

## NOTICE OF MEETING AND AGENDA

Pursuant to the Massachusetts Open Meeting Law (G.L. c. 30A, §§ 18-25), St. 2022, c. 107, and St. 2023, c. 2, notice is hereby given of a public meeting of the **Massachusetts Gaming Commission**. The meeting will take place:

**Wednesday| February 21, 2024 | 9:00 a.m.**  
**VIA REMOTE ACCESS: 1-646-741-5292**  
**MEETING ID/ PARTICIPANT CODE: 111 545 5819**  
**All meetings are streamed live at [www.massgaming.com](http://www.massgaming.com).**

Please note that the Commission will conduct this public meeting remotely utilizing collaboration technology. Use of this technology is intended to ensure an adequate, alternative means of public access to the Commission's deliberations for any interested member of the public. If there is any technical problem with the Commission's remote connection, an alternative conference line will be noticed immediately on [www.massgaming.com](http://www.massgaming.com).


All documents and presentations related to this agenda will be available for your review on the morning of the meeting date by visiting our website and clicking on the News header, under the Meeting Archives drop-down.

### **PUBLIC MEETING - #502**

1. Call to Order – Cathy Judd-Stein, Chair
2. Legal and Sports Wagering – Carrie Torrisi, Deputy General Counsel, Bruce Band, Director of Sports Wagering
  - a. Betr Report on Completion of Cessation Plan and Request to Approve Cessation of Operations pursuant to 205 CMR 258.05 **VOTE**
  - b. WynnBET Report on Progress of Cessation Plan pursuant to 205 CMR 258.04 **VOTE**
3. Communications Division – Thomas Mills, Communications Division Chief, David Souza, Digital Communications Coordinator
  - a. Discussion and Review of Draft Annual Report FY24 **VOTE**
4. Commissioners Update
5. Other Business - Reserved for matters the Chair did not reasonably anticipate at the time of posting.

I certify that this Notice was posted as “Massachusetts Gaming Commission Meeting” at [www.massgaming.com](http://www.massgaming.com) and emailed to [regs@sec.state.ma.us](mailto:regs@sec.state.ma.us). Posted to Website: February 16, 2024 | 9:00 a.m. EST.

February 16, 2024



Cathy Judd-Stein, Chair

*If there are any questions pertaining to accessibility and/or further assistance is needed, please email [Gertrude.Lartey@massgaming.gov](mailto:Gertrude.Lartey@massgaming.gov).*



TO: Chair Judd-Stein, Commissioners O'Brien, Hill, Skinner, and Maynard

FROM: Carrie Torrisi, Deputy General Counsel  
Bruce Band, Director of Sports Wagering

CC: Todd Grossman, Interim Executive Director

DATE: February 21, 2024

RE: Betr Cessation of Operations

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On January 25, 2024, Betr submitted to the Commission a notice of intent to cease operations in Massachusetts on February 16, 2024, along with a draft cessation plan as required by 205 CMR 258. On February 8, 2024, the Commission voted unanimously to approve Betr's cessation plan in accordance with 205 CMR 258.03.

205 CMR 258.05(1) requires that, when the sports wagering operator has completed all actions called for in its cessation plan *or* on the approved effective cessation date, whichever is earlier, the operator submit a written report to the Commission notifying the Commission that it has completed all actions necessary for cessation and requesting that cessation become effective. Betr submitted its report pursuant to this section on February 16, 2024.

Following receipt of the written report, 205 CMR 258.05(1) requires the Commission or its designee to issue a written decision approving or denying the cessation request. If the Commission or its designee denies the cessation request, it may require reasonable modification or impose conditions on the operator necessary for effective cessation. Pursuant to 205 CMR 258.05(2), the cessation is not effective until the Commission issues a written decision approving the operator's cessation request.

The Sports Wagering, IT, Finance, and Legal Divisions have reviewed Betr's report submitted pursuant to 205 CMR 258.05(1) and are satisfied that Betr has completed all actions necessary for cessation. We recommend that the Commission approve Betr's cessation request.



Massachusetts Gaming Commission

## Betr Final Cessation Report

Betr has ceased its sportsbook operations in Massachusetts as of February 16, 2024. Betr has completed all actions necessary for cessation and requests that cessation become effective.

### **(a) The distribution of winnings to patrons holding unredeemed Wagers;**

On February 12, 2024, at approximately 1:00pm (EST), Betr sent an initial notice to its patrons in substantially the following form:

“We want to thank you for being a loyal customer of Betr. Unfortunately, we’ve decided to no longer offer mobile sports betting in Massachusetts. Betr will remain available in other jurisdictions in which we operate.

As a result, we will be discontinuing the offering of any new events and live mobile sports betting markets in Massachusetts on February 16, 2024. We have released any deposits that were previously restricted as part of any bonus offers you may have participated in and your funds are now available for withdrawal to the method you previously used to deposit. Your account will be accessible in Massachusetts through the end of the day on March 16, 2024, to allow time for your outstanding bets to settle and to allow for withdrawal requests. Customers in Massachusetts with funds that are not withdrawn by March 16, 2024, will receive a check with their remaining account balance to their address on file.

After March 16, 2024, your account will only be accessible from other jurisdictions in which Betr operates.

If you have any questions, please contact us at [support@betr.app](mailto:support@betr.app).”

Customers will be able to withdraw their funds from the app until March 16, 2024. After that date, Betr will send any customer that has not withdrawn his or her balance a check with their funds to the last physical address we have on file. Betr’s customer support representatives will use good faith efforts to contact all patrons with any remaining balances. Any unclaimed balances will be handled in accordance with Chapter 200A: Disposition of Unclaimed Property

### **(b) The refund of pending Wagers that will not be paid out before the cessation of operation;**

As of February 16, 2024 at approximately 3:50 pm (EST), all existing wagers have been settled according to the results and the approved house rules.

**(c) The distribution of funds in a patron's Sports Wagering Account maintained by a Sports Wagering Operator to that patron;**

On February 6, 2024, Betr ceased offering sign-up bonuses in Massachusetts. On February 7, 2024, at approximately 1:55 pm (EST), Betr released any deposits that might have been locked due to the signup bonus terms and conditions so that the deposits are available for withdrawal.

On February 12, 2024, at approximately 1:00pm (EST), Betr informed all customers that had funds in their account, how they could withdraw their funds via the app.

Betr will send any customer that has not withdrawn his or her balance a check with their funds to the last physical address we have on file. Betr's customer support representatives will use good faith efforts to contact all patrons with any remaining balances. Any unclaimed balances will be handled in accordance with Chapter 200A: Disposition of Unclaimed Property.

Currently there is a combined cash balance total of \$23,742.57 left in MA patron accounts. At the time of the cessation plan approval there was a combined cash balance total of approximately \$78,000.00.

**(d) The closure of Sports Wagering Accounts maintained by the Sports Wagering Operator;**

February 15, 2024, at approximately 11:35am (EST) all future events were removed from the MA sportsbook. No events are available to bet on as of February 15, 2024, at approximately 11:35am (EST), or later via the app.

On February 16, 2024, at approximately 10:00am, Betr introduce a geolocation block for Massachusetts so that no wagers could be placed or accepted after 10:00 am (EST) on February 16, 2024.

On February 6, 2024, Betr added all Massachusetts customers to a no communication list for advertising/marketing campaigns.

Betr will not decommission any servers that currently store data and will provide access to the Commission to its backup servers via Betr's internal Back Office tool which can be used to access requested data.

The actions in the attached Data Retention and Decommission Plan will begin to be carried out on March 16, 2024, after patron accounts are made inaccessible. Once all patron accounts are resolved and closed, Betr will undertake the steps outlined in the decommissioning and data retention plan in consultation with the Commission's IT Division to ensure all steps outlined in the decommissioning and data retention plan are executed accordingly.

**(e) The closure of the Sports Wagering Operator's Sports Wagering Area, Sports Wagering Facility, or Sports Wagering Platform;**

Beginning on March 16, 2024, any person in Massachusetts that attempts to access, login, or download the app will receive an "ineligible location" message in the app and they will not be able to login, but the account will still remain open in our system. This is because we are ceasing operations in Massachusetts and not closing the entire platform.

Betr will not decommission any servers that currently store data and will provide access to the Commission to its backup servers via Betr's internal Back Office tool which can be used to access requested data.

The actions in the attached Data Retention and Decommission Plan will begin to be carried out on March 16, 2024, after patron accounts are made inaccessible. Once all patron accounts are resolved and closed, Betr will undertake the steps outlined in the decommissioning and data retention plan in consultation with the Commission's IT Division to ensure all steps outlined in the decommissioning and data retention plan are executed accordingly.

**(f) The Sports Wagering Operator's plan to satisfy outstanding debts and obligations, including excises taxes due to the Commission pursuant to G.L. c. 23N, § 14 and 205 CMR 240;**

All regulatory and financial obligations will be adhered to and delivered to the Commission for the period Betr operated in Massachusetts. This includes, but is not limited to, the payment of all taxes, debts, and obligations pursuant to 205 CMR 240, 205 CMR 221, and 205 CMR 214.

**(g) The Sports Wagering Operator's plan to communicate the cessation plan to the public, patrons, and vendors, including applicable timelines for cessation; and**

On February 12, 2024, at approximately 1:00pm (EST), Betr informed all Massachusetts customers that we will stop accepting wagers on February 16, 2024. Betr communicated this via email and via a conspicuous message on the site and in the app.

On February 12, 2024, Betr published the cessation notice on the social media platforms, on the [Boston Globe website](#), and the Boston Globe's print edition pursuant to 205 CMR 258.03(4).

On February 12, 2024, Betr created a dedicated FAQ page within our Helpdesk that explains to customers all of the steps they need to take to withdraw their funds and address other anticipated concerns.

<https://support.betr.app/hc/en-us/articles/23663288706068-Massachusetts-FAQs>

On February 16, 2024, Betr removed any mention of operations in Massachusetts on relevant Helpdesk articles related to Betr's live operations Notwithstanding the aforementioned FAQ Page which we published On February 12, 2024.

