

205 CMR 143.00: GAMING DEVICES AND ELECTRONIC GAMING EQUIPMENT

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143.01: Standards for Gaming Devices

(1) A gaming licensee and gaming device vendor shall comply with and the commission adopts and incorporates by reference *Gaming Laboratories International, LLC Standard GLI-11: Gaming Devices*, version 3.0, released September 21, 2016, subject to the following amendments:

- (a) Delete section 1.1.1 and replace with the following: "The following sets forth the technical standards for electronic gaming devices as identified in 205 CMR 144.01(2).
- (b) Delete section 1.1.2.
- (c) Delete section 1.2.
- (d) Delete section 1.3.3 and replace with: "This GLI technical standard is adopted in whole subject to the modifications described in 205 CMR 143.01. The standard and modifications should at all times be read in conjunction with 205 CMR and the standards referenced in section 1.4.1 so as to create a harmonious regulatory framework."
- (e) Add the following after section 2.3.2: "2.3.3 Game integrity. The gaming licensee shall develop and submit to the IEB and the commission's gaming lab for approval a preventive maintenance program for the care and upkeep of any such mechanical pieces or any physical moving parts and/or any physical parts of any slot machine, or player interaction devices, that may affect the outcome of any game to ensure the integrity of the outcomes. The IEB may require any such part to be replaced."
- (f) Delete the last sentence of section 3.6.1 and replace with: "If a cryptographic RNG is used, it shall comply with section 3.6.2."
- (g) Delete section 4.6.6.
- (h) Replace in section 4.8.1 "seventy-five percent (75%)" with "eighty percent (80%)".
- (i) Add the following after the first paragraph of section 4.8.1: "The calculation of minimum payout percentage excludes the cash equivalent value of any merchandise or other thing of value that cannot be converted into cash by the gaming licensee, but may include the acquisition cost to the gaming licensee of the merchandise or other thing of value. The calculation shall include the value of promotional gaming credit (*i.e.*- "free play")."
- (j) Add the following after the first sentence in section 4.8.1(a): "If necessary to ensure the fairness of the game to patrons, the Commission may require a gaming vendor to submit a device for testing to determine whether it meets the requirements of section 4.8.1 when using

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average or counter-optimal methods of play in addition to, or in lieu of, an optimal method of play."

(k) Replace in section 4.8.1(b) "75%" with "80%".

(l) Add the following after section 4.8.1(b): "(c) Games of pure skill and/or games that do not utilize an RNG are not required to achieve a minimum theoretical payout percentage."

143.01: continued

(m) Delete section 4.16.1 and replace with the following: "For games of chance, the gaming device shall cease play, display an appropriate message, and require attendant intervention to resolve player payment for the payment of winnings of \$1200 or more from a single *game cycle*. For a *game with skill*, the gaming device shall cease play, display an appropriate message, and require attendant intervention to resolve player payment for the payment of winnings of \$1200 or more from a single *gaming session*. In determining whether winnings equal or exceed the \$1,200 threshold, the amount of winnings shall not be reduced by the amount wagered. It is permissible to provide a mechanism to accrue taxable winnings to a separate meter, however, this meter must not support any direct wagers. *See also* M.G.L. c. 62B, § 2, 26 CFR § 1.6041-10, and GLI-13, section 2.4.2."

(n) Add the following after the first paragraph of section 4.20.1: "For purposes of independent testing in accordance with 205 CMR 144.00, the gaming device manufacturer shall determine in the first instance, subject to the acceptance of the independent test laboratory, whether a gaming device qualifies as a *game with skill*, a game of pure chance, or a game of pure skill. Such determination shall be subject to review and reclassification by the commission."

(o) Replace in section 4.20.3 "75%" with "80%".

(p) Add the following to section 5.4.1(k): "provided, however, no slot machine intended for use at a gaming establishment in Massachusetts may accept debit cards, credit cards, or government-issued electronic benefits transfer cards for purposes of purchasing any form of gaming value;"

(q) Add the following in Glossary of Key Terms in the definition of *Player Interaction Device* after the term "camera systems": "smartphones, keypads, gamepads, audio sensors, motion sensors, image sensors, image displays, infrared emitters and detectors, accelerometers,".

