each commissioner must be a resident of the Commonwealth within 90 days of appointment and, while serving on the commission, may not hold or be a candidate for elected office, hold appointed office, or serve as an official in a political party. No more than 3 commissioners may be from the same party. See also Act, s. 88 (appointment deadline)..	23K/3(b)
16.03(c)	Term	11/11/22	5 Years	10 Years	Each commissioner shall serve a 5 year term or until a successor is appointed. Commissioners are eligible for reappointment, but may not serve more than 10 years. Commissioners may be removed <b>by the Governor</b> for malfeasance, neglect of duties, inability to discharge powers or duties, gross misconduct, or being convicted of a felony. A person appointed to fill a vacancy of a commissioner shall be appointed in like manner and shall serve for only the unexpired term of the commissioner.	23k/3(c)
16.03(d)	Quorum/Vote	11/11/22	NA	NA	3 Commissioners shall constitute a quorum and 3 votes are required for MGC action. <b>MGC must adopt regulations establishing procedures for requesting notice of meetings of the commission</b>	23K/3(d)
16.03(e)	Salaries	11/11/22	NA	NA	Sets Commissioners salaries and full time office	23K/3(e)

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16.03(f)	Officers	11/11/22	12/04/10	Annual	MGC shall <b>annually</b> elect 1 member to serve as secretary and 1 to serve as treasurer. The Secretary is custodian and keeper of records for the MGC	23K/3(f)
16.03(g)	Chair	11/11/22	NA	NA	Chair presides over MGC and all hearings or designates a commissioner to act in his absence. Chair assigns division or re-division of work among commissioners.	23K/3(g)
16.03(h)	Hearings	11/11/22	NA		Hearings and decisions of Commission – Options and criteria: All commissioners <b>or</b> at least 2 commissioners <b>or</b> MGC employee (assigned by the Chair) with concurrence of 1 other commissioner.	23K/3(h)
16.03(i)	Exec. Director	11/11/22	NA	NA	Commission appoints executive director (“ED”) and acting ED as necessary. ED appoints chief financial and accounting officer (“CFAO”). ED (subject to approval of commission), employs other employees, consultants, agents and advisors, including legal counsel. Matters within ED’s and CFAO’s power.	23K/3(i)
16.03(j)	Organizational Plan	11/11/22	NA	NA	ED’s establishes administrative units with MGC’s approval. ED must maintain (and file with Secretary of State and A&F) an organizational plan of the MGC.	23K/3(j)
16.03(k)	Appointments	11/11/22	NA	NA	ED appoints others to perform functions of the commission. <b>G.L. cc. 31 and 30, § 9A</b> (related to civil service) do not apply; however this subsection spells out relationship to civil service.	23K/3(k)
16.03(l)	Employees	11/11/22	NA	NA	Authorizes prospective employee background checks.  May require of prospective employee (i) application and personal disclosure on a form (ii) testing for illegal substances (iii) fingerprints and a photograph per state police standards (iv) authorization to conduct a credit check.  Must verify the identification, employment and education of each prospective employee including: (i) legal name, including any alias (ii) secondary and post secondary educational institutions attended (iii) place of residence; and (iv) employment history.  Imposes limitations on hiring and continued employment related to criminal record and employment history.	23K/3(l)
16.03(m)	Code of Ethics	11/11/22	NA	NA	Provides that <b>G.L. cc. 268A and 268B</b> will apply to employees of the MGC. MGC is <b>required</b> to establish a code of ethics that is more restrictive than those chapters.	23K/3(m)
16.03(n)	Oath of Office	11/11/22	Immediate	NA	Immediately upon assuming office, commissioners and employees of the MGC (except for secretarial and clerical personnel) must swear or affirm that they have no interest in a person licensed under	23K/3(n)

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					chapter. MGC may not employ anyone who has had such an interest in the 3 years prior to commencing employment	
16.03(o)	Outside Activities	11/11/22	NA	NA	No employee may pursue any other business or occupation outside of MGC without approval of MGC that such employment will not interfere or be in conflict with employee’s duties	23K/3(o)
16.03(p)	3 Year Prohibition	11/11/22	NA	NA	Commissioners may not hold a direct or indirect interest in or be employed by an applicant or person licensed by commission for a period of <b>3 years</b> after employment by MGC.	23K/3(p)
16.03(q)	2 Year Prohibition	11/11/22	NA	NA	No employee of MGC holding a major policymaking position with MGC may acquire an interest in or be employed by an applicant or licensee for <b>2 years</b> after employment.	23K/3(q)
16.03(r)	1 Year Prohibition	11/11/22	NA	NA	No other employee may acquire an interest in or be employed by an applicant or licensee for <b>1 year</b> after employment.	23K/3(r)
16.03(s)	Essential State Employees	11/11/22	NA	NA	MGC employee assigned to a gaming establishment is considered an essential state employee	23K/3(s)
16.03(t)	No Wagers	11/11/22	NA	NA	Commissioners and employees may not place a wager in a gaming establishment other than in the performance of their official duties	
16.03(u)	Faithful Performance	11/11/22	NA	NA	Commissioners and those holding major policymaking positions shall be sworn to faithful performance of their duties and shall: (i) render decisions that are fair and impartial and in the public interest (ii) avoid impropriety and the appearance of impropriety in all matters (iii) avoid all prohibited communications (iv) require staff and personnel to observe the same standards (v) disqualify themselves if impartiality might reasonably be questioned and (vi) refrain from financial or business dealings reflecting adversely on impartiality	23K/3(u)
16.03(v)	Prohibited Financial Interests	11/11/22	NA	NA	Prohibits Commissioners’, employees’ and immediate family members from owning stock, being employed by, or having a pecuniary interest in a licensee, etc..	23K/3(v)
16.03(w)	Civil Service	11/11/22	NA	NA	MGC and its employees are not subject to a number of state laws applicable to civil service and veterans’ preferences therein.	23K/3(w)
16.03(x)	AG Represents	11/11/22	NA	NA	The MGC is a commission for the purposes of <b>G.L. c. 12, § 3</b> . The AG can appear on its behalf.	23K/3(x)

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16.04	Commission’s Powers	11/11/22	12/07/31	NA	<p>States that the MGC shall have “<b>all powers necessary or convenient to carry out and effectuate its purposes, including, but not limited to,</b>” a list of 41 enumerated powers. These powers include the generic powers of public entities to execute instruments, appear on their own behalf before other boards, commissions, or federal, state, and local agencies, conduct investigations, and other powers. They also include the specific powers to effectuate G.L. c. 23K.</p> <p>The last power granted in this section, the power to regulate and enforce <b>G.L. 271, § 7A</b> related to bazaars and raffles, does not become effective until <b>July 31, 2012</b> (See Appendix B)</p>	23K/4 271/7A
16.05	Required Regulations	11/11/22	NA	NA	<p>Provides that MGC <b>shall</b> promulgate regulations on 18 enumerated topics.</p> <p>This section also permits the MG to promulgate additional regulations and to promulgate, amend or repeal any regulation promulgated under G.L. c. 23K as an emergency regulation if necessary to protect the interests of the Commonwealth in regulating a gaming establishment.</p>	23K/5
16.06	Investigation and Enforcement Bureau	11/11/22	NA	NA	<p>Establishes an Investigation and Enforcement Bureau (the “Bureau”) within the MGC as the primary enforcement agent for regulatory matters under the chapter. The Bureau will be under the supervision and control of the deputy director of investigations and enforcement.</p> <p>The Bureau coordinates with the AG’s Office, ABCC, and the State Police.</p> <p>State Police have exclusive police jurisdiction over criminal activity relating to the operation of a gaming establishment or games or gaming inside a gaming establishment, but concurrent jurisdiction with local law enforcement on all other policing matters.</p> <p><b>The MGC is to facilitate execution of an MOU between the State Police and local law enforcement.</b></p>	23K/6



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16.07	Racing Comm’n	12/05/20	12/05/20	14/07/31	<p>The Commission shall administer and enforce <b>G.L. cc. 128A and 128C</b> regarding horse racing, dog raging, pari-mutuel wagering and simulcasting effective <b>May 20, 2012</b> until this section and chapters are repealed on <b>July 31, 2014</b> (see sections 17, 39, 41, and 112). After that date, the MGC will still have this authority, but under a revised version of <b>G.L. c. 23K, § 7</b>. The MGC is designated a host racing commission and an off track betting commission for purposes of 15 U.S.C. 3011, <i>et seq.</i></p> <p>The MGC may grant a simulcasting license to a gaming establishment, provided it assesses a percentage of the wagering received on in-state and out-of-state thoroughbred and harness races equal to that paid by a licensee pursuant to <b>G.L. c. 128C</b>. The assessment shall be allocated to the Race Horse Development fund established pursuant to <b>G.L. c. 23K, § 60</b>.</p>	23K/7
16.08	Licensing Process	11/11/22	NA	NA	Provides that MGC shall issue a request for applications (“RFA”) for Category 1 (Resort Casino) and Category 2 (Slot parlor) licenses. MGC must issue an RFA for Category 2 licenses <b>first</b> .	23K/8
16.09	Application Form	11/11/22	NA	NA	Provides that MGC shall prescribe the form of the application for gaming licenses and includes mandatory portions of those licenses.	23K/9
16.10	Capital Investment – Category 1	11/11/22	30 Days	1 Year	<p>The MGC must set the minimum capital investment for each region for a Category 1 License at or above \$500,000,000. If a license is awarded, the licensee will be required to deposit 10% of that minimum investment with the MGC in an interest bearing account. That amount will be held in escrow by the MGC until the final stages of construction of the gaming establishment. The MGC may allow a licensee to post a deposit bond in lieu of the payment. This amount will be forfeited to the Commonwealth if the applicant is unable to complete the Gaming Establishment.</p> <p>A licensee who fails to begin gaming operations within 1 year of the date specified in its construction timeline is subject to license suspension or revocation and a \$50,000,000 fine.</p> <p>In addition, the MGC must set a minimum licensing fee of not less than \$85,000,000 to be paid to the MGC by the licensee within 30 days after award of a license. The MGC must also set renewal fees based on the costs of fees associated with evaluation of the licensee. Such fees must be deposited in the Gaming Revenue Fund.</p>	23K/10