On January 25, 2024, all vendors were notified about our preliminary plan to cease operations in Massachusetts. All vendors were be updated about the approved cessation date on February 12, 2024, and informed that that anyone licensed and doing business solely with Betr will be required to surrender their license within ten days of Betr's surrender of its license pursuant to 205 CMR 258.06.

**(h) A description of the status and current balance of the letter of credit or other financial assurance mechanism held by the Sports Wagering Operator pursuant to 205 CMR 238.12(6) and any information necessary to permit the Commission or its appointed conservator or receiver to access and use such letter of credit or other financial assurance mechanism to satisfy the obligations in 205 CMR 258.03(1)(a)-(f) to the extent feasible.**

We will remain in full compliance with all reserve requirements under 205 CMR 238 until we satisfy all of our obligations under 205 CMR 258. If necessary, Betr will supply a bank attestation letter to demonstrate that the obligations of 205 CMR 258 can be satisfied through cash.

**THIS SECTION IS INTENTIONALLY LEFT BLANK**

# **Betr Data Retention and Decommission Plan**

## **Introduction**

Upon approval of cessation of mobile sports betting operations of Betr, pursuant to a Category 3 untethered license in the Commonwealth of Massachusetts, server hardware and other associated equipment must be decommissioned, and all relevant data retained. This will require certain transactional data and all patron and financial data to be migrated and securely stored for legal and regulatory purposes.

## **Data Sources and Locations**

Betr uses an in-house PAM solution, which stores patron databases and is the source of truth for data requests. All Betr databases and data warehouses, both in-state and centralized, are cloud hosted and the in-state database is replicated and retained in our centralized cloud-hosted database for data requests relating to marketing and gamification data. Betr cloud-hosted databases will remain operational (read only) to provide transaction history to users on the Betr application, until closure. Betr will also retain, and store patron data provided by geolocation, identity, and customer support providers. The Betr data warehouse will remain operational for historical purposes until data retention expires.

## **Data Storage**

In accordance with 205 CMR 238.09(1) and internal controls, Betr's records are retained in an electronic format. All corporate records, current employee files, and revenue accounting data are retained without an expiration period. Other non-essential data is generally retained for a period of a minimum of five to seven years.

## **Data Retention**

Data will be retained for a period of time required by Massachusetts laws and regulations. Pursuant to 205 CMR 238.09, Betr utilizes electronic storage for its primary confidential documents. Additionally, Betr transactional data may be retained in our centralized cloud-hosted environment.

## **Data Security/Access Controls**

All data sources that will support internal and external long-term reporting or compliance requirements will be consolidated and stored to mask patron passwords, full SSNs, and payment information. The information will be in read-only mode with access limited only to specific IT/technology personnel.

Firewall rules will be configured to control which IP addresses and IP ranges are allowed to ensure only authorized users and applications can access the data. Raw database extractions will be encrypted at rest using public/private key encryption. To support any regulatory request, Massachusetts regulators have access to Betr's internal Back Office tool which can be used to access requested data. To support any patron data request, patrons may submit a support ticket to Betr Customer Support.

## **Patron and Regulator Requests**

Throughout the closure process, Massachusetts patron requests will be addressed via an e-mail request to Betr Customer Support (support@betr.app). The current Legal/Compliance contacts at Betr will continue to liaise with the MGC.

## **Server Decommission/Deletion of Data**

Betr will not decommission any servers that currently store data and will provide access to the Commission to its backup servers via Betr's internal Back Office tool which can be used to access requested data. Once all patron accounts are resolved and closed, Betr will undertake the steps outlined in the decommissioning and data retention plan in consultation with the Commission's IT Division to ensure all steps outlined in the decommissioning and data retention plan are executed accordingly.



# Boston Globe Online and Print Supporting Documentation

## Boston Globe Online

<https://s3.amazonaws.com/ipublishmedia.boston.globe/preview/W01099240/W01099240%20pdf%20preview.pdf>

BETR HOLDINGS, INC.  
CESSATION NOTICE  
To our valued customers,

We, at Betr Holdings, Inc., extend our deepest gratitude for your continued support and loyalty as part of our community. It is with a heavy heart that we announce a significant change to our operations in the Commonwealth of Massachusetts. Effective February 16, 2024, Betr Holdings, Inc. will no longer offer mobile sports betting services within Massachusetts. This decision was not made lightly, and while we regret any inconvenience this may cause, please know that Betr will continue to operate and offer services in other jurisdictions where we are licensed and permitted to do so.

Key Dates and Actions for Massachusetts Customers:

**Discontinuation of Services:** Starting from February 16, 2024, there will be no offering of new events or live mobile sports betting markets in Massachusetts.

**Release of Deposits:** We have taken steps to release any deposits previously restricted by bonus offers. You may now access and withdraw these funds using the same method utilized for deposits.

**Account Access and Withdrawal Period:** Your Betr account will remain accessible in Massachusetts until the end of the day on March 16, 2024. This period is designed to allow sufficient time for the settlement of outstanding bets and for processing withdrawal requests.

**Unclaimed Funds:** Customers who have not withdrawn their funds by March 16, 2024, will be issued a check for the remaining balance in their account, sent to the address we have on file. Post-March 16, 2024,

**Access:** Beyond March 16, 2024, access to your Betr account will be limited to jurisdictions outside Massachusetts where Betr continues to operate.

We understand that this transition may raise questions or concerns. Our customer support team is here to assist you through this process. Should you need any help or have any questions, please do not hesitate to reach out to us at [support@betr.app](mailto:support@betr.app). Thank you once again for your understanding and for being a part of the Betr community. We appreciate your loyalty and hope to continue serving you in other jurisdictions. Sincerely, The Betr Holdings, Inc. Team

## Student diversity in Mass. grew faster than that among teachers

**TEACHERS**

*Continued from Page B1*

color from 7 percent in 2012 to 10 percent in 2022. Latinos for Education released the report as it and other education advocacy organizations, school administrators, and teacher unions are pushing Beacon Hill lawmakers to pass a bill that would increase educator diversity through several different measures.

That legislation would require districts to develop plans to recruit and retain educators of color and would give the state Department of Elementary and Secondary Education the authority to grant individual state educator licenses without passing the state's licensing exams.

Many education advocates have raised concerns about racial disparities in pass rates on the licensing exams. About three-quarters of white and Asian test-takers passed the state's communications literacy test — the most popular exam — compared with 56 percent of Latino test-takers and 48 percent of Black test-takers during the 2021-22 school year, according to the most recent state demographic analysis.

Several research studies have documented the academic benefits that occur when students of color have a teacher with the same racial, ethnic, or linguistic background. A 2020 study by the University of North Carolina School of Education, for instance, found Black students had higher educational attainment and lower rates of discipline when they had a Black teacher for at least one year in elementary school.

The demographic gaps between educators and students in Massachusetts fall somewhere in the middle of the pack among states nationwide, according to data by the National Council on Teacher Quality.

Massachusetts education officials have worked with districts to increase workforce diversity, including a grant that helps districts pay for signing bonuses, relocation costs, and loan repayments.

"We've made progress diversifying the educator workforce, and this report shows us the importance of expanding that work," Jeffrey C. Riley, state commissioner of elementary and secondary education, said

**'The state's educator workforce doesn't reflect the ethnic and racial diversity of the students in the Commonwealth.'**

AMANDA FERNANDEZ  
*Chief executive of Latinos for Education*

in a statement. Some districts appear to be doing better than others with their diversity initiatives.

Gateway cities in Massachusetts posted the largest gains in educators of color, 10 percentage points, while urban districts in the central and the southeastern parts of the state had the smallest gains, just 1 to 3 percentage points, respectively, according to the report.

Springfield has been placing a strong emphasis on growing its own workforce to increase its diversity. The effort has included identifying high school students interested in careers in education, maintaining rela-

tionships with them in college, and guaranteeing them jobs when they graduate. The district also helps paraprofessionals become licensed teachers and requires principals to diversify their staff as part of their job performance review criteria.

Superintendent Daniel Warwick said the district had to look from within to increase the diversity of its workforce because convincing educators to move to the western part of the state can be a tough sell, and because enrollment in most college education preparatory programs are overwhelmingly white.

"Everyone has been working hard at this," he said, noting the portion of Black educators over the last decade has grown from 10.7 percent to 17.6 percent and the portion of Hispanic educators has increased from 12.3 percent to 18.6 percent.

The report recommended several measures to bolster educator diversity, which included allowing principals to determine who are effective teachers as an alternative way to licensing, and creating teacher apprenticeship programs.

"There's going to have to be ... some type of significant investment or seismic shift in the way we think about recruiting folks and making the workforce an appealing and attractive space," said Morgan Comb, executive director of the Wheelock Educational Policy Center. Olivia Chi, an assistant professor in the educational leadership and policy studies department at Boston University's Wheelock College of Education & Human Development, added, "There's no way for us to snap our fingers and close that representation gap overnight."

James Vaznis can be reached at [james.vaznis@globe.com](mailto:james.vaznis@globe.com). Follow him @globevaznis.

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The Boston Globe

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## Social Media Posts

[https://www.instagram.com/p/C3QbaFWxC MI/?utm\\_source=ig\\_web\\_copy\\_link&igsh=MzRIODBiNWFIZA%3D%3D](https://www.instagram.com/p/C3QbaFWxC MI/?utm_source=ig_web_copy_link&igsh=MzRIODBiNWFIZA%3D%3D)

<https://twitter.com/betr/status/1757101399639314541>



To our valued Massachusetts customers,

We, at Betr Holdings, Inc., extend our deepest gratitude for your continued support and loyalty as part of our community. It is with a heavy heart that we announce a significant change to our operations in the Commonwealth of Massachusetts.

Effective February 16, 2024, Betr Holdings, Inc. will no longer offer mobile sports betting services within Massachusetts. This decision was not made lightly, and while we regret any inconvenience this may cause, please know that Betr will continue to operate and offer services in other jurisdictions where we are licensed and permitted to do so.