(r) Delete section 4.4.1(v) and replace with the following: "Signage indicating that a 'malfunction voids all pays' or some equivalent verbiage shall be clearly displayed on the exterior of the slot machine at all times. For purposes of 205 CMR, a malfunction shall be an event in which a slot machine:

1. In some way performs contrary to a rule or other language describing the performance or payout of the game exhibited on the exterior display of the slot machine or contained in the rules section of the slot machine; or
2. In some way performs contrary to the manufacturer design or operational specifications; or
3. In some way performs contrary to the requirements of 205 CMR including the specifications contained in the certification for the slot machine issued in accordance with 205 CMR 144.00."

(2) For purposes of M.G.L. c. 23K and 205 CMR the term slot machine as defined by M.G.L. c. 23K, § 2 shall not include automatic amusement devices as defined by M.G.L. c. 140, § 177A(2).

(3) For purposes of M.G.L. c. 23K and 205 CMR a slot machine that has multiple gaming positions, as defined by M.G.L. c. 23K, § 2, shall be considered a single slot machine. Provided, however, a Category 2 licensee shall not have more than 1,500 gaming positions available for play at anyone time.

(4) All slot machines and other electronic gaming devices shall be capable of providing the commission with a near real-time stream of data, other than personally identifiable information, in the communication format specified by the commission in 205 CMR 143.16(1) directly from each slot machine or electronic gaming device. Such data shall be provided for purposes of computing and reconciling daily tax obligations as provided in 205 CMR, for purposes of investigating patron disputes filed in accordance with 205 CMR 134.19: *Disciplinary Action*,

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and for purposes of maintaining general oversight of a gaming establishment. The commission is not obligated to monitor or review the data on an ongoing basis. If communications between the slot machine and the commission's central monitoring system fails, the slot machine shall not continue to operate unless it records all required data from the applicable communication protocol since losing the connection, up to seven days, and send the data directly to the commission as soon as the connection is reestablished. If the connection is not reestablished within 24 hours due to a problem stemming from the gaming establishment's systems, then any slot machine affected shall cease operation until the connection is reestablished.

143.02: Progressive Gaming Devices

(1) A gaming licensee and gaming device vendor shall comply with and the commission adopts and incorporates by reference *Gaming Laboratories International, LLC Standard GLI-12: Progressive Gaming Devices in Casinos*, version 2.1, released September 6, 2011, subject to the following amendments:

- (a) Delete section 1.1.
- (b) Delete section 1.2.
- (c) Delete section 1.3.2.
- (d) Delete section 1.4.
- (e) Delete in section 2.5.14 the words "local Internal Control procedures" and add the following: "following requirements: A gaming licensee may transfer a progressive jackpot amount on a stand-alone slot machine or a local area progressive with a common progressive meter, from the gaming area provided the gaming licensee receives written approval from the IEB prior to the transfer, and the accrued amount minus the seed amount of the progressive jackpot is:
  1. Transferred in its entirety; and
  2. Transferred to one of the following:
    - a. The progressive meter for a slot machine with the same or similar probability of winning the progressive jackpot, the same or lower wager requirement to be eligible to win the progressive jackpot, and the same type of progressive jackpot (cash, annuity, annuity/cash option or a combination/alternate jackpot) as the slot machine from which the jackpot is being transferred; or
    - b. The progressive meters of two or more slot machines, provided that each slot machine to which the jackpot is transferred individually satisfies the requirements of 205 CMR 143.02(1)(e)2.a.

Further, notice of intent to transfer the progressive jackpot, which shall be subject to approval by the IEB, shall be conspicuously displayed on the front of each applicable slot machine for at least ten days in advance of the transfer."

143.03: On-line Monitoring and Control Systems (MCS) and Validation System

(1) A gaming licensee and gaming device vendor shall comply with and the commission adopts and incorporates by reference *Gaming Laboratories International, LLC Standard GLI-13: On-Line Monitoring and Control Systems (MCS) and Validation Systems in Casinos*, version 2.1, released September 6, 2011, subject to the following amendments:

- (a) Delete section 1.1.
- (b) Delete section 1.3.
- (c) Delete section 1.5.