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<b>16.11</b>	<b>Capital Investment – Category 2</b>	<b>11/11/22</b>	<b>30 Days</b>	<b>2 Years</b>	The MGC must set the minimum capital investment for a Category 2 License at or above \$125,000,000. This investment must be made within two years after receipt of a license.  The MGC must set a minimum licensing fee of not less than \$25,000,000 to be paid to the MGC by the licensee within 30 days after award of a license.	23K/11
<b>16.12</b>	<b>Investigation and Suitability of Applicants</b>	<b>11/11/22</b>	<b>NA</b>	<b>NA</b>	Upon receipt of an application of a gaming license, the MGC must instruct the Bureau to investigate the suitability of an applicant prior to consideration of that applicant’s application	23K/12
<b>16.13</b>	<b>Qualifications and Burden of Proof</b>	<b>11/11/22</b>	<b>NA</b>	<b>NA</b>	An applicant for a gaming license or any other person required to be licensed by the Commission must establish qualifications for the license by clear and convincing evidence. Applicants, licensees or registrations have continuing duties to provide assistance or information to the MGC and to cooperate in any investigation with the MGC.	23K/13
<b>16.14</b>	<b>Close Associates</b>	<b>11/11/22</b>	<b>NA</b>	<b>NA</b>	MGC must require anyone with a financial interest in a gaming establishment or a the business of the gaming licensee or an applicant for a gaming license to be qualified by meeting criteria set out in <b>G.L. c. 23K, §§ 12 and 16.</b>	23K/14

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<b>16.15</b>	<b>Mandatory Criteria for Gaming License</b>	<b>11/11/22</b>	<b>NA</b>	<b>NA</b>	<p>Establishes mandatory criteria for awarding gaming licenses, including</p> <ul style="list-style-type: none"> <li>(1) licensed state lottery sales agent</li> <li>(2) capital investment</li> <li>(3) land ownership or acquisition</li> <li>(4) licensee deposit</li> <li>(5) gaming licensing fee</li> <li>(6) impact mitigation and community MOU</li> <li>(7) infrastructure costs and community mitigation plan</li> <li>(8) signed agreement with host community with community impact fee and stipulations</li> <li>(9) signed agreements with surrounding communities with conditions, community impact fee and stipulations</li> <li>(10) signed agreements with impacted live entertainment venues</li> <li>(11) minimum nonrefundable application fee of \$400,000 (not less than \$50,000 to reimburse host and surrounding municipalities)</li> <li>(12) compliance with building codes, ordinances and bylaws, and MEPA</li> <li>(13) certified and binding vote on ballot question at an election in the host community</li> <li>(14) community impact fee to the host community;</li> <li>(15) marketing program with minority, women and veteran business enterprises as contractors</li> <li>(16) affirmative action program of equal opportunity for minorities, women and veterans on construction</li> </ul> <p>Establishes process for election in host community and agreements with host and surrounding communities.</p>	<b>23K/15</b>
<b>16.16</b>	<b>Mandatory Criteria for Denial</b>	<b>11/11/22</b>	<b>NA</b>	<b>NA</b>	<p>Prohibits award of a license or registration to applicants failing certain criteria including having been previously convicted for certain crimes or submitting of false information to the MGC.</p> <p>Distinguishes between application for a gaming license or a license for a key gaming employee, and an application for a license or registration other than a gaming license or a license for a key gaming employee.</p>	<b>23K/16</b>

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16.17	<p style="text-align: center;"><b>Surrounding Communities;</b></p> <p style="text-align: center;"><b>Impacted Live Entertainment Venues;</b></p> <p style="text-align: center;"><b>Public Hearing in Host Community;</b></p> <p style="text-align: center;"><b>License Decision</b></p>	11/11/22	NA	NA	<p>Provides procedure for MGC determination of surrounding communities and impacted live entertainment venues.</p> <p>If MGC identifies a community or live venue as a surrounding community or impacted live entertainment venue but applicant has not finalized negotiations with that community, applicant must do so within 30 days and MGC cannot act on application prior to applicant’s execution of an agreement with that community either on its own or by following MGC protocols and procedures for ensuring the conclusion of a negotiation of a fair and reasonable agreement.</p> <p>This section also provides for an MGC hearing in the host community regarding a proposed gaming license to be conducted pursuant to <b>G.L. c. 30A, § 11 ½</b>.</p> <p>No sooner than 30 days nor later than 90 days after the conclusion of a public hearing, the MGC shall take action on an application by either (i) granting it; (ii) denying it; or (iii) extending the period for issuing the decision for a maximum of an additional 30 days. If MGC denies an application, the MGC must prepare and file a decision and, if requested by the applicant, a statement of the reasons for a denial. An applicant may request an additional hearing before the commission to contest findings of fact by the Bureau regarding the applicant’s suitability. <b>Applicants are not entitled to further review if denied a license.</b></p>	23K/17

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16.18	Licensing Objectives	11/11/22	NA	NA	In evaluating application and issuing decision, MGC must evaluate and issue findings as to the following objectives:  (1) protecting the lottery (2) promoting local businesses in host and surrounding communities (3) realizing maximum capital investment (4) implementing a workforce development plan (5) building a high caliber gaming establishment (6) addressing problem gambling (7) providing a market analysis (8) utilizing sustainable development principles (9) establishing, funding and maintaining skilled and diverse workforce (10) contracting with local business owners (11) maximizing revenues received by the commonwealth; (12) providing a high number of quality jobs in the gaming establishment; (13) offering the highest and best value to create secure and robust gaming market (14) mitigating potential impacts on host and surrounding communities (15) purchasing domestically manufactured slot machines (16) implementing a marketing program with specific goals (17) implementing a workforce development plan (18) contracting with organized labor and assuring labor harmony (19) gaining public support in the host and surrounding communities	23K/18

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<b>16.19</b>	<b>Category 1 Licenses</b>  <b>Regions</b>  <b>Transfers</b>  <b>Renewals</b>	<b>11/11/22</b>	<b>11/7/01</b>	<b>TBD</b>	<p>Provides that MGC may not issue more than 3 Category 1 licenses and that no more than 1 license shall be awarded for each region:</p> <p style="padding-left: 40px;">(1) Region A: Suffolk, Middlesex, Essex, Norfolk and Worcester counties;                      (2) Region B: Hampshire, Hamden, Franklin and Berkshire counties; and                      (3) Region C: Bristol, Plymouth, Nantucket, Dukes and Barnstable counties</p> <p>The MGC should consider the distance between potential locations in different regions when issuing a license.</p> <p>Category 1 licenses are valid for an initial period of <b>15 years</b> and are non-transferable without MGC approval. During that time, no other gaming license shall be issued in that region.</p> <p><b>The MGC shall establish procedures for the renewal of a Category 1 license</b>, including fees, and submit to the General Court any recommendation necessary to implement those procedures <b>not less than 180 days before the expiration of the first license granted pursuant to this chapter.</b></p> <p>If a Category 1 license is awarded to an applicant with a live racing or simulcast license as of <b>July 1, 2011</b>, a condition of the license shall be to maintain and complete the annual live racing season or to maintain the simulcast license.</p>	23K/19
<b>16.20</b>	<b>Category 2 License</b>  <b>Transfer</b>  <b>Renewal</b>	<b>11/11/22</b>	<b>11/7/01</b>	<b>TBD</b>	<p>The MGC may issue no more than <b>one</b> Category 2 license, valid for 5 years and not transferable without MGC permission. The MGC shall establish procedures for the renewal of a Category 2 license, including fees of not less than \$100,000, which are to be deposited in the Gaming Revenue Fund.</p> <p>If a Category 2 license is awarded to an applicant with a live racing or simulcast license as of <b>July 1, 2011</b>, a condition of the license shall be to maintain and complete the annual live racing season or to maintain the simulcast license.</p>	23K/20

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16.21	Form of Gaming License	11/11/22	NA	NA	<p>Establishes the minimum conditions that must be included in a gaming license and authorizes the MGC to require further conditions. Minimum conditions include:</p> <ol style="list-style-type: none"> <li>(1) affirmative obligation to abide by every statement</li> <li>(2) comply with all laws, rules and regulations</li> <li>(3) pay daily to the commission the gross gaming revenue payment;</li> <li>(4) make required capital expenditures</li> <li>(5) not change its business governing structure without notification and approval</li> <li>(6) not operate, invest in or own another gaming license or gaming establishment;</li> <li>(7) cooperate with the commission and the AG in gaming investigations</li> <li>(8) cooperate with the commission and the AG in criminal investigations</li> <li>(9) allow warrantless searches</li> <li>(10) inform the commission of any violation</li> <li>(11) provide office for commission and state police unit</li> <li>(12) annually report on jobs</li> <li>(13) employ only persons licensed or registered by the commission;</li> <li>(14) do business only with vendors licensed or registered by the commission;</li> <li>(15) provide aggregate demographic information on customers</li> <li>(16) provide complimentary space for counseling and establish a training program</li> <li>(17) post contact notice for problem gambling assistance</li> <li>(18) provide process to exclude names and contact information from marketing</li> <li>(19) institute public health strategies as required by the commission;</li> <li>(20) abide by an affirmative action program</li> <li>(21) abide by affirmative marketing program for minority, women and veteran business enterprises</li> <li>(22) abide by an affirmative action program of equal opportunity whereby for minorities, women and veterans on construction jobs</li> <li>(23) provide quarterly report on hirees</li> <li>(24) annually report on total dollar amounts contracted with and actually paid to minority, women and veteran business enterprises</li> <li>(25) require regular checks of parking areas for minors left in motor vehicles</li> </ol> <p>Cannot transfer or hypothecate gaming license without the notification to, and approval by, the commission.</p> <p>In addition to these conditions, gaming licensees must meet with municipally-owned and not-for-profit entertainment venues in the Commonwealth to discuss mitigation plans.</p>	23K/21

