

Outline of Massachusetts General Laws Relating to Gambling

- G.L. c. 10 – Relating to the Massachusetts State Lottery
 - G.L. c. 23K – Expanding gaming
 - G.L. c. 128 – Horse racing generally
 - G.L. c. 271 – Relating to gambling
 - Cases - United States v. Lyons, 740 F.3d 702 (1st Cir. 2014); Past AGO investigations
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G.L. c. 23K

- G.L. c. 23K, s. 37 – In relevant part, outlaws operating any game or gaming device, as defined, in violation of 23K or its regulations. Game and gaming device are defined broadly.
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G.L. c. 271 – Most forms of betting are prohibited by various sections of G.L. c. 271

Some sections of G.L. c. 271 prohibit internet gaming, or the business models that would provide this service.

Examples:

- G.L. c. 271, § 5A – Outlaws selling and other behavior relating to gambling devices. Arguably, this could include offering software for sale.
 - G.L. c. 271, § 5B – Outlaws sweepstakes, as defined. No impact on sports betting. Requires a device, as defined.
 - G.L. c. 271, § 7 – Outlaws non-sports bets on games of chance.
 - G.L. c. 271, § § 9 & 11 – Outlaw sale and advertising of out-of-state lottery tickets in Massachusetts
 - G.L. c. 271, § 16A – Outlaws organizing, supervising, managing or financing at least four (4) persons from providing facilities or services for registering bets.
 - G.L. c. 271, §17 – Outlaws keeping a place for registering bets, which would prohibit a company operating its business within the Commonwealth
 - G.L. c. 271, § 17A – Outlaws using the phone to register bets of any kind.
 - G.L. c. 271, § 22 – Outlaws receipt or delivery of gambling materials; does not describe emails, but arguably they are encompassed; payment may be encompassed
 - G.L. c. 271, §§ 31 & 31A – Outlaws placing bets on illegal horse races in the Commonwealth and transmitting results or progress of any race for unlawful purposes; press excepted
 - G.L. c. 271, § 40 – Outlaws betting on boxing in absolute terms.
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