

205 CMR: MASSACHUSETTS GAMING COMMISSION
205 CMR 143.00: GAMING DEVICES AND ELECTRONIC GAMING EQUIPMENT

143.01: Standards for Gaming Devices

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 in Casinos*, version 2.1, released August 25, 2011, subject to the following amendments:

- (a) Delete section 1.1.1.
- (b) Delete section 1.1.2.
- (c) Delete section 1.2.
- (d) Delete section 1.4.
- (e) Delete section 1.5.1 and replace with “All gaming devices must determine game outcome solely by the application of: (1) chance; (2) the skill of the player, or (3) a combination of chance and the skill of the player. A gaming device that includes any element of chance shall, for that element of the game, at a minimum, utilize randomness in determination of prizes, contain some form of activation to initiate the selection process, and make use of a methodology for delivery of the determined outcome. Any gaming device may be separated in parts, where some may be within or outside the gaming device (e.g., gaming devices that function with a system).”
- (f) Add in 3.2.1 the following paragraph i) after paragraph h):

The rules of play for a game of skill or hybrid game must describe or display information adequate for a reasonable person to understand the method of game play prior to the player committing a wager.

 - (a) The content of the rules of play necessary to comply with 205 CMR 143.01(1)(f) will be determined based on an evaluation of the following factors:
 - (1) The theme or concept of the game;
 - (2) Knowledge of the game among the general public based on the history and prevalence of the game or readily identifiable variations of the game;
 - (3) The extent to which the format of the game differs from that of a substantially comparable game known in contexts outside the casino gaming environment; and
 - (4) The physical attributes of the game, including whether the game is based on:
 - (a) Inherent skill based on physical dexterity, endurance and strategy, such as in an athletic activity;
 - (b) Skill based on expertise, education or experience, such as a word or trivia contest; and
 - (c) Dynamic skill based on variations in the difficulty or complexity of a skill activity that change in response to the player’s decisions, acuity, agility, dexterity, game duration or an inherent game feature, such as a military combat game.
 - (b) The rules of play may be communicated to the player singularly or through a combination of:

- (1) The rules or descriptions displayed by the gaming device in accordance with GLI-11 section 3.2.1; or
- (2) A game tutorial or demonstration displayed by the gaming device or at a prominently disclosed location within the gaming establishment.
- (c) Gaming devices must display any rake-off percentage or any fee charged to play the game or series of games in a gaming session.

- (g) Replace in section 3.4.1 “seventy-five percent (75%)” with “eighty percent (80%)”.
- (h) Add the following after the first paragraph of section 3.4.1: 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 establishment but may include the acquisition cost to the gaming licensee of the merchandise or other thing of value.
- (i) Replace in section 3.4.1(b) “75%” with “80%”.
- (j) Add in 3.4.1 paragraph (d): See 205 CMR 143.01(6)(g) for percentage payout requirements for games of skill and the skill portion of hybrid games that do not include a rake or a fee for play. Games that include a rake or fee for play are subject to 205 CMR 143.01(1)(g).
- (k) Replace in section 3.10.1(f) “seventy-five percent (75%)” with “eighty percent (80%)”

(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 any one time.

(4) If required by the commission, a gaming device 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 directly from each slot machine. 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*, 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 control system (if required by the commission) fails, the slot machine shall not continue to operate unless it records all required critical data 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.

(5) In addition to GLI-11, section 3.2.1(d), except as otherwise disclosed to the player, once a game containing a skill based feature is initiated, no aspect or function of the gaming device may be altered during the play of the game based on the skill of the patron to make an event more or less likely to occur. See also 205 CMR 143.01(6)(c).

(6) Games of skill and hybrid games. The provisions of 205 CMR 143.01(6) shall apply to games of skill and hybrid games in addition to those provisions otherwise applicable in accordance with 205 CMR 143.01.

- (a) All possible game outcomes must be available upon the initiation of each play of a game upon which a player commits a wager on a gaming device.
- (b) Gaming devices that offer games of skill or hybrid games must indicate prominently on the gaming device that the outcome of the game is affected by player skill.
- (c) Gaming devices must not alter any function of the device based on the actual hold percentage.
- (d) Identifiers
 - (1) Gaming devices may use an identifier to determine which games are presented to or available for selection by a player.
 - (2) An electronic gaming device that assigns or tracks the use of identifiers must log the following information on the system component each time an identifier is assigned:
 - (a) A transaction identification number unique to the assignment;
 - (b) The transaction date and time;
 - (c) An identification number unique to the patron, if known;
 - (d) The category or name of the identifier assigned;
 - (e) The basis for the assignment of the identifier; and
 - (f) Any other information necessary to reconcile the assignment of an identifier to a patron.
 - (3) The logged information required by 205 CMR 143.01(6)(d)(2) must:
 - (a) Be retained for a minimum of 30 days;
 - (b) Be viewable on the system portion of the gaming device;
 - (c) Be exportable into a comma separated values text file; and
 - (d) Be rendered unalterable using a method approved by the gaming laboratory.
 - (4) An electronic gaming device that uses identifiers must log the following information each time an identifier is used:
 - (a) A transaction identification number unique to the assignment or the transaction identification number assigned by the system component or associated equipment;
 - (b) The transaction date and time;
 - (c) The category or name of the identifier assigned; and
 - (d) The basis for the assignment of the identifier, if assigned by the conventional gaming device or client of a system supported gaming device.
 - (5) The information required by 205 CMR 143.01(6)(d)(4) must be maintained for at least the most recent ten identifiers assigned and must be displayable on the conventional gaming device or client of a system supported gaming device.
 - (6) As used in 205 CMR 143.01(6)(d), the basis for the assignment of an identifier shall include, without limitation, one or more of the following:
 - (a) The frequency, value or extent of predefined commercial activity such as the patron's frequency of visitation or wagering activity at a gaming