143.04: Cashless Systems

(1) A gaming licensee and gaming device vendor shall comply with and the commission adopts and incorporates by reference *Gaming Laboratories International, LLC Standard GLI-16: Cashless Systems in Casinos*, version 2.1, released September 6, 2011, subject to the following amendments:

- (a) Delete section 1.2.
- (b) Delete section 1.4.

(2) No slot machine at a gaming establishment shall accept debit cards or credit cards, or government-issued electronic benefits transfer cards as a form of payment.

143.05: Bonusing Systems

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(1) A gaming licensee and gaming device vendor shall comply with and the commission adopts and incorporates by reference *Gaming Laboratories International, LLC Standard GLI-17: Bonusing Systems in Casinos*, version 1.3, released September 6, 2011, subject to the following amendments:

- (a) Delete section 1.2.
- (b) Delete section 1.4.

143.06: Promotional Systems

(1) A gaming licensee and gaming device vendor shall comply with and the commission adopts and incorporates by reference *Gaming Laboratories International, LLC Standard GLI-18: Promotional Systems in Casinos*, version 2.1, released September 6, 2011, subject to the following amendments:

- (a) Delete section 1.2.
- (b) Delete section 1.4.

143.07: Kiosks

(1) A gaming licensee and gaming device vendor shall comply with and the commission adopts and incorporates by reference *Gaming Laboratories International, LLC Standard GLI-20: Kiosks*, version 1.5, released September 6, 2011, subject to the following amendments:

- (a) Delete section 1.1.3.
- (b) Delete section 1.3.

143.08: Client-server Systems

(1) A gaming licensee and gaming device vendor shall comply with and the commission adopts and incorporates by reference *Gaming Laboratories International, LLC Standard GLI-21: Client-server Systems*, version 2.2, released September 6, 2011, subject to the following amendments:

- (a) Delete section 1.1.
- (b) Delete section 1.2.
- (c) Delete section 1.4.

143.09: Electronic Table Game Systems

(1) A gaming licensee and gaming device vendor shall comply with and the commission adopts and incorporates by reference *Gaming Laboratories International, LLC Standard GLI-24: Electronic Table Game Systems*, version 1.3, released September 6, 2011, subject to the following amendments:

- (a) Delete section 1.1.
- (b) Delete section 1.3.

(2) An electronic table game shall be considered a slot machine in accordance with M.G.L. c. 23K, § 2 unless the simulation requires the intervention of a gaming employee prior to the final determination of winnings.

(143.10: Dealer Controlled Electronic Table Games: Reserved)

(143.11: Wireless Gaming Systems: Reserved)

143.12: Network Security

As part of its internal controls submission in accordance with 205 CMR 138.01, a gaming licensee shall annually submit an infrastructure and data security plan to the commission for review and approval. The plan should employ best practices (*i.e.* NIST SP 800-53 or ISO/IEC 27001) for protecting infrastructure and data.

143.13: Player User Interface Systems

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(1) A gaming licensee and gaming device vendor shall comply with and the commission adopts and incorporates by reference *Gaming Laboratories International, LLC Standard GLI-28: Player User Interface Systems*, version 1.0, released February 14, 2011, subject to the following amendments:

(a) Delete section 1.1.

(143.14: Card Shufflers and Dealer Shoes: Reserved)



(143.15: Electronic Raffle Systems: Reserved)

143.16: Communications Protocols

A slot machine or other electronic gaming device in operation in a gaming establishment may operate any industry standard open communication protocol approved by the commission provided that the system is fully compatible with the commission's central monitoring system and all required gaming devices, and is capable of providing all data required by the commission. A gaming licensee shall not operate any slot machine or other electronic gaming device in a gaming establishment unless the slot machine:

- (a) is able to bi-directionally communicate with the commission's central monitoring system;
- (b) transmits, on a per bet basis, data relative to amounts wagered, amounts won, cash in, cash out, and similar financial information necessary for tax collection and auditing;
- (c) allows remote verification of gaming device software using a commission approved verification tool;
- (d) allows remotely activating and disabling slot machines; and
- (e) transmits data relative to any restarts, shutdowns, resets, game changes, door open, and other maintenance events.

REGULATORY AUTHORITY

205 CMR 143.00: M.G.L. c. 23K, §§ 4(28) and 5.