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16.23	<p><b>Licensee Annual Report re Meeting Goals-Objectives</b></p> <p><b>License Transfers</b></p>	11/11/22	TBD	Annual	<p>Category 1 and 2 licensees must issue an annual report to the MGC stating their progress on meeting each of the stated goals and stipulations in the licensee’s original application. The MGC may impose fees or revoke a license if such goals are not met.</p> <p>If a person contracts to transfer any property relating to an ongoing gaming establishment, it may not set a closing date which is earlier than 121 days after submission of a completed application for licensure or qualification including a fully executed and approved trust agreement. The MGC shall then hold a hearing and render a decision on the interim authorization of the new applicant. A closing cannot take place until the MGC make a determination on qualification.</p> <p>No person or affiliate may be awarded, purchase or otherwise hold or have a financial interest in more than 1 gaming license.</p>	
16.24	<p><b>Live Racing Extension</b></p> <p><b>Purse Agreements</b></p>	11/11/22	12/12/31	13/12/31	<p>An applicant for a license who holds a live racing license under <b>G.L. c. 128A</b> shall maintain an existing racing facility but must increase the number of live racing days to a minimum of 125 days pursuant to the schedule set forth in this section.</p> <p>A gaming licensee with a live racetrack shall have an annual purse agreement in effect by <b>December 31 of each year</b> for the following year’s racing unless the parties to such an agreement cannot in good faith negotiate an agreement by December 31, in which case the MGC shall arbitrate the agreement.</p>	23K/24



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<b>16.25</b>	<b>Gaming Operations Certificate</b>  <b>Required Procedures and Legal and CFO Certifications</b>	<b>11/11/22</b>	<b>NA</b>	<b>NA</b>	<p>Provides for MGC issuance of a gaming operations certificate and minimum requirements for such a certificate, including for example:</p> <ul style="list-style-type: none"> <li>(i) Implementation of management controls on accounting, wagering and auditing</li> <li>(ii) Implementation of security precautions</li> <li>(iii) Up-to-date listing of all gaming employees</li> <li>(iv) Licensing or registering of all gaming employees</li> <li>(v) Provision of office space for commission employees</li> <li>(vi) Hours of operation</li> <li>(vii) Efficient and prepared personnel and procedures</li> </ul> <p>Applicant for a gaming license shall submit to the commission for approval:</p> <ul style="list-style-type: none"> <li>(i) system of internal procedures and administrative and accounting controls for gaming and any simulcast wagering operations</li> <li>(ii) certification by chief legal officer that procedures conform to c.23K and regulations</li> <li>(iii) certification by chief financial officer that procedures are adequate, effective, consistent and conform to GAAP and any additional standards required by the commission.</li> </ul> <p>Sets minimum age (21), requirements for pooled tips</p> <p>Requirements of advance approval for security plans and submission of emergency plans to local safety officials.</p>	<b>23K/25</b>
<b>16.26</b>	<b>Gaming Beverage Licenses</b>	<b>11/11/22</b>	<b>NA</b>	<b>NA</b>	<p>Authorizes the MGC to grant a gaming beverage license for the sale and distribution of alcoholic beverages to be drunk on the premises of a gaming establishment.</p> <p>ABCC’s Division of Gaming Liquor Enforcement shall have the authority to enforce, regulate, and control the distribution of alcoholic beverages in a gaming establishment, subject to the conditions in this section.</p> <p>Licenses granted under this section are not transferable and do not decrease the number of licenses authorized to be granted to the host community under G.L. c. 138</p>	<b>23K/26</b>

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16.27	<b>Gaming on Credit</b>	11/11/22	NA	NA	<p>Authorizes gaming licensees to issue credit to patrons of gaming establishments in accordance with MGC regulations and the conditions provided for in this section.</p> <p>Gaming credit regulations shall include, but not be limited to:</p> <ul style="list-style-type: none"> <li>(i) procedures for confirming established credit history and good standing</li> <li>(ii) credit history with the gaming establishment</li> <li>(iii) authorization of any credit instrument</li> <li>(iv) methods for acknowledging credit instrument and payment of debt</li> <li>(v) information to be provided by patron and shared with the commission for auditing purposes</li> </ul> <p>Commission shall establish procedures and standards for approving promotional gaming credits.</p> <p>The MGC, in consultation with other agencies <b>must</b> establish by regulation procedures and standards to prohibit and regulate gaming establishments from cashing government-issued checks, providing patrons with access to government-issued benefits on site, or extending credit to recipients of income-based public assistance.</p> <p>Persons may petition the MGC to place their name on a list of persons to whom credit shall not be extended by a gaming establishment.</p>	23K/27
16.28	<b>Complimentary Services, Gifts, Cash, Etc.</b>	11/11/22	TBD	<b>Quarterly</b>	<p>Limits the types of complimentary services, gifts, cash or other items a gaming establishment may provide and authorizes the MGC to regulate such items.</p> <p>Licensees must report to the MGC quarterly on such services and gifts.</p>	23K/28
16.29	<b>Cashless Wagering</b>	11/11/22	TBD	<b>Annual</b>	<p>Requires gaming establishments offering cashless wagering systems to allow individuals to monitor and impose betting limits on that wagering and authorizes the MGC to regulate such items.</p> <p>Licensees must report annually to the MGC on wagering under such systems.</p>	

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16.30	Licensing and Registration of All Employees	11/11/22	NA	NA	<p>Requires that all employees of a gaming licensee be licensed by or registered with the commission.</p> <p>Regulates gaming licensees’ employment procedures and requires (a) licenses for key gaming employees and gaming employees and (b) registration for other employees.</p> <p>The Bureau (the investigations and enforcement bureau in the commission) conducts background checks, investigates the applicant, and issues or denies the license.</p> <p>Applicants whose applications are denied as a result of Bureau review may request a hearing with the MGC. The MGC’s decision is not subject to further review.</p>	23K/30
16.31	Gaming Vendor License and Registration	11/11/22	NA	NA	<p>Requires those conducting business with gaming licensees to be licensed by the MGC (gaming vendor license) or to register with MGC, and regulates their activities.</p> <p>Distinguishes between gaming vendors and other suppliers or vendors who are not considered to be gaming vendors. Registration is required for non-gaming vendors including:</p> <ul style="list-style-type: none"> <li>• construction companies</li> <li>• vending machine providers</li> <li>• linen suppliers</li> <li>• garbage handlers</li> <li>• maintenance companies</li> <li>• limousine services</li> <li>• food purveyors</li> <li>• suppliers of alcoholic beverages</li> </ul> <p>The Bureau (the investigations and enforcement bureau in the commission) investigates the applicant for a gaming vendor license and issues or denies the license.</p> <p>Applicants whose applications are denied as a result of Bureau review may request a hearing with the MGC. The MGC’s decision is not subject to further review.</p> <p>The MGC <b>must</b> establish a master gaming or non-gaming vendor list to monitor all vendor contracts with a gaming establishment. Gaming establishments must notify the MGC of all contracts.</p>	23K/31

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<b>16.32</b>	<b>Labor Unions</b>	<b>11/11/22</b>	<b>NA</b>	<b>NA</b>	Requires labor organizations, unions or affiliates seeking to represent gaming establishment employees to register with the commission.  Prohibits labor organizations and their officers from holding a financial interest in a gaming establishment whose employees are represented by the organization.	23K/32
<b>16.33</b>	<b>Junkets</b>	<b>11/11/22</b>	<b>NA</b>	<b>NA</b>	“No junkets may be organized or permitted and no person may act as a junket representative or junket enterprise except as authorized by the commission under this chapter.”  Requires junket representative employed by a gaming licensee or affiliate of a gaming licensee to be licensed as a gaming employee.  Requires reporting by gaming licensee, junket representative or junket enterprise of lists purchased.  “Junket”, an arrangement intended to induce a person to come to a gaming establishment to gamble, where the person is selected or approved for participation on the basis of the person's ability to satisfy a financial qualification obligation related to the person's ability or willingness to gamble or on any other basis related to the person's propensity to gamble and pursuant to which and as consideration for which, any of the cost of transportation, food, lodging, and entertainment for the person is directly or indirectly paid by a gaming licensee or an affiliate of the gaming licensee.	23K/33
<b>16.34</b>	<b>Conservators</b>	<b>11/11/22</b>	<b>NA</b>	<b>NA</b>	Authorizes the MGC to appoint a conservator to temporarily manage and operate the business of a gaming licensee upon license revocation, suspension or non-renewal of a gaming license.  Requirements as to conservator qualifications, bond, insurance, and for new gaming license.  Suspended licensee to purchase liability insurance on behalf of conservator.	23K/34