#### Key Dates and Actions for Massachusetts Customers:

- **Discontinuation of Services:** Starting from February 16, 2024, there will be no offering of new events or live mobile sports betting markets in Massachusetts.
- **Release of Deposits:** We have taken steps to release any deposits previously restricted by bonus offers. You may now access and withdraw these funds using the same method utilized for deposits.
- **Account Access and Withdrawal Period:** Your Betr account will remain accessible in Massachusetts until the end of the day on March 16, 2024. This period is designed to allow sufficient time for the settlement of outstanding bets and for processing withdrawal requests.
- **Unclaimed Funds:** Customers who have not withdrawn their funds by March 16, 2024, will be issued a check for the remaining balance in their account, sent to the address we have on file.
- **Post-March 16, 2024, Access:** Beyond March 16, 2024, access to your Betr account will be limited to jurisdictions outside Massachusetts where Betr continues to operate.

We understand that this transition may raise questions or concerns. Our customer support team is here to assist you through this process. Should you need any help or have any questions, please do not hesitate to reach out to us at [support@betr.app](mailto:support@betr.app).

Thank you once again for your understanding and for being a part of the Betr community. We appreciate your loyalty and hope to continue serving you in other jurisdictions.

Sincerely,

The Betr Holdings, Inc. Team

COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS GAMING COMMISSION

SUFFOLK, ss.

\_\_\_\_\_  
*In the Matter of:*

Betr Holdings, Inc. d/b/a/ Betr Request to Cease  
Operations in the Commonwealth  
\_\_\_\_\_

**DECISION APPROVING BETR HOLDINGS, INC. D/B/A BETR'S  
REQUEST TO CEASE OPERATIONS IN THE COMMONWEALTH**

**I. INTRODUCTION AND BACKGROUND**

Betr Holdings, Inc. d/b/a Betr (“Betr”) was issued an Untethered Category 3 Sports Wagering License by the Commission on February 23, 2023. On January 25, 2024, Betr submitted a notice of intent to cease operations in the Commonwealth along with a draft cessation plan in accordance with 205 CMR 258. On February 6, 2024, following discussions with Commission staff, Betr submitted an amended cessation plan for the Commission’s approval. On February 8, 2024, the Commission voted unanimously to approve Betr’s cessation plan in accordance with 205 CMR 258.03. On February 16, 2024, in accordance with 205 CMR 258.05, Betr submitted a written report to the Commission notifying the Commission that it had completed all actions necessary for cessation and requesting that cessation become effective.

Where the Commission finds that all actions outlined in Betr’s approved cessation plan and necessary for cessation have been completed, the Commission hereby **APPROVES** Betr’s cessation request in accordance with 205 CMR 258.05.

**II. EXHIBITS**

The following materials were reviewed by the Commission.

**Exhibit 1:** Betr Notice of Intent to Cease Operations Cover Letter, Cessation Plan, and Waiver Request received January 25, 2024

**Exhibit 2:** Betr Amended Cessation Plan received February 6, 2024

**Exhibit 3:** Betr Final Cessation Report received February 16, 2024

### III. ANALYSIS

Pursuant to 205 CMR 258.01(1), a sports wagering operator that intends to cease operations in the Commonwealth must immediately, and in no event fewer than 90 days before such cessation of operations is anticipated to become effective, notify the Commission in writing of its anticipated cessation.<sup>1</sup>

Pursuant to 205 CMR 258.03(1), within five business days of providing notice of its intended cessation of activities, a sports wagering operator must submit a cessation plan to the Commission that addresses the following:

- (a) The distribution of winnings to patrons holding unredeemed wagers;
- (b) The refund of pending wagers that will not be paid out before the cessation of operation;
- (c) The distribution of funds in a patron's sports wagering account maintained by a sports wagering operator to that patron;
- (d) The closure of sports wagering accounts maintained by the sports wagering operator;
- (e) The closure of the sports wagering operator's sports wagering area, sports wagering facility, or sports wagering platform;
- (f) The sports wagering operator's plan to satisfy outstanding debts and obligations, including excises taxes due to the Commission pursuant to M.G.L. c. 23N, § 14 and 205 CMR 240.00: Adjusted Gross Sports Wagering and Adjusted Gross Fantasy Wagering Receipts Tax Remittance and Reporting;
- (g) The sports wagering operator's plan to communicate the cessation plan to the public, patrons, and vendors, including applicable timelines for cessation; and
- (h) A description of the status and current balance of the letter of credit or other financial assurance mechanism held by the sports wagering operator pursuant to 205 CMR 238.12(6) and any information necessary to permit the Commission or its appointed conservator or receiver to access and use such letter of credit or other financial assurance mechanism to satisfy the obligations in 205 CMR 258.03(1)(a) through (f) to the extent feasible.

Pursuant to 206 CMR 258.03(2), the Commission or its designee shall review the submitted cessation plan and issue a determination approving or denying the plan, or requiring reasonable modifications or conditions to the plan.

Pursuant to 205 CMR 258.05(1), when the sports wagering operator has completed all actions called for in its cessation plan *or* on the approved effective cessation date, whichever is earlier,

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<sup>1</sup> Having found that (1) granting the waiver was consistent with the purposes of G.L. c. 23N, (2) granting the waiver would not interfere with the ability of the Commission or the IEB to fulfill its duties, (3) granting the waiver would not adversely affect the public interest, and (4) not granting the waiver would cause a substantial hardship to Betr, the Commission issued a waiver to Betr from the 90-day notice requirement in accordance with 205 CMR 202.03(2).

the operator must submit a written report to the Commission notifying the Commission that it has completed all actions necessary for cessation and requesting that cessation become effective. The Commission or its designee shall then review the report and issue a written decision approving or denying the cessation request. If the Commission or its designee denies the cessation request, it may require reasonable modification or impose conditions on the operator necessary for effective cessation.

Pursuant to 205 CMR 258.05(2), cessation shall not be effective until the Commission issues a written decision approving the sports wagering operator's cessation request.

#### **A. FINDINGS OF FACT**

On January 25, 2024, Betr submitted a notice of intent to cease operations in the Commonwealth along with a draft cessation plan in accordance with 205 CMR 258 (Exhibit 1). On February 6, 2024, following discussions with Commission staff, Betr submitted an amended cessation plan for the Commission's approval (Exhibit 2). On February 8, 2024, the Commission voted unanimously to approve Betr's cessation plan in accordance with 205 CMR 258.03. On February 16, 2024, in accordance with 205 CMR 258.05, Betr submitted a written report to the Commission notifying the Commission that it had completed all actions necessary for cessation under 205 CMR 258 and requesting that cessation become effective (Exhibit 3).

#### **IV. CONCLUSION**

Having found that all actions outlined in Betr's approved cessation plan and necessary for cessation have been completed, the Commission hereby **APPROVES** Betr's cessation request in accordance with 205 CMR 258.05.

#### **SO ORDERED**

#### **MASSACHUSETTS GAMING COMMISSION**

By: \_\_\_\_\_  
Cathy Judd-Stein, Chair

By: \_\_\_\_\_  
Eileen O'Brien, Commissioner

By: \_\_\_\_\_  
Brad Hill, Commissioner

By: \_\_\_\_\_  
Nakisha Skinner, Commissioner

By: \_\_\_\_\_  
Jordan Maynard, Commissioner

EXECUTED: February 21, 2024



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January 25, 2024

Massachusetts Gaming Commission  
101 Federal Street, 12th Floor  
Boston, MA 02110

Dear Commissioners:

I write to formally inform you that we will unfortunately not be renewing our temporary sports wagering license in the Commonwealth of Massachusetts. We want to thank the Massachusetts Gaming Commission and its dedicated staff for their great partnership during our temporary license period in Massachusetts and we hope to receive the honor and privilege of reentering this market at a later date.

We will work closely with the MGC on an orderly cessation of operations to ensure that any impact is minimized on our valued customers, partners, vendors, and all other affected parties.

To that end, please find enclosed a Cessation Plan in accordance with 205 CMR 258. We look forward to discussing this plan with you at the upcoming MGC Open Meeting on February 1, 2024.

Sincerely,

*Ashwin Krishnan*

Ashwin Krishnan  
Head of Legal & Business Affairs  
Betr Holdings, Inc.

290 NE 68<sup>th</sup> Street  
Miami, FL 33138



## Massachusetts Cessation Plan

Betr is proposing the winding down of its sportsbook operations in Massachusetts on February 16, 2024 due to the timing of the completion of the NFL season and the NBA All-Star break, which will mean that there will be no NFL or NBA games during this window. We will provide updates at least every ten days on the implementation of this plan pursuant to 205 CMR 258.

If the MGC approves this date for the cessation of our sportsbook operations, then we will execute the following plan:

1. No events will be available to bet on beginning February 16, 2024 or later via the app.
2. Because Betr does not offer future bets, all existing wagers will be settled no later than February 16, 2024 according to the results and the approved house rules.
3. Betr will inform all Massachusetts customers about the change on February 12, 2024 that it will stop accepting wagers on February 16, 2024. Betr will communicate this via email and via a conspicuous message on the site and in the app.
4. We will publish the cessation notice on the social media platforms and on the Boston Globe website.
5. On February 16, 2024, Betr will release any deposits that might be locked due to the signup bonus terms and conditions so that the deposits are available for withdrawal.
6. Betr will inform all customers that have funds how they can withdraw their funds via the app.
7. Customers will be able to withdraw their funds from the app until March 16, 2024. After that date, Betr will send any customer that has not withdrawn his or her balance a check with their funds to the last physical address we have on file.
8. On February 16, 2024 we will modify all relevant Helpdesk articles that mention our operations in Massachusetts.
9. We will create a dedicated FAQ page within our Helpdesk that will explain to customers all of the steps they need to take to withdraw their funds and address other anticipated concerns.
10. All vendors have been notified about our plan and they will be informed about the cessation date.
11. We will introduce a geolocation block for Massachusetts so that no wager can be accepted after February 16, 2024.
12. Beginning on March 16, 2024, any person in Massachusetts that downloads the app will receive an "ineligible location" message in the app and they will not be able to login, but the account will still remain open in our system. This is because we are ceasing operations in Massachusetts and not closing the entire platform.
13. We will add all Massachusetts customers to a "no communication list" for advertising/marketing campaigns.
14. We will remain in full compliance with all reserve requirements under 205 CMR 238 until we satisfy all of our obligations under 205 CMR 258.
15. All regulatory reports will still be delivered for February 2024. This includes the payment of all taxes, debts, and obligations pursuant to 205 CMR 240.

