

205 CMR 254: TEMPORARY PROHIBITION FROM SPORTS WAGERING

Section

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254.01: Scope and Purpose

As an alternative to voluntary self-exclusion as described in 205 CMR 233.00, Sports Wagering Operators shall allow individuals to designate themselves as temporarily prohibited from Sports Wagering. 205 CMR 254.00 shall govern the procedures and protocols relative to individuals' designation of themselves as temporarily prohibited from Sports Wagering. Designation is intended to offer individuals one means to help address potential problem gambling behavior, where individuals have not yet determined whether they may benefit from voluntary self-exclusion as described in 205 CMR 233.00.

254.02: Temporary Prohibition

(1) Individuals who designate themselves to a Sports Wagering Operator as temporarily prohibited from Sports Wagering shall be prohibited from making any deposits into the individual's Sports Wagering Account or placing any wagers on the Sports Wagering Operator's Sports Wagering Platform for the temporary prohibition period referred to in 205 CMR 254.03(1). Provided, however, that employees of a Sports Wagering Operator who designate themselves to the Sports Wagering Operator as temporarily prohibited from Sports Wagering may engage in Sports Wagering solely for the purposes of performing the employees' job functions.

(2) Individuals who designate themselves as temporarily prohibited from Sports Wagering shall not collect any winnings or recover any losses resulting from Sports Wagering in violation of the temporary prohibition.

(3) Upon an individual's initial enrollment onto a Sports Wagering Platform, a Sports Wagering Operator shall conspicuously display a message notifying an individual of the opportunity to designate themselves as temporarily prohibited from Sports Wagering. A Sports Wagering Operator shall require an individual to acknowledge the following prior to being designated as temporarily prohibited from Sports Wagering:

(a) That the individual will not make any deposits into the individual's Sports Wagering Account or place any wagers on the Sports Wagering Operator's Sports Wagering Platform in accordance with 205 CMR 254.02(1);

(b) That the individual shall not collect any winnings or recover any losses resulting from Sports Wagering in violation of the temporary prohibition in accordance with 205 CMR 254.02(2);

- (c) That once the individual is designated as temporarily prohibited from Sports Wagering, an individual's attempted Sports Wager shall be rejected or, if placed, shall be voided or cancelled by the Sports Wagering Operator.
- (4) If an individual elects to designate themselves as temporarily prohibited from Sports Wagering, the temporary prohibition shall become immediately effective.
- (5) Sports Wagering Operators shall maintain at all times a link prominently placed on the Sports Wagering Operator's Sports Wagering Platform on which individuals may designate themselves as temporarily prohibited from Sports Wagering.
- (6) If the Sports Wagering Operator utilizes an internal management system to track individuals temporarily prohibited from Sports Wagering, the Sports Wagering Operator shall update that system at least every 24 hours with the names of individuals designated as temporarily prohibited from Sports Wagering, or individuals who are no longer designated as temporarily prohibited from Sports Wagering. Such system shall notify the Sports Wagering Operator's marketing and communications departments so as to prevent the further marketing and communication of Sports Wagering material to individuals designated as temporarily prohibited from Sports Wagering.

254.03: Duration of Temporary Prohibition and Conclusion of Temporary Prohibition

- (1) An individual may select a temporary prohibition period.
- (2) An individual may elect to renew the temporary prohibition at any time by informing the Sports Wagering Operator of the individual's desire to renew the temporary prohibition period. There shall be no limitations regarding the number of times an individual is permitted to renew the temporary prohibition period.

254.04: Responsibilities of the Sports Wagering Operator

A Sports Wagering Operator shall have the same responsibilities relative to the administration of the temporary prohibition from the Sports Wagering program as gaming licensees and Sports Wagering Operators have relative to the administration of the voluntary self-exclusion list pursuant to 205 CMR 133.06(3)-(6) and 7(b) and 205 CMR 233.06(4)-(8), respectively, including the obligation to submit a written policy for compliance with 205 CMR 254.00. Individuals who designate themselves to the Sports Wagering Operator as temporarily prohibited from Sports Wagering shall have the same rights as those provided under 205 CMR 133.06(7)(b). A Sports Wagering Operator shall also not accept any Sports Wager from an individual who designates themselves to the Sports Wagering Operator as temporarily prohibited from placing a Wager on the Sports Wagering Platform.

254.05: Collection of Debts

Nothing in 205 CMR 254.00 shall be construed to prohibit a Sports Wagering Operator from seeking payment of a debt from an individual who is designated to the Sports Wagering Operator

as temporarily prohibited from Sports Wagering, but who violates the terms of the temporary prohibition.

REGULATORY AUTHORITY

M.G.L. c. 23N, § 4(d)2