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16.35	Civil Enforcement	11/11/22	7 Days	NA	<p>Authorizes Bureau to issue orders requiring persons to cease violations of <b>G.L. c. 23K</b>, to assess civil administrative penalties, and to seek judicial enforcement of chapter.</p> <p>“Upon a recommendation from the bureau, the commission shall issue orders to condition, suspend or revoke a license or permit issued under this chapter.”</p> <p>Licenseses that have been issued a temporary order of suspension by the Bureau are entitled to a hearing before the MGC on such suspension within 7 days after order is issued and a right to an adjudicatory hearing pursuant to <b>G.L. c. 30A</b> on an order issued by the Bureau.</p>	23K/35
16.36	Civil Administrative Penalties	11/11/22	NA	NA	<p>Authorizes Bureau to assess civil administrative penalties against a licensee or registrant who fails to comply with any provision of <b>G.L. c. 23K</b> or MGC regulation or order.</p> <p>Licenseses issued assessed penalties pursuant to this section are entitled to an adjudicatory hearing pursuant to <b>G.L. c. 30A</b>. If a licensee seeks judicial review of a penalty, it must place the full amount of the penalty in escrow with the reviewing court.</p>	23K/36
16.37	Penalties for Illegal Gaming, Etc.	11/11/22	NA	NA	<p>Provides criminal sanctions for person who:</p> <ul style="list-style-type: none"> <li>a) Conducts or operates illegal game or gaming device</li> <li>b) Employs, or continues to employ unlicensed or unregistered individual</li> <li>c) Works without a required license or registration</li> <li>d) Operates illegal device or accepts illegal percentage</li> <li>e) Conducts or operates game or gaming device after license has expired</li> <li>f) Knowingly fails to exclude an excluded persons</li> <li>g) Willfully (i) fails to report, pay or truthfully account for and pay over a license fee or tax imposed by this chapter or by the regulations adopted under this chapter; or (ii) evades or defeats, or attempts to evade or defeat, a license fee or tax or payment of a license fee or tax</li> </ul>	23K/37
16.38	Penalties for Interference with Enforcement	11/11/22	NA	NA	<p>Provides criminal sanctions for willfully resisting, preventing, impeding, interfering, or making any false statement to the Bureau, MGC, or the AG’s Division in the lawful performance of their duties.</p>	23K/38
16.39	Penalties for Cheating	11/11/22	NA	NA	<p>Provides criminal sanctions for knowingly cheating and swindling in a gaming establishment.</p>	23K/39
16.40	Penalties for Possession	11/11/22	NA	NA	<p>Provides criminal sanctions for possessing a cheating or swindling device or game with the intent to defraud, cheat or steal</p>	23K/40
16.41	Penalties for Manufacturing	11/11/22	NA	NA	<p>Provides criminal sanctions for manufacturing, selling or distributing cheating and swindling devices for the purpose of defrauding, cheating or stealing.</p>	23K/41

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16.42	Seizure and Forfeiture	11/11/22	NA	NA	Provides for the seizure by the Bureau or the Division of any device, game, or gaming device possessed, used, manufactured, distributed, sold or serviced in violation of <b>G.L. c. 23K</b> .	23K/42
16.43	Penalties for Underage Gaming	11/11/22	NA	NA	Provides criminal sanctions concerning underage gaming.	23K/43
16.44	Penalties	11/11/22	NA	NA	“All penalties collected under this chapter shall be deposited into the Gaming Revenue Fund established in section 59” of this chapter ( <b>G.L. c. 23K, § 59</b> ).	23K/44
16.45	Excluded Persons List	11/11/22	NA	NA	Requires MGC, <b>by regulation</b> , to provide for the establishment of a list of persons to be excluded from a gaming establishment. Persons placed on said list are entitled to an adjudicatory hearing regarding placement. The MGC’s decisions under this section are subject to judicial review pursuant to <b>G.L. c. 30A, § 14</b> .  The MGC must also establish a list of “self-excluded” persons. Gaming establishments may not market to such persons and must deny them access to complimentary promotions, check cashing privileges, club programs and other similar benefits. <b>The self-excluded list shall not be open to public inspection.</b>  Procedures for immediate family member or guardian to petition district court for an order of exclusion.  <b>The MGC must pursue an interstate compact for the purposes of sharing information regarding the excluded persons list.</b>	23K/45
16.46	Political Contributions	11/11/22	NA	NA	Prohibits applicants for gaming licenses and certain categories of those holding interests therein from paying or contributing any money or thing of value to: <ul style="list-style-type: none"> <li>(i) an individual who holds a municipal, county or state office;</li> <li>(ii) any candidate for nomination or election to any public office in the commonwealth, including a municipal office; or</li> <li>(iii) any group, political party, committee or association organized in support of any such candidate or political party.</li> </ul>	23K/46

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Section of Gaming Law	Subject Area	Effective Date Y/M/D	1 <sup>st</sup> Deadline Y/M/D	2 <sup>nd</sup> Deadline Y/M/D	Summary of Section and Massachusetts Gaming Commission (“MGC”) Duties	Chapter/Section of General or Session Laws Amended <sup>1</sup>
16.47	Political Contributions	11/11/22	12/07/15	13/01/15	Political contributions or contributions in kind made by an applicant for a gaming license to a municipality or a municipal employee as defined by <b>G.L. c. 268A, § 1</b> of a host community shall be disclosed by the applicant and the City or Town Clerk of the Host Community to the MGC on a biannual basis on or before <b>July 15</b> and <b>January 15</b> .  The Office of Campaign and Political Finance must promulgate regulations to provide for timely reporting.	23K/47
16.48	Income Tax	11/11/22	NA	NA	Provides that a gaming licensee shall be subject to <b>G.L. cc. 62 to 62E</b> and <b>63 to 63B</b> regarding income taxes.	23K/48
16.49	No Special Tax Benefits	11/11/22	NA	NA	Provides that gaming establishments and businesses located within gaming establishments shall not be considered certified projects pursuant to <b>G.L. c. 23A, § 3F</b> or eligible for the tax credits and benefits enumerated in this section, including, among others, those provided pursuant to <b>G.L. cc. 23A, 62, and 63</b> .  Gaming establishments shall not be considered recreational land pursuant <b>G.L. c. 61B</b> or development districts pursuant <b>G.L. c. 40Q</b> .	23K/49
16.50	Liability to Commonwealth	11/11/22	NA	NA	Provides that any liability to the Commonwealth pursuant to <b>G.L. c. 23K</b> constitutes a debt to the Commonwealth and grants the Commonwealth a priority lien on licensee property once a statement naming the licensee is recorded, register or filed.	23K/50
16.51	Child Support/Tax Liability Review	11/11/22	NA	NA	Prior to disbursement of case or a prize in excess of \$600, a gaming licensee must review information made available by the IV-D agency, as set forth in <b>G.L. c. 119</b> , and the Department of Revenue to determine whether the winner (1) owes any past-due child support to the Commonwealth or an individual to whom the IV-D agency is providing services <b>or</b> (2) has any past due tax liability to the Commonwealth and disburse funds to those entities first.	23K/51
16.52	Child Support/Tax Liability Review	11/11/22	NA	Monthly	Gaming licensees must transmit, monthly, a list of individuals who won more than \$600 to the IV-D agency and the Department of Transitional Assistance in a form compatible with their automated data systems.	23K/52
16.53	Unclaimed Prizes	11/11/22	1 Year	Annual	Unclaimed cash and prizes shall be retained by licensee for 1 year. If, at that time, no claim is made on the prize, it shall be deposited in the Gaming Revenue Fund.	23K/53
16.54	Underage Gaming	11/11/22	NA	NA	If a person entitled to the case or prize is under 21, the case or prize shall be remitted to the MGC and deposited in the Gaming Revenue Fund.	23K/54

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16.55	Gaming Revenue Daily Tax and Assessment	11/11/22	NA	NA	<p>Category 1 licensees must pay a daily tax of 25% on gross gaming revenues.</p> <p>Category 2 licensee must pay a daily tax of 40% on gross gaming revenues.</p> <p>In addition, Category 2 licensees must pay a daily assessment of 9% of gross gaming revenue to the Race Horse Development Fund.</p>	23K/55
16.56	Slot Machine Fees  Investigation Fees	11/11/22	13/07/01	Annual	<p>Imposes a \$600 license fee for each slot machine approved by the MGC at a gaming establishment. That fee may be adjusted 5 years or more after award of an original gaming license. The fee is imposed on <b>July 1</b> of each year.</p> <p>The MGC may impose fees for investigations by the MGC of a violation of a regulation. The MGC may also assess any remaining costs necessary to retain regulatory control over gaming establishments not provided for in <b>G.L. c. 23K</b> annually in proportion to the gaming licensees and their number of “gaming positions.” If fees exceed costs, the excess shall be credited against future assessment of licensees. The funds collected under this section are all paid into the Massachusetts Gaming Control Fund established by <b>G.L. c. 23K, § 57</b> except as described in the following paragraph.</p> <p>The MGC shall also assess an annual fee of not less than \$5 million in proportional share against each gaming licensee in proportion to gaming positions. This fee is to be deposited in the Public Health Trust Fund established in <b>G.L. c. 23K, § 58</b>.</p>	23K/56