We are confident that by following this plan, our customers will have a smooth transition and the potential impact on other affected parties will be minimized.



## MASSACHUSETTS GAMING COMMISSION WAIVER/VARIANCE REQUEST FORM

*In accordance with 205 CMR 202.03; 205 CMR 102.03(4)*

Please fill out and address all areas of the form with blue section headers. If a specific line does not apply to the request, please place 'NA' in the response field. Each section will extend to accommodate large answers.

### CONTACT INFORMATION

**DATE:** 1/25/2024

**NAME OF LICENSEE / OPERATOR (REQUESTING ENTITY):** Betr Holdings, Inc. ("Betr")

**NAME OF INDIVIDUAL COMPILING REQUEST:** Robert Warren

**TITLE OF INDIVIDUAL COMPILING REQUEST:** Compliance Lead

**CONTACT EMAIL ADDRESS:** robert.warren@betr.app

**CONTACT PHONE NUMBER:** (202) 423-8578

**EMAIL/PHONE NUMBER FOR PROVIDING DECISION (IF DIFFERENT FROM CONTACT):**  
N/A

### REGULATION INFORMATION

**SPECIFIC REGULATION (#) FOR WHICH WAIVER IS REQUESTED:**

205 CMR 258.01(1)

**REGULATION SECTION TITLE:**

Notification

**REGULATION LANGUAGE/TEXT:**

(1) A Sports Wagering Operator that intends to cease Sports Wagering Operations in the Commonwealth shall immediately, and in no event fewer than 90 days before such cessation of operations is anticipated to become effective, notify the Commission in writing of its anticipated cessation, as well the circumstances leading to the anticipated cessation.



## REASON FOR REQUEST OF WAIVER

### DATE(S)/ TIMEFRAME WAIVER IS REQUESTED THROUGH:

January 25, 2024 – February 16, 2024

*Per 205 CMR 102.03(4)(b)*

### PLEASE EXPLAIN THE BASIS FOR THE PROPOSED WAIVER/VARIANCE SOUGHT:

I, Robert Warren, as Compliance Lead of Betr, hereby submit a request to the Massachusetts Gaming Commission (the “MGC”) requesting a partial waiver of regulation 205 CMR 258.01(1), so that Betr can remain compliant with the MGC regulation while implementing its cessation process.

On December 23, 2023, Betr received an email from the MGC informing Betr that the deadline to renew its temporary license was January 23, 2024 (the “Deadline”). The email stated that if payment was not made by the Deadline, Betr’s temporary license would expire on February 23, 2024, which is approximately 65 days from the date of the email.

*Per 205 CMR 102.03 (4)(a)(4)*

### PLEASE INDICATE THE SUBSTANTIAL HARDSHIP/IMPACT YOUR ENTITY WOULD INCUR IF WAIVER/VARIANCE IS NOT APPROVED BY COMMISSION:

Due to the timeframe established in the regulation, the required 90-day notice by Betr to the MGC of its intentions to cease its sports wagering operations is not possible in this case, and a denial of our waiver would place Betr in violation of such regulation while it continues to wind-down its operations in the State of Massachusetts.

### ADDITIONAL JUSTIFICATION/EXPLANATION FOR REQUEST:

N/A



## **DETERMINATION**

Pursuant to 205 CMR 102.03(4)(a), and 205 CMR 202.03(2), the Commission may waive or grant a variance if the Commission finds that:

1. Granting the waiver or variance is consistent with the purposes of M.G.L. c. 23K and c. 23N;
2. Granting the waiver or variance will not interfere with the ability of the commission or the bureau to fulfill its duties;
3. Granting the waiver or variance will not adversely affect the public interest; and
4. Not granting the waiver or variance would cause a substantial hardship to the person requesting the waiver or variance.

Pursuant to 205 CMR 102.03 (4)(c), any waiver request not acted on by the Commission within 60 days of filing shall be deemed denied.



## Massachusetts Cessation Plan

Betr is proposing the winding down of its sportsbook operations in Massachusetts on February 16, 2024, due to the timing of the completion of the NFL season and the NBA All-Star break, which will mean that there will be no NFL or NBA games during this window. We will provide updates at least every ten days on the implementation of this plan pursuant to 205 CMR 258.

If the Commission approves this date for the cessation of our sportsbook operations, then we will execute the following plan:

### **(a) The distribution of winnings to patrons holding unredeemed Wagers;**

Within two (2) business days of Commission approval of the cessation plan, Betr will send an initial notice to its patrons in substantially the following form:

“We want to thank you for being a loyal customer of Betr. Unfortunately, we have had to make the difficult decision to shut down mobile sports betting operations in Massachusetts.

We will be discontinuing **live** mobile sports betting offerings on February 16, 2024, and **no new events** will be available to bet that start on or after February 16, 2024. By 5:00pm on February 7, 2024, Betr will release any deposits that are locked up due to the signup bonus terms and conditions so that deposits are available for withdrawal. Your account will be accessible through the end of the day on March 16, 2024, to allow time for your outstanding bets to settle and to withdraw your account balance. If you have any questions in the meantime, please reach out to support@betr.app.”

Customers will be able to withdraw their funds from the app until March 16, 2024. After that date, Betr will send any customer that has not withdrawn his or her balance a check with their funds to the last physical address we have on file. Betr’s customer support representatives will use good faith efforts to contact all patrons with any remaining balances. Any unclaimed balances will be handled in accordance with Chapter 200A: Disposition of Unclaimed Property

### **(b) The refund of pending Wagers that will not be paid out before the cessation of operation;**

Because Betr does not offer future bets, all existing wagers will be settled no later than February 16, 2024, according to the results and the approved house rules.

**(c) The distribution of funds in a patron's Sports Wagering Account maintained by a Sports Wagering Operator to that patron;**

On February 6, 2024, Betr will stop offering sign-up bonuses in Massachusetts. On February 7, 2024, no later than 5:00 pm, Betr will release any deposits that might be locked due to the sign-up bonus terms and conditions so that the deposits are available for withdrawal.

Within two (2) business days of Commission approval of the cessation plan, Betr will inform all customers that have funds how they can withdraw their funds via the app.

Betr will send any customer that has not withdrawn his or her balance a check with their funds to the last physical address we have on file. Betr's customer support representatives will use good faith efforts to contact all patrons with any remaining balances. Any unclaimed balances will be handled in accordance with Chapter 200A: Disposition of Unclaimed Property.

**(d) The closure of Sports Wagering Accounts maintained by the Sports Wagering Operator;**

No events will be available to bet on beginning at 11:59 pm, on February 16, 2024, or later via the app.

We will introduce a geolocation block for Massachusetts so that no wager can be accepted after 11:59 pm on February 16, 2024.

On February 6, 2024, we will add all Massachusetts customers to a no communication list for advertising/marketing campaigns.

Betr will not decommission any servers that currently store data and will provide access to the Commission to its backup servers via Betr's internal Back Office tool which can be used to access requested data. Within 48 hours of the Commission's approval of its cessation plan, Betr will confirm with the Commission's IT Staff that all requirements related to the decommissioning of its sports wagering platform in Massachusetts, including access to patron accounts and the retention of data, are sufficiently addressed.

Attached is a separate Data Retention and Decommission Plan.

**(e) The closure of the Sports Wagering Operator's Sports Wagering Area, Sports Wagering Facility, or Sports Wagering Platform;**

Beginning on March 16, 2024, any person in Massachusetts that attempts to access, login, or download the app will receive an "ineligible location" message in the app and they will not be able to login, but the account will still remain open in our system. This is because we are ceasing operations in Massachusetts and not closing the entire platform.

Betr will not decommission any servers that currently store data and will provide access to the Commission to its backup servers via Betr's internal Back Office tool which can be used to access requested data. Within 48 hours of the Commission's approval of its cessation plan, Betr will confirm with the Commission's IT Staff that all requirements related to the decommissioning of its sports wagering platform in Massachusetts, including access to patron accounts and the retention of data, are sufficiently addressed.

Attached is a separate Data Retention and Decommission Plan.

**(f) The Sports Wagering Operator's plan to satisfy outstanding debts and obligations, including excises taxes due to the Commission pursuant to G.L. c. 23N, § 14 and 205 CMR 240;**

All regulatory and financial obligations will be adhered to and delivered to the Commission for the period Betr operated in Massachusetts. This includes, but is not limited to, the payment of all taxes, debts, and obligations pursuant to 205 CMR 240, 205 CMR 221, and 205 CMR 214.

**(g) The Sports Wagering Operator's plan to communicate the cessation plan to the public, patrons, and vendors, including applicable timelines for cessation; and**

Within two (2) business days of Commission approval of the cessation plan, Betr will inform all Massachusetts customers that we will stop accepting wagers on February 16, 2024. Betr will communicate this via email and via a conspicuous message on the site and in the app.

Within two (2) business days of Commission approval of the cessation plan, we will publish the cessation notice on the social media platforms and on the Boston Globe website; within five (5) business days of Commission approval of the cessation plan, we will publish the cessation notice in the Boston Globe's print edition pursuant to 205 CMR 258.03(4).

Within two (2) business days of Commission approval of the cessation plan, we will create a dedicated FAQ page within our Helpdesk that will explain to customers all of the steps they need to take to withdraw their funds and address other anticipated concerns.

Notwithstanding the aforementioned FAQ Page which we will publish two (2) business days after Commission approval of the cessation plan, on February 16, 2024, we will remove any mention of operations in Massachusetts on relevant Helpdesk articles related to Betr's live operations.

On January 25, 2024, all vendors were notified about our preliminary plan to cease operations in Massachusetts. All vendors will be updated about the approved cessation date within two (2) business days of Commission approval of the cessation plan, and informed that that anyone licensed and doing business solely with Betr will be required to surrender their license within ten days of Betr's surrender of its license pursuant to 205 CMR 258.06.