- establishment(s)/casino(s); activity on social media; or accumulation of rank, points, or standing in either gaming or non-gaming activity;
 - (b) The subscription to or enrollment in particular services such as membership in a gaming licensee's customer loyalty program;
 - (c) The use of a particular technology concurrent with the play of a game;
 - (d) The level of skill of a patron as identified or maintained by the gaming system or self-identified by the patron;
 - (e) The level of skill of a patron relative to the skill of other patrons participating in the same game; or
 - (f) The degree of skill required by the game.
- (e) Operation, calibration, and variances. A gaming device that incorporates skill and makes use of player interaction technology must:
- (1) Monitor the player interaction technology for proper operation before the initiation of each game. Upon detection of improper operation, the gaming device must enter into a tilt condition;
 - (2) Provide a mechanism to calibrate the technology;
 - (3) Prevent unintended perturbations, such as physical, radio-frequency, or optical from impacting the proper operation of the game;
 - (4) Upon initialization, must automatically verify that it meets the minimum hardware requirements necessary to properly conduct the game. The gaming device must prevent initialization if the hardware is found to be insufficient; and
 - (5) Ensure that variances in hardware that meet the minimum hardware requirements, such as processing power, amount of memory, or data bandwidth available:
 - (1) do not impact the proper operation of the game; or
 - (2) do not provide an advantage or disadvantage to a player.
- (f) Hardware necessary to implement a game must be equivalent on each gaming device. Hardware variances must not:
- (1) Impact the proper operation of the game; or
 - (2) Provide an advantage or disadvantage to a player.
- (g) Calculation of Payouts.
- (1) The payout for games of skill or hybrid games shall be governed by GLI-11, section 3.4.1. In addition to section 3.4.1, for each enabled payable, the gaming device must calculate the actual payback percentage every N games, where N is the number of games necessary to determine the theoretical payback percentage with a 95% confidence interval within a range of +/- 5%. Additionally, the device shall:
 - (a) Determine the absolute value of the difference between the actual payback percentage and the theoretical payback percentage;
 - (b) Maintain a record of the most recent 50 calculations for each payable to include the date, time, payable ID, the calculated actual payback percentage and the absolute value of the difference between the actual payback percentage and the theoretical payback percentage; and

- (c) Upon detection of three consecutive calculations, for a payable, in which the absolute value of the difference between the actual and theoretical payback percentages is greater than 4%, enter into a tilt condition.

(h) Internet accessibility

- (1) An electronic gaming device may not directly access or be directly accessed via the internet.
- (2) An electronic gaming device may indirectly access the internet or be accessed indirectly via the internet using a method that securely isolates and segregates the gaming device from the internet as approved by the commission.
- (3) Communication between a gaming device and any device external or internal to the gaming device conducted using wireless transmission technologies such as Near Field Communications, Bluetooth, or WiFi must:
 - (a) Be secured to prevent the ability of unintended recipients to read the data;
 - (b) Employ a method to detect data corruption. Upon detection of corrupt data, correct or terminate the communication; and
 - (c) Employ a method to prevent modification of the data.

(i) In-Session Feature Out.

- (1) A gaming device that makes use of an in-session feature must have a meter specifically labeled "In-Session Feature Out" that accumulates all credits deducted from the credit meter paid as consideration for an in-session feature. Such credits shall not be included when calculating the payouts in accordance with 205 CMR 143.01(6)(g), but shall be considered *drop* in accordance with 205 CMR 140.02(3)(a) for purposes of calculating gross gaming revenue.
- (2) A gaming device that allows for additions to or deductions from the credit meter that would not otherwise be metered under the requirements GLI-11, section 3.9.7 must maintain meters sufficient to properly reconcile all additions to or deductions from the credit meter. Examples include, without limitation, fees paid to enter a contest or tournament; awards from a contest or tournament; and the use of wagering credits on wagering opportunities that would not otherwise be considered coin in for the gaming device.

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.
- (c) Replace in section 2.14.1 “seventy-five percent (75%)” with “eighty percent (80%)”.

(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.

(3) 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 physical moving parts and/or any physical parts that may affect the outcome of any electronic table game used in the gaming establishment to ensure the integrity of the outcomes.

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