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16.57	Gaming Control Fund	11/11/22	12/06/30	Annual	<p>Establishes a Massachusetts Gaming Control Fund. The MGC is the trustee of the fund and is to expend the monies therein to finance its operations.</p> <p>Management of the fund is governed in the same way as those of other agencies under control of the Governor with additional instructions or actions from the comptroller as the comptroller may require.</p> <p>“Comptroller may identify any additional instructions or actions necessary for the commission to manage fiscal operations in the state accounting system and meet statewide and other governmental accounting and audit standards.”</p> <p>The MGC may participate in the financial services available to other agencies, including the state payroll system and state purchasing opportunities.</p> <p><b>The MGC shall annually submit a finance plan to the Secretary of Administration and Finance (“EOAF”) and the Chairs of the Senate and House Committees on Ways and Means and the Chairs of the Joint Committee on Economic Development and Emerging Technologies.</b></p>	23K/57
16.58	Public Health Trust Fund	11/11/22	NA	NA	<p>Establishes a Public Health Trust Fund consisting of fees assessed pursuant to <b>G.L. c. 23K, § 56</b> and all other monies placed there by any other law. The Secretary of Health and Human Services (“HHS”) is the Trustee of this fund and shall expend the funds to assist social service and public health programs dedicated to addressing problems associated with compulsive gambling.</p>	23K/58
16.59	Gaming Revenue Fund	11/11/22	NA	NA	<p>Establishes a Gaming Revenue Fund that receives revenues collected from the tax on gross gaming revenues. The MGC is the trustee of the fund and must disburse it as provided in detail in the statute (See also Appendix A).</p> <p>100% of revenues from Category 2 licensee revenues are transferred to the Gaming Local Aid Fund established pursuant to <b>G.L. c. 23K, § 63</b>.</p> <p>Revenues from Category 1 licensees is divided up among a variety of existing and new funds as set forth in this section</p>	23K/59

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16.60	Race Horse Development Fund	11/11/22	12/05/20	NA	<p>Establishes the Race Horse Development Fund to be administered by the MGC. The MGC is to distribute the funds to licensees pursuant to <b>G.L. c. 128A</b>.</p> <p>Establishes a “horse racing committee” consisting of 5 members, 1 of whom is appointed by the Chair of the MGC. This committee will make recommendations on how the funds received into the Race Horse Development Fund are to be distributed between thoroughbred and standardbred racing facilities to support those industries. The committee will make the distribution recommendations to the Clerks of the Senate and House not later than 30 days before submitting the recommendations to the MGC for approval. The MGC shall only change the distribution percentages upon a recommendation by the Committee. Otherwise, the MGC is to distribute funds as required by the provisions of subsection (c) of this section. This report is due <b>May 20, 2012</b>.</p>	23K/60
16.61	Community Mitigation Fund	11/11/22	13/02/01	Annual	<p>Establishes the Community Mitigation Fund. The MGC administers the fund and is to expend it to assist host and surrounding communities in offsetting the costs of construction and operation of gaming establishments.</p> <p>Applications for appropriations from this fund must be made to the MGC by <b>February 1</b> of every year.</p>	23K/61
16.62	Transportation and Infrastructure Dev. Fund	11/11/22	12/07/01	Annual	<p>Establishes the Transportation and Infrastructure Development Fund. The Secretary of MassDOT is the Trustee of this Fund. However, the Secretary of EOAF must annually approve MassDOT’s spending plans under this fund.</p> <p>At least 50% of this fund must be used to supplement any expenditure made for the construction and reconstruction of municipal ways as provided in <b>G.L. c. 6C, § 4</b>.</p>	23K/62
16.63	Gaming Local Aid Fund	11/11/22	NA	Annual	<p>Establishes a Gaming Local Aid Fund which is to be distributed in accordance with the formula used to determine the distribution of unrestricted general government aid under <b>§ 3</b> of the General Appropriation Act.</p>	23K/63
16.64	Education Fund	11/11/22	NA	NA	<p>Establishes an Education Fund. Monies in this fund are subject to appropriation. At least 35% of the funds received must be used for higher education.</p>	23K/64

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16.65	Audits	11/11/22	13/04/01	Annual	Requires the MGC to audit at least annually the accounts, programs, activities and functions of all gaming licensees at least annual and provides the MGC with access to their books, documents, vouchers and other records <b>except tax returns</b> . The Superior Court has jurisdiction to enforce this access.  <b>On or before April 1 of each year, the MGC must submit a report to the General Court regarding these audits and their costs.</b>	23K/65
16.66	Slot Machine Testing	11/11/22	NA	NA	The MGC may use the services of an independent testing laboratory to perform testing of slot machines and other gaming equipment or use data from such a lab or an out of state governmental agency.	23K/66
16.67	Tribal Gaming	11/11/22	NA	NA	MGC is required to evaluate status of Indian Tribes in the Commonwealth <b>and recommend to the Governor and the Chairs of the Joint Committee on Economic Development and Emerging Technologies</b> as to whether it would be in the best interest of the Commonwealth to enter into any negotiations with tribes to establish “Class III” gaming on tribal land	23K/67
16.68	Advisory Committees	11/11/22	NA	Annual	Establishes a <b>Gaming Policy Advisory Committee</b> , including the Chair of the MGC to examine community mitigation, compulsive gambling and gaming impacts on cultural facilities and tourism. The Committee shall meet at least <b>annually</b> . Its recommendations are advisory and not binding on the MGC.  Under this committee, there shall be <b>Subcommittees for Community Mitigation, Addiction Services, and Public Safety</b> , each with a member of the MGC, to advise the MGC on these issues. In the case of the Community Mitigation Subcommittee, the MGC may promulgate regulations proposed by that subcommittee and must submit the proposed regulations to the subcommittee at least 30 days before promulgation.  Each region <b>may</b> also establish a <b>Local Community Mitigation Advisory Committee</b> , 4 members of which would be appointed by the MGC. These regional committees would study gaming in that region and may advise the MGC.	23K/68

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16.69	Gaming Revenue Reporting	11/11/22	Monthly	Annual	The MGC must report <b>monthly</b> to: <ul style="list-style-type: none"> <li>• Governor,</li> <li>• AG,</li> <li>• Senate and House Committees on Ways and Means,</li> <li>• Chairs of the Joint Committee on Revenue, and</li> <li>• Chairs of the Joint Committee on Economic Development and Emerging Technologies</li> <li>•</li> </ul> on gaming revenues, prize disbursement and other expenses and make a similar report to these entities <b>annually</b> . <p>The MGC must also report <b>immediately</b> to these entities when a law must be changed to avoid abuses or evasions of the laws, rules or regulations related to gaming or to rectify undesirable conditions in connection with the administration or operation of gaming in the Commonwealth.</p>	23K/69
16.70	Reporting of MGC Activities	11/11/22	12/09/28	Annual	MGC must annually submit a complete and detailed report of its activities <b>within 90 days</b> of end of fiscal year ( <b>September 28</b> ) to: <ul style="list-style-type: none"> <li>• Governor,</li> <li>• AG,</li> <li>• Treasurer,</li> <li>• Legislature,</li> <li>• Chairs of the Joint Committee on Economic Development and Emerging Technologies, and</li> <li>• Chairs of the House and Senate Committees on Ways and Means</li> </ul>	23K/70

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16.71	Gaming Effects Reports	11/11/22	13/11/22	Annual	<p>The MGC, with the advice of the Gaming Policy Advisory Committee must develop an annual research agenda in order to understand the social and economic effects of expanding gaming in the Commonwealth. The various issues to be studied are detailed in the section.</p> <p>The MGC must report on its recommendations as a result of this research annually to:</p> <ul style="list-style-type: none"> <li>• House and Senate Committees on Ways and Means,</li> <li>• Joint Committee on Economic Development and Emerging Technologies,</li> <li>• Joint Committee on Mental Health and Substance Abuse, and</li> <li>• Joint Committee on public Health</li> </ul> <p><b>Pursuant to Section 108, the first report must be submitted not later than 2 years after the effective date of the Gaming Law (November 22, 2013).</b></p>	23K/71
17	Racing Commission	14/07/31	12/05/20	14/07/31	<p>This section replaces the text of G.L. c. 23K, § 7, (effective May 20, 2012) relative to the MGC’s authority over racing as a result of the repeal of G.L. cc. 128A and 128C on July 31, 2014. It allows the MGC to grant licenses to entities previously licensed under those chapters.</p> <p>It also provides that a minimum of 10% of wagering received on horse racing be allocated to the Race Horse Development Fund.</p>	23K/7
18	Local Aid Stabilization Fund  Gaming Economic Development Fund  Local Capital Projects Fund	11/11/22	NA	NA	<p>Amends G.L. c. 29 by establishing three funds receiving monies from gaming operations pursuant to other sections of the Gaming Law:</p> <ul style="list-style-type: none"> <li>• § 2CCC: Local Aid Stabilization Fund. This fund is subject to appropriation.</li> <li>• § 2DDD: Gaming Economic Development Fund. This fund shall be subject to appropriation.</li> <li>• § 2EEE: Local Capital Projects Fund. No disbursement method is provided in this section.</li> </ul>	29/2CCC-2EEE
19	Technical Amend.	11/11/22	NA	NA	Amends G.L. c. 29, § 38 by clarifying change in name from State Lottery Fund to State Lottery and Gaming Fund	29/38
20	Technical Amend.	11/11/22	NA	NA	Amends G.L. c. 29, § 38 to make conforming change regarding change from State Lottery Fund to State Lottery and Gaming Fund	29/38
21	State Retirement System	11/11/22	NA	NA	Amends G.L. c. 32, § 1, the State Retirement System Statute to add reference to MGC as authority with permanent employees	32/1