**(h) A description of the status and current balance of the letter of credit or other financial assurance mechanism held by the Sports Wagering Operator pursuant to 205 CMR 238.12(6) and any information necessary to permit the Commission or its appointed conservator or receiver to access and use such letter of credit or other financial assurance mechanism to satisfy the obligations in 205 CMR 258.03(1)(a)-(f) to the extent feasible.**

We will remain in full compliance with all reserve requirements under 205 CMR 238 until we satisfy all of our obligations under 205 CMR 258. If necessary, Betr will supply a bank attestation letter to demonstrate that the obligations of 205 CMR 258 can be satisfied through cash.

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# **Betr Data Retention and Decommission Plan**

## **Introduction**

Upon approval of cessation of mobile sports betting operations of Betr, pursuant to a Category 3 untethered license in the Commonwealth of Massachusetts, server hardware and other associated equipment must be decommissioned, and all relevant data retained. This will require certain transactional data and all patron and financial data to be migrated and securely stored for legal and regulatory purposes.

## **Data Sources and Locations**

Betr uses an in-house PAM solution, which stores patron databases and is the source of truth for data requests. All Betr databases and data warehouses, both in-state and centralized, are cloud hosted and the in-state database is replicated and retained in our centralized cloud-hosted database for data requests relating to marketing and gamification data. Betr cloud-hosted databases will remain operational (read only) to provide transaction history to users on the Betr application, until closure. Betr will also retain, and store patron data provided by geolocation, identity, and customer support providers. The Betr data warehouse will remain operational for historical purposes until data retention expires.

## **Data Storage**

In accordance with 205 CMR 238.09(1) and internal controls, Betr's records are retained in an electronic format. All corporate records, current employee files, and revenue accounting data are retained without an expiration period. Other non-essential data is generally retained for a period of a minimum of five to seven years.

## **Data Retention**

Data will be retained for a period of time required by Massachusetts laws and regulations. Pursuant to 205 CMR 238.09, Betr utilizes electronic storage for its primary confidential documents. Additionally, Betr transactional data may be retained in our centralized cloud-hosted environment.

## **Data Security/Access Controls**

All data sources that will support internal and external long-term reporting or compliance requirements will be consolidated and stored to mask patron passwords, full SSNs, and payment information. The information will be in read-only mode with access limited only to specific IT/technology personnel.

Firewall rules will be configured to control which IP addresses and IP ranges are allowed to ensure only authorized users and applications can access the data. Raw database extractions will be encrypted at rest using public/private key encryption. To support any regulatory request, Massachusetts regulators have access to Betr's internal Back Office tool which can be used to

access requested data. To support any patron data request, patrons may submit a support ticket to Betr Customer Support.

### **Patron and Regulator Requests**

Throughout the closure process, Massachusetts patron requests will be addressed via an e-mail request to Betr Customer Support (support@betr.app). The current Legal/Compliance contacts at Betr will continue to liaise with the MGC.

### **Server Decommission/Deletion of Data**

Betr will not decommission any servers that currently store data and will provide access to the Commission to its backup servers via Betr's internal Back Office tool which can be used to access requested data. Within 48 hours of the Commission's approval of its cessation plan, Betr will confirm with the Commission's IT Staff that all requirements related to the decommissioning of its sports wagering platform in Massachusetts, including access to patron accounts and the retention of data, are sufficiently addressed.

## **Where is Betr Sportsbook ceasing operations?**

- Betr Sportsbook will be ceasing operations only in Massachusetts on February 16, 2024, at 11:59 PM EST. Betr will continue to be available in Ohio and Virginia.

## **What happens to the bets I have already placed?**

- Any bets placed before the cessation date (February 16, 2024, 11:59PM EST) will settle according to the results. Betr Sportsbook does not offer any future bets.

## **What happens to my betting history?**

- Your betting history will be available in your Betr account.

## **How do I withdraw the money in my account?**

- Withdrawals are quick and easy. To withdraw, click 'Account' on the top right of our mobile app and select 'Withdrawal from Sportsbook'. You will then be prompted to enter a withdrawal amount. Enter the full balance and click 'Submit'.

## **How much time do I have to withdraw my funds?**

- You will be able to login and withdraw your funds up until March 16, 2024. After this date, you will need to reach out to [support@betr.app](mailto:support@betr.app) to receive a check with your funds.

## **What happens to my active bonuses or new user bonus?**

- All bonuses have been settled based on the terms and conditions associated with the specific promotion.

## **My deposit is tied to a sign-up bonus.**

- Any deposit tied to a sign-up bonus will be released on February 7, 2024, by 5:00 PM EST.

## **Will I still receive the proper tax forms?**

- Betr Sportsbook does not offer any wagers that would have triggered tax reporting events, so you should not expect any tax reporting forms.

## **How do I reach customer service?**

- If you are unable to find the answers you need here, please contact us at [support@betr.app](mailto:support@betr.app).



## Massachusetts Cessation Plan

Betr is proposing the winding down of its sportsbook operations in Massachusetts on ~~Feb~~ February 16, 2024, due to the timing of the completion of the NFL season and the NBA All-Star break, which will mean that there will be no NFL or NBA games during this window. We will provide updates at least every ten days on the implementation of this plan pursuant to 205 CMR 258.

If the Commission MGC approves this date for the cessation of our sportsbook operations, then we will execute the following plan:

1. No events will be available to bet on beginning at 11:59 pm, on February Feb-16, 2024 or later via the app.
2. Because Betr does not offer future bets, all existing wagers will be settled no later than February Feb-16, 2024, according to the results and the approved house rules.
3. Within two (2) business days of Commission approval of the cessation plan, Betr will inform all Massachusetts customers about the change on February 12, 2024 that it we will stop accepting wagers on February 16, 2024. Betr will communicate this via email and via a conspicuous message on the site and in the app.
4. Within two (2) business days of Commission approval of the cessation plan, we will publish the cessation notice on the social media platforms and on the Boston Globe website; within five (5) business days of Commission approval of the cessation plan, we will publish the cessation notice in the Boston Globe's print edition pursuant to 205 CMR 258.03(4). We will publish the cessation notice on the social media platforms and on the Boston Globe website.
5. On Feb-February 16, 2024 Betr will stop offering sign-up bonuses in Massachusetts. On February 7, 2024 no later than 5:00 pm, Betr will release any deposits that might be locked due to the signup bonus terms and conditions so that the deposits are available for withdrawal.
6. Within two (2) business days of Commission approval of the cessation plan, Betr will inform all customers that have funds how they can withdraw their funds via the app.
7. Customers will be able to withdraw their funds from the app until March 16, 2024. After that date, Betr will send any customer that has not withdrawn his or her balance a check with their funds to the last physical address we have on file. Betr's customer support representatives will use good faith efforts to contact all patrons with any remaining balances. Any unclaimed balances will be handled in accordance with Chapter 200A: Disposition of Unclaimed Property. After that date, Betr will send any customer that has not withdrawn his or her balance a check with their funds to the last physical address we have on file.
8. On February 6, 2024, we will modify all relevant Helpdesk articles that mention our operations in Massachusetts to provide information regarding our cessation of operations and on Notwithstanding item #9 below, on February 16, 2024, we will remove any mention of operations in Massachusetts on relevant Helpdesk articles related to

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~~Betr's live operations. On February 16, 2024 we will modify all relevant Helpdesk articles that mention our operations in Massachusetts.~~

9. ~~Within two (2) business days of Commission approval of the cessation plan, wWe will create a dedicated FAQ page within our Helpdesk that will explain to customers all of the steps they need to take to withdraw their funds and address other anticipated concerns.~~
10. ~~On January 25, 2024, aAll vendors have-were been-notified about our preliminary plan to cease operations in Massachusetts. All vendors will be and they will be informed updated about the approved cessation date- within two (2) business days of Commission approval of the cessation plan, and informed that that anyone licensed and doing business solely with Betr will be required to surrender their license within ten days of Betr's surrender of its license pursuant to 205 CMR 258.06.~~
11. ~~We will introduce a geolocation block for Massachusetts so that no wager can be accepted after 11:59 pm on Feb-February 16, 2024.~~
12. ~~Beginning on March 16, 2024, any person in Massachusetts that attempts to access, login, or download the app will receive an "ineligible location" message in the app and they will not be able to login, but the account will still remain open in our system. This is because we are ceasing operations in Massachusetts and not closing the entire platform.~~
13. ~~On February 6, 2024, wWe will add all Massachusetts customers to a no communication list for advertising/marketing campaigns.~~
14. ~~We will remain in full compliance with all reserve requirements under 205 CMR 238 until we satisfy all of our obligations under 205 CMR 258. If necessary, Betr will supply a bank attestation letter to demonstrate that the obligations of 205 CMR 258 can be satisfied through cash.~~
15. ~~All regulatory and financial reports-obligations will still-be adhered to and delivered to the Commission for the period Betr operated in Massachusetts, for February 2024. This includes, but is not limited to, -the payment of all taxes, debts, and obligations pursuant to 205 CMR 240, 205 CMR 221, and 205 CMR 214.~~
15. ~~Betr will not decommission any servers that currently store data and will provide access to the Commission to its backup servers via Betr's internal Back Office tool which can be used to access requested data. Within 48 hours of the Commission's approval of its cessation plan, Betr will confirm with the Commission's IT Staff that all requirements related to the decommissioning of its sports wagering platform in Massachusetts, including access to patron accounts and the retention of data, are sufficiently addressed. Betr will submit a separate plan (which will be mutually agreed upon with the MGC IT staff) for the decommissioning of its sports wagering platform in Massachusetts, access to patron accounts, and the retention and access of data for a period required by applicable law. Attached is a separate Data Retention and Decommission Plan.~~
16. ~~Within two (2) business days of Commission approval of the cessation plan, Betr will send an initial notice to its patrons in substantially the following form:~~

~~We want to thank you for being a loyal customer of Betr. Unfortunately, we have had to make the difficult decision to shut down mobile sports betting operations in Massachusetts.~~

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We will be discontinuing **live** mobile sports betting offerings on February 16, 2024, and **no new events** will be available to bet that start on or after February 16 2024. By 5:00pm on February 7, 2024, Betr will release any deposits that are locked up due to the signup bonus terms and conditions so that deposits are available for withdrawal. Your account will be accessible through the end of the day on March 16, 2024, to allow time for your outstanding bets to settle and to withdraw your account balance. If you have any questions in the meantime, please reach out to [support@betr.app](mailto:support@betr.app)."