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22	State Pensions Insurance	11/11/22	NA	NA	Amends G.L. c. 32A, § 2, regarding insurance for state pensions, to include MGC in list of public employers	32A/2
23	Illegal Gaming	11/11/22	NA	NA	Amends G.L. c. 41, § 94 to clarify that power of municipal constables shall extend to prosecute <i>illegal</i> gaming, not all gaming	41/94
24	Political Contributions	11/11/22	NA	NA	Amends G.L. c. 55, § 7A to add section limiting political contributions of gaming licensees to \$200.	55/7A
25	Technical Amend.	11/11/22	NA	NA	Amends G.L. c. 58 § 18C by clarifying change in name from State Lottery Fund to State Lottery and Gaming Fund	58/18C
26	Racing Funds	11/11/22	NA	NA	Repeals G.L. c. 58, § 18D regarding distribution of pari-mutuel wagering	58/18D
27	Income Tax	11/11/22	NA	NA	Amends G.L. c. 62, § 5A, regarding income taxes, to include gaming winnings at or through a gaming establishment licensed under chapter 23K within Massachusetts gross income	62/5A
28	Withholding Tax	11/11/22	NA	NA	Amends G.L. c. 62B, § 2, regarding tax withholding on gaming winnings	62B/2
29	Withholding Tax	11/11/22	NA	NA	Amends G.L. c. 62B, § 5, regarding employer tax withholding to reflect gaming law	62B/5
30	Business Tax	11/11/22	NA	NA	Amends G.L. c. 62C, § 8, regarding basis of recording taxation of entities doing business within the Commonwealth to reflect gaming law.	62C/8
31	Business Tax	12/01/01	12/01/31	NA	Amends G.L. c. 63, § 38, regarding location of income-producing activity - taxes to reflect gaming law for tax years effective <b>January 31, 2012</b>	63/38
32	Business Tax	18/12/31	18/12/31	NA	Amends G.L. c. 63, § 38, regarding location of income-producing activity - taxes to reflect gaming law, effective <b>December 31, 2018</b>	63/38
33	Technical Amend.	11/11/22	NA	NA	Amends G.L. c. 70 § 2 by clarifying change in name from State Lottery Fund to State Lottery and Gaming Fund	70/2
34	Technical Amend.	11/11/22	NA	NA	Amends G.L. c. 128, § 2, providing for powers of Department of Agriculture, to change prohibition on Department’s allotment of monies to fairs for expenditure “on any portion of the fair used for horse or dog racing” by removing the phrase “or dog”.	128/2
35	Technical Amend.	11/11/22	NA	NA	Amends G.L. c. 128, § 2 by removing provision providing, among Department of Agriculture’s powers, promotion of a Massachusetts greyhound breeding program	128/2
36	Technical Amend.	11/11/22	NA	NA	Amends G.L. c. 128, § 2 to make editorial change reflecting preceding section	128/2
37	Racing Commission	12/05/20	12/05/20	NA	Amends G.L. c. 128A, § 1 by replacing reference to the SRC with a reference to the MGC effective <b>May 20, 2012</b>	128A/1

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16. 22	License Transfer	11/11/22	NA	NA	The MGC may disapprove of any sale, assignment, transfer, pledge or other disposition of any security issued by a corporation holding a gaming license. The MGC may also take any action necessary to protect the interests of the Commonwealth if it finds at any time that a licensee is no longer qualified pursuant to <b>G.L. c. 23K</b> .  Any corporation issued a gaming license must report any change in corporate officers or board members to the MGC.	23K/22
38	Racing Commission	12/05/20	12/05/20	NA	Amends <b>G.L. c. 128A, § 2</b> by replacing reference to the SRC with a reference to the MGC effective <b>May 20, 2012</b>	128A/2
39	Racing Commission	14/07/31	14/07/31	NA	Repeals <b>G.L. c. 128A</b> effective <b>July 31, 2014</b> .	128A
40	Racing Commission	12/05/20	12/05/20	NA	Amends <b>G.L. c. 128C, § 1</b> by replacing reference to the SRC with a reference to the MGC effective <b>May 20, 2012</b>	128C/1
41	Racing Commission	14/07/31	14/07/31	NA	Repeals <b>G.L. c. 128C</b> effective <b>July 31, 2014</b> .	128C
42	Gaming Losses	11/11/22	NA	NA	Amends <b>G.L. c. 137, § 1</b> , regarding recovery of monies lost in gaming to exclude monies lost in gaming pursuant to <b>G.L. c. 23K</b>	137/1
43	Gaming Losses	11/11/22	NA	NA	Amends <b>G.L. c. 137, § 2</b> regarding liabilities of gaming house owners, tenants, or occupants for monies lost in gaming to exclude monies lost in gaming pursuant to <b>G.L. c. 23K</b>	137/2
44	Gaming Losses	11/11/22	NA	NA	Amends <b>G.L. c. 137, § 3</b> , regarding mortgages, bills, bonds, and other securities obtained in gaming to exclude monies lost in gaming pursuant to <b>G.L. c. 23K</b>	137/3
45	Illegal Gaming	11/11/22	NA	NA	Amends <b>G.L. c. 137, § 18</b> prohibiting booths used for gaming in places public gatherings to apply only to illegal gaming	139/18
46	Slot Machines	11/11/22	NA	NA	Amends <b>G.L. c. 140, § 177A</b> , to exclude slot machines from the term “automatic amusement device.”	140/177A
47	Technical Amend.	11/11/22	NA	NA	Amends <b>G.L. c. 180, § 26A</b> , regarding annual statements of charitable corporations, to delete reference to dog racing.	180/26A
48	Money Laundering	11/11/22	NA	NA	Creates <b>G.L. c. 267A</b> regarding money laundering and creates criminal sanctions for money laundering. Section 4 of the new chapter designates the Bureau as a police department entitled to a police department’s distribution of forfeiture proceedings.	267A
49	Conflict of Interest	11/11/22	NA	NA	Amends, <b>G.L. c. 268A, § 5</b> to forbid a former state, county or municipal employee who participated as such in general legislation on expanded gaming or in its implementation, administration or enforcement from becoming an officer or employee of or acquiring a financial interest in, an applicant for a gaming license or a gaming licensee within one year after his public employment has ceased.	268A/5
50	Lobbying	11/11/22	NA	NA	Amends <b>G.L. c. 268B, § 6</b> to deem a person who holds a license issued by the MGC a legislative agent for the purposes of the prohibition on offering public officials or their family members’ gifts	268B/6

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51	Illegal Gaming	11/11/22	NA	NA	Amends G.L. c. 271, § 1, to exclude gaming conducted pursuant to G.L. c. 23K from gaming that is considered a crime.	271/1
52	Illegal Gaming	11/11/22	NA	NA	Amends G.L. c. 271, § 2, to exclude gaming conducted pursuant to G.L. c. 23K from gaming that is considered a crime.	271/2
53	Illegal Gaming	11/11/22	NA	NA	Amends G.L. c. 271, § 3, to exclude gaming conducted pursuant to G.L. c. 23K from gaming that is considered a crime.	271/3
54	Illegal Gaming	11/11/22	NA	NA	Amends G.L. c. 271, § 5, to exclude gaming conducted pursuant to G.L. c. 23K from gaming that is considered a crime.	271/5
55	Gaming Devices	11/11/22	NA	NA	Amends G.L. c. 271, § 5A, to exclude the manufacture transport, sale, and other uses of gaming devices conducted pursuant to G.L. c. 23K from gaming that is considered a crime.	271/5A
56	Illegal Gaming	11/11/22	NA	NA	Amends G.L. c. 271, § 6, to exclude gaming conducted pursuant to G.L. c. 23K from gaming that is considered a crime.	271/6
57	Illegal Gaming	11/11/22	NA	NA	Amends G.L. c. 271, § 7, to exclude gaming conducted pursuant to G.L. c. 23K from gaming that is considered a crime.	271/7
58	Illegal Gaming	11/11/22	NA	NA	Amends G.L. c. 271, § 8, regarding permitting lotteries, raffles and games of chance in buildings to account for G.L. c. 23K	271/8
59	Gaming Losses	11/11/22	NA	NA	Amends G.L. c. 271, § 14 regarding forfeiture of money, prizes, or other property disposed of by chance to account for G.L. c. 23K	271/14
60	Illegal Gaming	11/11/22	NA	NA	Amends G.L. c. 271, § 16A, to exclude gaming conducted pursuant to G.L. c. 23K from gaming that is considered a crime.	271/16A
61	Illegal Gaming	11/11/22	NA	NA	Amends G.L. c. 271, § 17, to exclude gaming conducted pursuant to G.L. c. 23K from gaming that is considered a crime.	271/17
62	Illegal Gaming	11/11/22	NA	NA	Amends G.L. c. 271, § 19, to exclude gaming conducted pursuant to G.L. c. 23K from gaming regulated by this criminal statute	271/19
63	Illegal Gaming	11/11/22	NA	NA	Amends G.L. c. 271, § 20, to exclude gaming conducted pursuant to G.L. c. 23K from gaming regulated by this criminal statute	271/20
64	Illegal Gaming	11/11/22	NA	NA	Amends G.L. c. 271, § 22, to exclude gaming conducted pursuant to G.L. c. 23K from gaming that is considered a crime.	271/22
65	Illegal Gaming	11/11/22	NA	NA	Amends G.L. c. 271, § 23, to exclude gaming conducted pursuant to G.L. c. 23K from gaming regulated under this criminal statute	271/23
66	Illegal Gaming	11/11/22	NA	NA	Amends G.L. c. 271, § 28, to exclude gaming conducted pursuant to G.L. c. 23K from gaming that is considered a crime.	271/28



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Section of Gaming Law	Subject Area	Effective Date Y/M/D	1 <sup>st</sup> Deadline Y/M/D	2 <sup>nd</sup> Deadline Y/M/D	Summary of Section and Massachusetts Gaming Commission (“MGC”) Duties	Chapter/Section of General or Session Laws Amended <sup>1</sup>
67	Illegal Racing	11/11/22	NA	NA	Amends G.L. c. 271, § 31, to exclude racing conducted pursuant to G.L. c. 23K from racing that is considered a crime.	271/31
68	Enterprise Crime	11/11/22	NA	NA	Creates G.L. c. 271A regarding enterprise crime and establishes criminal sanctions for criminal enterprise activity affecting gaming pursuant to G.L. c. 23K.	271A
69	Illegal Gaming	11/11/22	NA	NA	Amends G.L. c. 272, § 39, to exclude gaming conducted pursuant to G.L. c. 23K from gaming that is considered a crime.	272/39
70	Racing Funds	11/11/22	14/07/31	NA	Amends Section 12A of Chapter 494 of the Acts of 1978 to extend its effective date to July 31, 2014. Section 12A of that act, inserted by Chapter 277 of the Acts of 1966, governing the distribution of “breaks” and monies wagered on dog racing at tracks. The act had been previously extended from its initial 1990 expiration date through a series of session laws.	C494/A1978
71	Racing Funds	11/11/22	14/07/31	NA	Amends Section 12A of Chapter 494 of the Acts of 1978 (described in the preceding section) to extend the date until which funds created thereunder remained in place to July 31, 2014. This deadline had been previously extended from its initial 1990 expiration date through a series of session laws.	C494/A1978
72	Racing Licenses	11/11/22	14/07/31	NA	Amends Section 13 of Chapter 494 of the Acts of 1978 to extend its effective date to July 31, 2014. Section 13 of that act provided conditions for the granting of racing licenses. The act had been previously extended from its initial expiration date of 1983 by a series of session laws.	C494/1978
73	Dog Racing	11/11/22	14/07/31	NA	Amends Section 13 of Chapter 494 of the Acts of 1978 to remove a section referring to the licensing of live dog racing as that section had been amended by Chapter 114 of the Acts of 1991.	C494/1978
74	Dog Racing	11/11/22	14/07/31	NA	Amends Section 13 of Chapter 494 of the Acts of 1978 to make corresponding change to text in light of preceding section of the Gaming Law.	C494/1978
75	Dog Racing	11/11/22	14/07/31	NA	Amends Section 13 of Chapter 494 of the Acts of 1978 to remove a section referring to the licensing of live dog racing	C494/1978
76	Racing Reporting	11/11/22	14/07/31	Annual	Amends Section 15 of Chapter 494 of the Acts of 1978, as appearing Section 277 of the Acts of 1986, to extend its effective date to July 31, 2014. That section provides that the SRC must include certain items in its annual report to the General Court, including statements of monies deposited in and disbursed from funds its administered, a statement of racing dates awarded to licensees, a statement of the total amounts wagered at each track, purses paid to owners, monies retained by licensees, and the net profit of each licensee. Copies of the report are to be transmitted to the Governor, the President of the Senate, the Speaker of the House, and the Chairmen of the House and Senate Committees on Ways and Means, the Joint Committee on Government Regulations and the Joint Committee on Taxation.	C277/1986

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77	Racing Funds	12/11/22	14/07/31	NA	Amends <b>Section 9 of Chapter 277 of the Acts of 1986</b> to extend its effective date to <b>July 31, 2014</b> . Section 9 of that chapter governed the distribution of wagering income at dog races. It had been previously extended from its initial 1990 expiration date by a series of session laws	C277/1986
78	Racing Funds	11/11/22	14/07/31	14/07/31	Amends <b>Section 3 of Chapter 114 of the Acts of 1991</b> to extend its effective date to <b>July 31, 2014</b> . Section 3 of that chapter governed the distribution of “breaks” and monies wagered on horse racing at horse <b>tracks</b> . The act had been previously extended from its initial 1995 expiration date through a series of session laws.	
79	Racing Funds	11/11/22	14/07/31	14/07/31	Amends <b>Section 3 of Chapter 114 of the Acts of 1991</b> (described in the preceding section) to extend the date until which funds created thereunder remained in place to <b>July 31, 2014</b> . This deadline had been previously extended from its initial 1995 expiration date through a series of session laws.	
80	Racing Funds	11/11/22	14/07/31	14/07/31	Amends <b>Section 4 of Chapter 114 of the Acts of 1991</b> to extend its effective date to <b>July 31, 2014</b> . Section 4 of that act governed the distribution of “breaks” and monies wagered on horse racing <b>at a state or county fair</b> . The act had been previously extended from its initial 1995 expiration date through a series of session laws.	
81	Racing Funds	11/11/22	14/07/31	14/07/31	Amends <b>Section 3 of Chapter 114 of the Acts of 1991</b> (described in the preceding section) to extend the date until which funds created thereunder remained in place to <b>July 31, 2014</b> . This deadline had been previously extended from its initial 1995 expiration date through a series of session laws.	
82	Racing Funds	11/11/22	14/07/31	14/07/31	Amends <b>Section 5 of Chapter 114 of the Acts of 1991</b> to extend its effective date to <b>July 31, 2014</b> . Section 5 of that Act governed the distribution of winnings on horse or harness racing to patrons and other entities. The act had been previously extended from its initial 1995 expiration date through a series of session laws.	
83	Racing Commission	11/11/22	14/07/31	14/07/31	Repeals <b>Section 13 of Chapter 101 of the Acts of 1992</b> . That section set a 1995 expiration date for <b>G.L. c. 128C</b> and had been amended several times to keep the statute in force. By virtue of its repeal, <b>G.L. c. 128C</b> will expire on <b>July 31, 2014</b> pursuant to <b>Sections 41 and 112 of the Gaming Law</b> .	128C
84	Racing Industry	11/11/22	14/07/31	14/07/31	Extends the expiration date of <b>Chapter 139 of the Acts of 2001</b> , regarding improvements to the Horse and Greyhound Racing Industry and its regulation through <b>July 31, 2014</b>	Ch. 139/2001
85	Racing Extension	11/11/22	14/07/31	14/07/31	Amends <b>Section 20 of Chapter 449 of the Acts of 2006</b> , which provides that for the purposes of that act and any extension of simulcast horse racing signals pursuant to <b>G.L. c. 128C, § 2</b> , the existing practices used and adopted by the state racing commission shall remain in full force and effect, by extending the date through which those practices remain in effect to <b>July 31, 2014</b>	Ch. 449/2006
86	Racing Licensees	11/11/22	NA	NA	Provides that existing Greyhound Racing Licensees in Suffolk and Bristol Counties will not be eligible for purse assistance pursuant to <b>G.L. c. 128A, § 5</b> . This section also provides that unclaimed winnings and breaks generated by those licensees shall be dedicated to the Racing Stabilization Fund and that those licensees will be subject to <b>G.L. c. 128A and 128C</b> .	

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87	Racing Stabilization Fund  Greyhound Racing Licensees	11/11/22	12/01/31	Monthly	<p>Establishes a Racing Stabilization Fund and transfers all monies from the existing Racing Stabilization Fund established pursuant to <b>Chapter 167 of the Acts of 2009</b> to this new fund.</p> <p>This section also provides for the transfer of funds from the Greyhound Capital Improvements Trust Fund and the Greyhound Promotional Trust Fund established pursuant to <b>Section 12A of Chapter 494 of the Acts of 1978</b> to the Racing Stabilization Fund <b>within 10 days of their deposit into those funds.</b></p> <p>This section also requires the MGC to transfer the equivalent of 1% of the amount wagered on simulcast dog racing to owners and lessees of former racing dogs for the humane care, maintenance and adoption of those dogs. The MGC must develop a method and criteria to distribute those funds in an equitable manner. The MGC must also distribute 1.5% of the total amount wagered on simulcast dog racing to kennel owners who housed those dogs. Remaining funds may be used to assist workers impacted by the prohibition on live greyhound racing pursuant to <b>Chapter 388 of the Acts of 2008</b>, provided federal Workforce Investment Act and ARRA funds have been exhausted.</p> <p>The greyhound meeting licensees in Suffolk and Bristol County must submit a monthly report to the MGC of their revenues, employment data, and premiums paid to the harness horse meeting licensees in Norfolk and Suffolk Counties. This report <b>must be filed by the 10<sup>th</sup> day of each month.</b> Failure to file is cause for suspension of the license. The MGC <b>must forward these reports</b> to the House and Senate Committees on Ways and Means, the Joint Committee on Economic Development and Emerging Technologies and the Joint Committee on Labor and Workforce Development.</p> <p>In addition, these licensees must prepare a report to the MGC of all funds received and disbursed in 2010 and 2011 by <b>January 31, 2012</b>, which the MGC must also forward to the legislative committees identified above.</p>	
88	Commissioner Terms	11/11/22	12/03/21	3-7 Years	Provides for staggering of MGC Commissioner terms and requires all Commissioners to be appointed <b>within 120</b> days of effective date of act ( <b>March 21, 2012</b> ).	
89	SRC Employees  Hiring Preference	11/11/22	12/05/20	NA	Requires Chair of MGC to consider current employees of SRC as eligible for employment at MGC and to give preference to such individuals.	