We are confident that by following this plan, our customers will have a smooth transition and the potential impact on other affected parties will be minimized.

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## Betr Final Cessation Report

Betr has ceased its sportsbook operations in Massachusetts as of February 16, 2024. Betr has completed all actions necessary for cessation and requests that cessation become effective.

### **(a) The distribution of winnings to patrons holding unredeemed Wagers:**

On February 12, 2024, at approximately 1:00pm (EST), Betr sent an initial notice to its patrons in substantially the following form:

“We want to thank you for being a loyal customer of Betr. Unfortunately, we’ve decided to no longer offer mobile sports betting in Massachusetts. Betr will remain available in other jurisdictions in which we operate.

As a result, we will be discontinuing the offering of any new events and live mobile sports betting markets in Massachusetts on February 16, 2024. We have released any deposits that were previously restricted as part of any bonus offers you may have participated in and your funds are now available for withdrawal to the method you previously used to deposit. Your account will be accessible in Massachusetts through the end of the day on March 16, 2024, to allow time for your outstanding bets to settle and to allow for withdrawal requests. Customers in Massachusetts with funds that are not withdrawn by March 16, 2024, will receive a check with their remaining account balance to their address on file.

After March 16, 2024, your account will only be accessible from other jurisdictions in which Betr operates.

If you have any questions, please contact us at [support@betr.app](mailto:support@betr.app).”

Customers will be able to withdraw their funds from the app until March 16, 2024. After that date, Betr will send any customer that has not withdrawn his or her balance a check with their funds to the last physical address we have on file. Betr’s customer support representatives will use good faith efforts to contact all patrons with any remaining balances. Any unclaimed balances will be handled in accordance with Chapter 200A: Disposition of Unclaimed Property

### **(b) The refund of pending Wagers that will not be paid out before the cessation of operation:**

As of February 16, 2024 at approximately 3:50 pm (EST), all existing wagers have been settled according to the results and the approved house rules.

**(c) The distribution of funds in a patron's Sports Wagering Account maintained by a Sports Wagering Operator to that patron;**

On February 6, 2024, Betr ceased offering sign-up bonuses in Massachusetts. On February 7, 2024, at approximately 1:55 pm (EST), Betr released any deposits that might have been locked due to the signup bonus terms and conditions so that the deposits are available for withdrawal.

On February 12, 2024, at approximately 1:00pm (EST), Betr informed all customers that had funds in their account, how they could withdraw their funds via the app.

Betr will send any customer that has not withdrawn his or her balance a check with their funds to the last physical address we have on file. Betr's customer support representatives will use good faith efforts to contact all patrons with any remaining balances. Any unclaimed balances will be handled in accordance with Chapter 200A: Disposition of Unclaimed Property.

Currently there is a combined cash balance total of \$23,742.57 left in MA patron accounts. At the time of the cessation plan approval there was a combined cash balance total of approximately \$78,000.00.

**(d) The closure of Sports Wagering Accounts maintained by the Sports Wagering Operator;**

February 15, 2024, at approximately 11:35am (EST) all future events were removed from the MA sportsbook. No events are available to bet on as of February 15, 2024, at approximately 11:35am (EST), or later via the app.

On February 16, 2024, at approximately 10:00am, Betr introduce a geolocation block for Massachusetts so that no wagers could be placed or accepted after 10:00 am (EST) on February 16, 2024.

On February 6, 2024, Betr added all Massachusetts customers to a no communication list for advertising/marketing campaigns.

Betr will not decommission any servers that currently store data and will provide access to the Commission to its backup servers via Betr's internal Back Office tool which can be used to access requested data.

The actions in the attached Data Retention and Decommission Plan will begin to be carried out on March 16, 2024, after patron accounts are made inaccessible. Once all patron accounts are resolved and closed, Betr will undertake the steps outlined in the decommissioning and data retention plan in consultation with the Commission's IT Division to ensure all steps outlined in the decommissioning and data retention plan are executed accordingly.

**(e) The closure of the Sports Wagering Operator's Sports Wagering Area, Sports Wagering Facility, or Sports Wagering Platform;**

Beginning on March 16, 2024, any person in Massachusetts that attempts to access, login, or download the app will receive an "ineligible location" message in the app and they will not be able to login, but the account will still remain open in our system. This is because we are ceasing operations in Massachusetts and not closing the entire platform.

Betr will not decommission any servers that currently store data and will provide access to the Commission to its backup servers via Betr's internal Back Office tool which can be used to access requested data.

The actions in the attached Data Retention and Decommission Plan will begin to be carried out on March 16, 2024, after patron accounts are made inaccessible. Once all patron accounts are resolved and closed, Betr will undertake the steps outlined in the decommissioning and data retention plan in consultation with the Commission's IT Division to ensure all steps outlined in the decommissioning and data retention plan are executed accordingly.

**(f) The Sports Wagering Operator's plan to satisfy outstanding debts and obligations, including excises taxes due to the Commission pursuant to G.L. c. 23N, § 14 and 205 CMR 240;**

All regulatory and financial obligations will be adhered to and delivered to the Commission for the period Betr operated in Massachusetts. This includes, but is not limited to, the payment of all taxes, debts, and obligations pursuant to 205 CMR 240, 205 CMR 221, and 205 CMR 214.

**(g) The Sports Wagering Operator's plan to communicate the cessation plan to the public, patrons, and vendors, including applicable timelines for cessation; and**

On February 12, 2024, at approximately 1:00pm (EST), Betr informed all Massachusetts customers that we will stop accepting wagers on February 16, 2024. Betr communicated this via email and via a conspicuous message on the site and in the app.

On February 12, 2024, Betr published the cessation notice on the social media platforms, on the [Boston Globe website](#), and the Boston Globe's print edition pursuant to 205 CMR 258.03(4).

On February 12, 2024, Betr created a dedicated FAQ page within our Helpdesk that explains to customers all of the steps they need to take to withdraw their funds and address other anticipated concerns.

<https://support.betr.app/hc/en-us/articles/23663288706068-Massachusetts-FAQs>

On February 16, 2024, Betr removed any mention of operations in Massachusetts on relevant Helpdesk articles related to Betr's live operations Notwithstanding the aforementioned FAQ Page which we published On February 12, 2024.

On January 25, 2024, all vendors were notified about our preliminary plan to cease operations in Massachusetts. All vendors were be updated about the approved cessation date on February 12, 2024, and informed that that anyone licensed and doing business solely with Betr will be required to surrender their license within ten days of Betr's surrender of its license pursuant to 205 CMR 258.06.

**(h) A description of the status and current balance of the letter of credit or other financial assurance mechanism held by the Sports Wagering Operator pursuant to 205 CMR 238.12(6) and any information necessary to permit the Commission or its appointed conservator or receiver to access and use such letter of credit or other financial assurance mechanism to satisfy the obligations in 205 CMR 258.03(1)(a)-(f) to the extent feasible.**

We will remain in full compliance with all reserve requirements under 205 CMR 238 until we satisfy all of our obligations under 205 CMR 258. If necessary, Betr will supply a bank attestation letter to demonstrate that the obligations of 205 CMR 258 can be satisfied through cash.

**THIS SECTION IS INTENTIONALLY LEFT BLANK**

# **Betr Data Retention and Decommission Plan**

## **Introduction**

Upon approval of cessation of mobile sports betting operations of Betr, pursuant to a Category 3 untethered license in the Commonwealth of Massachusetts, server hardware and other associated equipment must be decommissioned, and all relevant data retained. This will require certain transactional data and all patron and financial data to be migrated and securely stored for legal and regulatory purposes.

## **Data Sources and Locations**

Betr uses an in-house PAM solution, which stores patron databases and is the source of truth for data requests. All Betr databases and data warehouses, both in-state and centralized, are cloud hosted and the in-state database is replicated and retained in our centralized cloud-hosted database for data requests relating to marketing and gamification data. Betr cloud-hosted databases will remain operational (read only) to provide transaction history to users on the Betr application, until closure. Betr will also retain, and store patron data provided by geolocation, identity, and customer support providers. The Betr data warehouse will remain operational for historical purposes until data retention expires.

## **Data Storage**

In accordance with 205 CMR 238.09(1) and internal controls, Betr's records are retained in an electronic format. All corporate records, current employee files, and revenue accounting data are retained without an expiration period. Other non-essential data is generally retained for a period of a minimum of five to seven years.

## **Data Retention**

Data will be retained for a period of time required by Massachusetts laws and regulations. Pursuant to 205 CMR 238.09, Betr utilizes electronic storage for its primary confidential documents. Additionally, Betr transactional data may be retained in our centralized cloud-hosted environment.

## **Data Security/Access Controls**

All data sources that will support internal and external long-term reporting or compliance requirements will be consolidated and stored to mask patron passwords, full SSNs, and payment information. The information will be in read-only mode with access limited only to specific IT/technology personnel.

Firewall rules will be configured to control which IP addresses and IP ranges are allowed to ensure only authorized users and applications can access the data. Raw database extractions will be encrypted at rest using public/private key encryption. To support any regulatory request, Massachusetts regulators have access to Betr's internal Back Office tool which can be used to access requested data. To support any patron data request, patrons may submit a support ticket to Betr Customer Support.

## **Patron and Regulator Requests**

Throughout the closure process, Massachusetts patron requests will be addressed via an e-mail request to Betr Customer Support (support@betr.app). The current Legal/Compliance contacts at Betr will continue to liaise with the MGC.

## **Server Decommission/Deletion of Data**

Betr will not decommission any servers that currently store data and will provide access to the Commission to its backup servers via Betr's internal Back Office tool which can be used to access requested data. Once all patron accounts are resolved and closed, Betr will undertake the steps outlined in the decommissioning and data retention plan in consultation with the Commission's IT Division to ensure all steps outlined in the decommissioning and data retention plan are executed accordingly.

# Boston Globe Online and Print Supporting Documentation

## Boston Globe Online

<https://s3.amazonaws.com/ipublishmedia.boston.globe/preview/W01099240/W01099240%20pdf%20preview.pdf>

BETR HOLDINGS, INC.  
CESSATION NOTICE  
To our valued customers,

We, at Betr Holdings, Inc., extend our deepest gratitude for your continued support and loyalty as part of our community. It is with a heavy heart that we announce a significant change to our operations in the Commonwealth of Massachusetts. Effective February 16, 2024, Betr Holdings, Inc. will no longer offer mobile sports betting services within Massachusetts. This decision was not made lightly, and while we regret any inconvenience this may cause, please know that Betr will continue to operate and offer services in other jurisdictions where we are licensed and permitted to do so.

Key Dates and Actions for Massachusetts Customers:

**Discontinuation of Services:** Starting from February 16, 2024, there will be no offering of new events or live mobile sports betting markets in Massachusetts.

**Release of Deposits:** We have taken steps to release any deposits previously restricted by bonus offers. You may now access and withdraw these funds using the same method utilized for deposits.

**Account Access and Withdrawal Period:** Your Betr account will remain accessible in Massachusetts until the end of the day on March 16, 2024. This period is designed to allow sufficient time for the settlement of outstanding bets and for processing withdrawal requests.

**Unclaimed Funds:** Customers who have not withdrawn their funds by March 16, 2024, will be issued a check for the remaining balance in their account, sent to the address we have on file. Post-March 16, 2024,

**Access:** Beyond March 16, 2024, access to your Betr account will be limited to jurisdictions outside Massachusetts where Betr continues to operate.

We understand that this transition may raise questions or concerns. Our customer support team is here to assist you through this process. Should you need any help or have any questions, please do not hesitate to reach out to us at [support@betr.app](mailto:support@betr.app). Thank you once again for your understanding and for being a part of the Betr community. We appreciate your loyalty and hope to continue serving you in other jurisdictions. Sincerely, The Betr Holdings, Inc. Team

## Student diversity in Mass. grew faster than that among teachers

**TEACHERS**

*Continued from Page B1*

color from 7 percent in 2012 to 10 percent in 2022. Latinos for Education released the report as it and other education advocacy organizations, school administrators, and teacher unions are pushing Beacon Hill lawmakers to pass a bill that would increase educator diversity through several different measures.

That legislation would require districts to develop plans to recruit and retain educators of color and would give the state Department of Elementary and Secondary Education the authority to grant individual state educator licenses without passing the state's licensing exams.

Many education advocates have raised concerns about racial disparities in pass rates on the licensing exams. About three-quarters of white and Asian test-takers passed the state's communications literacy test — the most popular exam — compared with 56 percent of Latino test-takers during the 2021-22 school year, according to the most recent state demographic analysis.

Several research studies have documented the academic benefits that occur when students of color have a teacher with the same racial, ethnic, or linguistic background. A 2020 study by the University of North Carolina School of Education, for instance, found Black students had higher educational attainment and lower rates of discipline when they had a Black teacher for at least one year in elementary school.

The demographic gaps between educators and students in Massachusetts fall somewhere in the middle of the pack among states nationwide, according to data by the National Council on Teacher Quality.

Massachusetts education officials have worked with districts to increase workforce diversity, including a grant that helps districts pay for signing bonuses, relocation costs, and loan repayments.

"We've made progress diversifying the educator workforce, and this report shows us the importance of expanding that work," Jeffrey C. Riley, state commissioner of elementary and secondary education, said

**'The state's educator workforce doesn't reflect the ethnic and racial diversity of the students in the Commonwealth.'**

AMANDA FERNANDEZ  
*Chief executive of Latinos for Education*

in a statement. Some districts appear to be doing better than others with their diversity initiatives.

Gateway cities in Massachusetts posted the largest gains in educators of color, 10 percentage points, while urban districts in the central and the southeastern parts of the state had the smallest gains, just 1 to 3 percentage points, respectively, according to the report.

Springfield has been placing a strong emphasis on growing its own workforce to increase its diversity. The effort has included identifying high school students interested in careers in education, maintaining rela-

tionships with them in college, and guaranteeing them jobs when they graduate. The district also helps paraprofessionals become licensed teachers and requires principals to diversify their staff as part of their job performance review criteria.

Superintendent Daniel Warwick said the district had to look from within to increase the diversity of its workforce because convincing educators to move to the western part of the state can be a tough sell, and because enrollment in most college education preparatory programs are overwhelmingly white.

"Everyone has been working hard at this," he said, noting the portion of Black educators over the last decade has grown from 10.7 percent to 17.6 percent and the portion of Hispanic educators has increased from 12.3 percent to 18.6 percent.

The report recommended several measures to bolster educator diversity, which included allowing principals to determine who are effective teachers as an alternative way to licensing, and creating teacher apprenticeship programs.

"There's going to have to be ... some type of significant investment or seismic shift in the way we think about recruiting folks and making the workforce an appealing and attractive space," said Morgan Comb, executive director of the Wheelock Educational Policy Center. Olivia Chi, an assistant professor in the educational leadership and policy studies department at Boston University's Wheelock College of Education & Human Development, added, "There's no way for us to snap our fingers and close that representation gap overnight."

James Vaznis can be reached at [james.vaznis@globe.com](mailto:james.vaznis@globe.com). Follow him @globevaznis.

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The Boston Globe

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## Social Media Posts

[https://www.instagram.com/p/C3QbaFWxC MI/?utm\\_source=ig\\_web\\_copy\\_link&igsh=MzRIODBiNWFIZA%3D%3D](https://www.instagram.com/p/C3QbaFWxC MI/?utm_source=ig_web_copy_link&igsh=MzRIODBiNWFIZA%3D%3D)

<https://twitter.com/betr/status/1757101399639314541>



To our valued Massachusetts customers,

We, at Betr Holdings, Inc., extend our deepest gratitude for your continued support and loyalty as part of our community. It is with a heavy heart that we announce a significant change to our operations in the Commonwealth of Massachusetts.

Effective February 16, 2024, Betr Holdings, Inc. will no longer offer mobile sports betting services within Massachusetts. This decision was not made lightly, and while we regret any inconvenience this may cause, please know that Betr will continue to operate and offer services in other jurisdictions where we are licensed and permitted to do so.

#### Key Dates and Actions for Massachusetts Customers:

- **Discontinuation of Services:** Starting from February 16, 2024, there will be no offering of new events or live mobile sports betting markets in Massachusetts.
- **Release of Deposits:** We have taken steps to release any deposits previously restricted by bonus offers. You may now access and withdraw these funds using the same method utilized for deposits.
- **Account Access and Withdrawal Period:** Your Betr account will remain accessible in Massachusetts until the end of the day on March 16, 2024. This period is designed to allow sufficient time for the settlement of outstanding bets and for processing withdrawal requests.
- **Unclaimed Funds:** Customers who have not withdrawn their funds by March 16, 2024, will be issued a check for the remaining balance in their account, sent to the address we have on file.
- **Post-March 16, 2024, Access:** Beyond March 16, 2024, access to your Betr account will be limited to jurisdictions outside Massachusetts where Betr continues to operate.

We understand that this transition may raise questions or concerns. Our customer support team is here to assist you through this process. Should you need any help or have any questions, please do not hesitate to reach out to us at [support@betr.app](mailto:support@betr.app).

Thank you once again for your understanding and for being a part of the Betr community. We appreciate your loyalty and hope to continue serving you in other jurisdictions.

Sincerely,

The Betr Holdings, Inc. Team



TO: Chair Judd-Stein, Commissioners O'Brien, Hill, Skinner, and Maynard

FROM: Carrie Torrisi, Deputy General Counsel  
Bruce Band, Director of Sports Wagering

CC: Todd Grossman, Interim Executive Director

DATE: February 21, 2024

RE: WynnBET Cessation of Operations

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On January 24, 2024, WynnBET submitted to the Commission a notice of intent to cease operations in Massachusetts on February 23, 2024, along with a draft cessation plan as required by 205 CMR 258. On February 8, 2024, the Commission voted unanimously to approve WynnBET's cessation plan in accordance with 205 CMR 258.03.

205 CMR 258.04(1) requires a sports wagering operator intending to cease operations to provide to the Commission written reports on its implementation of the cessation plan at least every ten days after providing notice pursuant to 205 CMR 258.01. Such reports must state whether the operator is on track to complete cessation by its approved cessation date or the operator requires a delay of its effective cessation date, and whether the operator seeks to amend or deviate from its approved cessation plan. In addition, pursuant to 205 CMR 258.04(3), the Commission or its designee may require reasonable modification or impose conditions on the operator's cessation plan following review of such reports.

WynnBET has indicated that it is on track to complete cessation by February 23, 2024, and has not requested any amendments or deviations from its approved cessation plan. The Sports Wagering, IT, Finance, and Legal Divisions have reviewed WynnBET's report submitted pursuant to 205 CMR 258.04(1) and do not recommend the imposition of any modifications or conditions at this time.



Massachusetts Gaming Commission



## WynnBET Mobile Sports Betting Cessation Plan

February 16, 2024

On March 8, 2024, the Massachusetts Gaming Commission approved the Cessation Plan submitted in accordance with 205 CMR 258.03(1) for WSI US, LLC, dba WynnBET, to wind-down operations in Massachusetts.

This is a status report provided on the wind-down processes as of February 15, 2024. WynnBET is on track to complete cessation by its approved cessation date of February 23, 2024, and is not requesting any amendments or deviations from the approved cessation plan.

**(a) *The distribution of winnings to patrons holding unredeemed Wagers***

On Monday, February 12, 2024, at 11:00 a.m. Eastern, WynnBET removed all sports wagering markets and stopped the acceptance of deposits.

Simultaneously, the following email was sent to Massachusetts patrons.