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90	SRC Employees  Hiring Preference	11/11/22	10/06/01	NA	A gaming licensee must show preference in hiring to qualified persons permanently employed as of <b>June 1, 2010</b> at a facility licensed under <b>G.L. cc. 128A or 128C</b> within the region for which the license was granted if that facility terminates operation within 1 year of the MGC awarding of the gaming license.  Facilities authorized to conduct simulcasting must provide the MGC with data on the number, names, and address of employees in permanent employment as of <b>June 1, 2010</b> .	
91	Tribal Gaming Compact	11/11/22	12/07/31	12/10/31	Authorizes the Governor to enter into a compact with a federally recognized Tribe for tribal gaming development. The Governor may request the MGC’s assistance in negotiating that compact, which is subject to approval by the General Court.  If a mutually agreed-upon compact has not been negotiated by the Governor and tribe <b>or</b> if it has not been approved by the General Court before <b>July 31, 2012</b> , the MGC shall issue a RFA for Category 1 licenses for Region C (Southeastern Mass) by <b>October 31, 2012</b> . The MGC may also consider bids for a Category 1 license in Region C if, on or after <b>August 1, 2012</b> , it determined that the tribe will not have land taken into trust by the US Secretary of the Interior	
92	Greyhound Racing	11/11/22	14/07/31	NA	Extends the greyhound racing meeting license of tracks licensed in Bristol and Suffolk Counties until <b>July 31, 2014</b> , but establishes every day of the year as a dark day pursuant to <b>Chapter 388 of the Acts of 2008</b> .  This section also requires that simulcasts not requiring approval in compliance with the Interstate Horse Racing Act of 1978, 15 U.S.C. § 3004, require the approval of the New England Horsemen’s Benevolent & Protective Association	
93	Gaming Licensing Fund	11/11/22	15/12/31	15/12/31	Establishes a <b>Gaming Licensing Fund</b> which receives all Category 1 and Category 2 licensing fees, with the exception of initial application fees. The MGC is the trustee of the fund and must transfer amount as required by subsection (a) of this section <b>except</b> that it may not transfer funds to the Community Mitigation Fund or Transportation Infrastructure and Development fund until it has paid the Commonwealth Stabilization fund back for the \$20 million in startup costs transferred therefrom pursuant to the next section.  <b>This fund expires on December 31, 2015</b>	

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94	Transfer for MGC Start-Up Costs	11/11/22	11/12/02	11/12/22	Requires the comptroller to transfer \$20 million total from the Commonwealth Stabilization Fund to the General Fund and the MGC for the start-up and operational costs of implementing <b>G.L. c. 23K</b> .  The first amount (\$5 million) was required to be transferred within <b>10</b> days of the effective day of the act and the second was required to be transferred within <b>30</b> days of the effective day of the act (\$15 million). This amount must be paid back to the Commonwealth Stabilization fund once the MGC has collected sufficient license fees.	
95	Gaming Local Aid Fund  Local Aid Stabilization Fund	11/11/22	12/07/01	Annual	Provides for transfers from the Gaming local Aid Fund pursuant to <b>G.L. c. 23K, § 59</b> , to the <b>Local Aid Stabilization Fund</b> from the gross gaming revenues received from Category 1 establishments. The percentages of these disbursements grows <b>every fiscal year</b> , from 3.125% in the second fiscal year to 12.5% in the fifth year (and thereafter)	
96	Host Community Expedited Permitting	11/11/22	NA	NA	Provides that a host community that has accepted <b>G.L. c. 43D</b> (governing expedited permitting) must file a proposal with the interagency permitting board to designate the site proposed for a Category 1 establishment a priority development site.  In a community which has not accepted <b>G.L. c. 43D</b> , the planning board must designate a local permitting “ombudsman” from among its members or its professional staff, to help coordinate and expedite local permitting of the Category 1 establishment.	
97	Gaming Research	11/11/22	NA	NA	Requires gaming establishments to supply the MGC with customer tracking data. The MGC must then contract with an experienced nonprofit research entity to develop an anonymizing system to remove personally identifying information from the data and game identifying information, but retain information on player characteristics.  The MGC must convey that anonymous data to a research facility to conduct research on gambling addiction and methods to prevent and minimize it. The MGC shall request reports on these analyses and may use them to make recommendations to the General Court	
98	Manufacturing Fund	11/11/22	NA	NA	Establishes the <b>Manufacturing Fund</b> , which shall be subject to appropriation	
99	Community College Fund	11/11/22	NA	NA	Establishes the <b>Community College Fund</b> , which shall be subject to appropriation	
100	Healthcare Payment Reform Fund	11/11/22	NA	NA	Establishes the <b>Healthcare Payment Reform Fund</b> , which shall be subject to appropriation	

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101	Gaming Devices	11/11/22	NA	NA	Declares Commonwealth exempt from federal legislation prohibiting the transportation of gaming devices in interstate and foreign commerce for gambling devices authorized for use and transport pursuant to <b>G.L. c. 23K</b> .	
102	Gaming Devices	11/11/22	NA	NA	Provides that shipments of gaming devices into the commonwealth which have been registered, recorded, and labeled in accordance with 15 U.S.C. § 1171-1177 will be deemed legal shipments.	
103	Reporting: Raffles/Bazaars	11/11/22	12/04/01	12/04/01	The MGC must analyze the laws related to charitable gaming, raffles, and bazaars in effect on <b>November 22, 2011</b> , including <b>G.L. c. 271, § 7A</b> , including their efficacy and the need to update, redraft, or repeal those laws. The MGC must report its findings and recommendations, together with drafts of legislation necessary to carry those recommendations into effect, by filing the same with the clerks of the Legislature and the Chair of the Joint Committee on Economic Development and Emerging Technologies <b>by April 1, 2012</b>	271/7A
104	Reporting: 128A/128C	11/11/22	13/01/01	13/01/01	The MGC must analyze the pari-mutuel and simulcasting laws in effect as of <b>November 22, 2011</b> as to their efficacy and the need to replace them pursuant to the continuation of <b>G.L. cc. 128A, 128C</b> .  The MGC must report its findings and recommendations, together with drafts of legislation necessary to carry those recommendations into effect, by filing the same with the clerks of the Legislature and the Chair of the Joint Committee on Economic Development and Emerging Technologies <b>by January 1, 2013</b>	128A, 128C
105	Horse Racing Committee	11/11/22	12/05/20	12/05/20	The horse racing committee established in <b>G.L. c. 23K, § 60</b> must file a report by 5/20/12 with the MGC and the clerks of the Senate and House of Representatives on its recommendations to distribute funds from the Race Horse Development Fund established in that section.	23K/60
106	Alcohol Licensing	11/11/22	13/06/30	NA	Requires ABCC to conduct a study to determine whether its regulations should be updated or amended to protect licensees pursuant to <b>G.L. c. 138, § 12</b> from unfair competition with gaming establishments that are granted gaming beverage licenses in the Commonwealth. The ABCC must open the study to public comment and hold a hearing. It must file a report of its recommendations with the Governor, the Treasurer, and the Legislature <b>by June 30, 2013</b>	
107	Alcohol Beverage Licensing	11/11/22	NA	NA	Clarifies that distribution of alcohol free of charge for on-premises consumption to patrons, <b>G.L. c. 23K, § 26(c)</b> , is limited to gaming areas.	23K/26(C)
108	Reporting: Date	11/11/22	13/11/22	NA	Provides that the MGC’s first report pursuant to <b>G.L. c.23K, § 71</b> must be submitted no later than two years after the effective date of the Gaming Law ( <b>November 22, 2013</b> ).	23K/71
109	Host Community Election	11/11/22	NA	NA	Provides that the vote required to be taken at an election in a host community pursuant to <b>G.L. c. 23K, § 15(13)</b> must be taken <b>after</b> the effective date of the Act (November 22, 2011)	23K/15(13)

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<b>110</b>	<b>Racing: Date</b>	<b>11/11/22</b>	<b>12/05/20</b>	<b>NA</b>	Provides that Sections 4, 11, 12, 13, 37, 38, and 40 and <b>G.L. c. 23K, § 7</b> become effective 180 days after the date of the act ( <b>May 20, 2012</b> ). These sections all concern the transition of SRC duties to the MGC.	
<b>111</b>	<b>Commission Powers: Date</b>	<b>11/11/22</b>	<b>12/07/31</b>	<b>NA</b>	Provides that <b>G.L. c. 23K, §4(41)</b> , giving the Commission the power to regulate and enforce <b>G.L. 271, § 7A</b> related to bazaars and raffles, does not become effective until <b>July 31, 2012</b> .	23K/4
<b>112</b>	<b>Racing: Date</b>	<b>11/11/22</b>	<b>14/07/31</b>	<b>NA</b>	Provides that <b>Section 17, 39, and 41</b> repealing <b>G.L. cc. 128A, 128C</b> become effective on July 31, 2014	128A,128C
<b>113</b>	<b>Business Tax: Date</b>	<b>11/11/22</b>	<b>12/01/01</b>	<b>NA</b>	Provides that <b>Section 31</b> regarding business taxes of gaming establishments will take effect on <b>January 1, 2012</b>	
<b>114</b>	<b>Business Tax: Date</b>	<b>11/11/22</b>	<b>18/12/31</b>	<b>NA</b>	Provides that <b>Section 32</b> regarding business taxes of gaming establishments will take effect on <b>December 31, 2018</b>	
<b>115</b>	<b>Racing Stabilization Fund: Date</b>	<b>11/11/22</b>	<b>12/04/01</b>	<b>NA</b>	Provides that <b>Section 87</b> regarding the racing stabilization fund takes effect on April 1, 2012	