We want to thank you for being a dedicated customer of WynnBET. Unfortunately, we have had to make the difficult decision to close down mobile sports betting operations in Massachusetts. We have enjoyed serving you and welcome you to continue to take advantage of sports betting options at the kiosks and retail sports book at Encore Boston Harbor.

Effective immediately, we will be discontinuing new mobile sports betting offerings. Your account will be accessible for the next thirty (30) days to allow time for your outstanding bets to settle and to withdraw your account balance. If you have any futures bets or parlay legs that will not be settled within the next 30 days, a WynnBET representative will contact you.

The Wynn Rewards points you have earned will remain in effect so that you can redeem them for rewards at Wynn Las Vegas and Encore at Wynn Las Vegas and Encore Boston Harbor properties. A description of the Wynn Rewards benefits for our resorts can be found here [Wynn Rewards | Las Vegas Casino & Resort Rewards Program \(wynnlasvegas.com\)](#) for Las Vegas and here [Wynn Rewards Card | Encore Boston Harbor](#) for Boston.

Please be sure to visit our FAQ page for responses to more questions. [FAQ](#). You can always reach our Customer Support team at [wynnbetsupport@wynnbet.com](mailto:wynnbetsupport@wynnbet.com) if you have any additional questions. Rest assured, your account balance and bets settled as winnings over the next 30 days will be paid out!

The logo for WynnBET, featuring the word "Wynn" in a stylized, italicized font and "BET" in a bold, sans-serif font, both in white and gold colors.

Also, the following messages were posted on WynnBET social media accounts.

10:52



WYNNBET  
Posts



wynnbet



27 likes

wynnbet WynnBET online has ceased sports wagering in Massachusetts on Monday, Feb. 12. Patrons have 30 days from today to withdraw their funds through the app. Please go to <https://www.wynnbet.com/ma/faq/> to learn more

View all 2 comments

1 day ago



10:52



Post



WynnBET  
@WynnBET



WynnBET online has ceased sports wagering in Massachusetts on Monday, Feb. 12. Patrons have 30 days from today to withdraw their funds through the app. Please click [wynnbet.com/ma/faq/](http://wynnbet.com/ma/faq/) to learn more



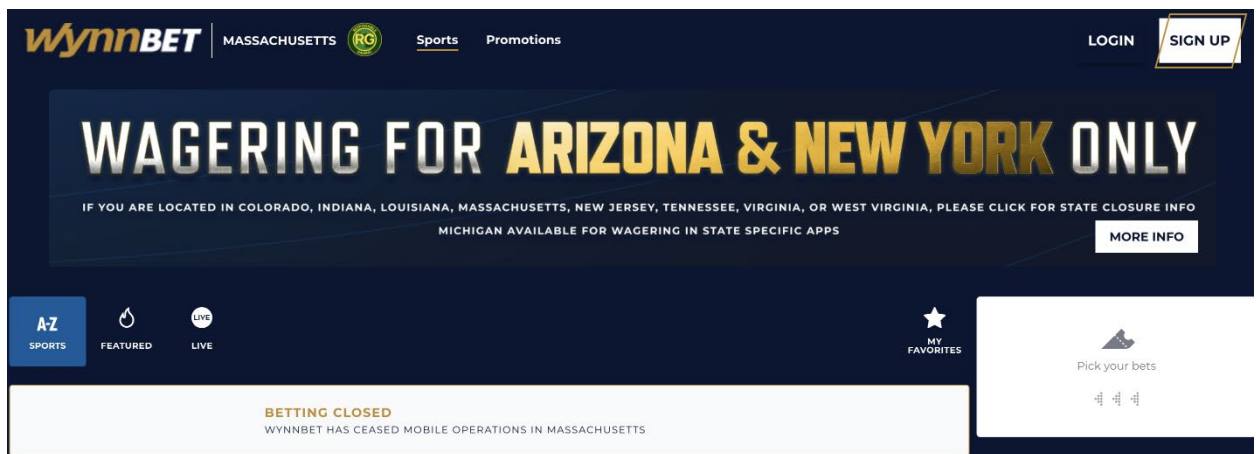
9:01 AM · 2/12/21 From Earth · 5K Views



Add another post



The following banner was published on the web and app versions of WynnBET.



FAQs were updated and made available here: [Massachusetts Sports Betting FAQ | WynnBET Sportsbook](#)

- (b) *The refund of pending Wagers that will not be paid out before the cessation of operation.***

Patrons with wagers and parlay legs that will settle within 30 days will be paid.

Beginning February 13, 2024, WynnBET representatives have started contacting patrons about the settlement of futures wagers and parlay legs that will remain unsettled after the 30-day wind-down period has elapsed. Each of these patrons will be contacted by February 22, 2024, regarding settlement.

WynnBET has converted outstanding bet credits from the Wynn Rewards loyalty program to cash and have credited the accounts of patrons with those bet credits. Any remaining loyalty points will be available for use at Encore Boston Harbor or Wynn Las Vegas and Encore at Wynn Las Vegas.

- (c) *The distribution of funds in a patron's Sports Wagering Account maintained by a Sports Wagering Operator to that patron.***

On February 20, 2024, a reminder will be sent to patrons to withdraw their account funds. Additional reminders will be sent on February 26 and March 4, 2024.

**(d) *The closure of Sports Wagering Accounts maintained by the Sports Wagering Operator.***

On February 20, 2024, a reminder will be sent to patrons to withdraw their account funds. Additional reminders will be sent on February 26 and March 4, 2024.

Once all patron accounts are resolved and closed, WynnBET will undertake the steps outlined in the decommissioning and data retention plan.

**(e) *The closure of the Sports Wagering Operator's Sports Wagering Area, Sports Wagering Facility, or Sports Wagering Platform.***

On February 20, 2024, a reminder will be sent to patrons to withdraw their account funds. Additional reminders will be sent on February 26 and March 4, 2024.

Once all patron accounts are resolved and closed, WynnBET will undertake the steps outlined in the decommissioning and data retention plan.

**(f) *The Sports Wagering Operator's plan to satisfy outstanding debts and obligations, including excises taxes due to the Commission pursuant to M.G.L. c. 23N, § 14 and 205 CMR 240.00: Adjusted Gross Sports Wagering and Adjusted Gross Fantasy Wagering Receipts Tax Remittance and Reporting.***

WynnBET will continue to submit financial reports to the Commission so long as there are liabilities, ensure that W2Gs are issued, and make win-loss statements available to patrons. Any reserve will be maintained until all liabilities are paid out.

Further, WynnBET will meet all obligations relating to fees and annual assessments pursuant to 205 CMR 214 and 205 CMR 221.

**(g) *The Sports Wagering Operator's plan to communicate the cessation plan to the public, patrons, and vendors, including applicable timelines for cessation.***

WynnBET notified its primary suppliers, including its platform provider and sports provider, on January 29, 2024, that it was submitting a notice of cessation for approval to the Massachusetts Gaming Commission. On February 15, 2024, WynnBET sent a notice to its Massachusetts vendors and suppliers that doing business solely with WynnBET will



be require then to surrender their license within ten (10) days of WynnBET's surrender or expiration of its license pursuant to 205 CMR 258.06.

WynnBET has published notice of cessation in The Boston Globe's online and print editions with a run period of February 14 to February 18 in accordance with 205 CMR 258.03(4).

## LEGAL NOTICES



Effective Monday, February 12, 2024, WynnBET has ceased offering mobile sports wagering in Massachusetts. Effective immediately, WynnBET will no longer accept deposits or offer sports betting. WynnBET customers can continue to access their accounts until March 13, 2024 at 11:59 p.m. Eastern for the purpose of allowing outstanding bets to settle and to withdraw their account balance. Customers will also have the opportunity to withdraw their funds in-person at Encore Boston Harbor until March 13, 2024 at 11:59 p.m. A WynnBET representative will contact customers within seven (7) business days with respect to any futures bets or parlay legs that will not be settled prior to March 13, 2024. For additional questions, please see <https://www.wynnbet.com/ma/faq/>.

are responsible for submitting. Address, Email address, and bid # 866209 with their

encourages each bidder to re- involved in the contract for a properties. Bidders will be under this Contract whether they receive any contact. Christa at (857-297-2070).

fact is for one year and shall through March 11, 2027 with a two additional one-year terms. The contract value for a be \$320,000. DCAMM Certification of HVAC and plumbing: need by a bid deposit in an five percent (5%) of the value alternative. Bid deposits, pay Authority, shall be either in cash, or a certified check, or check issued by a responsible party are reminded that the bid for damages when a bidder account deposits or other sports betting. WynnBET customers can continue to access their accounts until March 13, 2024 at 11:59 p.m. Eastern for the purpose of allowing outstanding bets to settle and to withdraw their account balance. Customers will also have the opportunity to withdraw their funds in-person at Encore Boston Harbor until March 13, 2024 at 11:59 p.m. A WynnBET representative will contact customers within seven (7) business days with respect to any futures bets or parlay legs that will not be settled prior to March 13, 2024. For additional questions, please see <https://www.wynnbet.com/ma/faq/>.

one ORIGINAL and one COPY. revisions of M.G.L. Chapter 149 is subject to minimum Wage Massachusetts Department of to M.G.L. Chapter 149. See rates applicable to this ing documents in addition, will be updated annually for laster longer than one (1) basis for charge order re- will be required to provide existing current coverage th in the Work Manual. The d to furnish a Performance Bond each in the amount it is the sole responsibility have received any and all g. Addenda will be avail- the document by calling hient Coordinator at (857) ewtonhousing.org.

all bids not in accordance al Laws. In addition, the ive minor informalities in f bids (in whole or in part) so.

eschian Waltham licensing commission meeting, February 28 7:00 119 School Street Waltham

room 1645 sq ft of kitchen, dining

1000-1-1500  
1978) 254-1500  
Hagopian, KRS, 16-027208

**LEGAL NOTICES**

**WynnBET**

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monster

**TECHNOLOGY/  
ENGINEERING**

Circle Internet Financial, LLC in Boston, MA seeks  
**Multiple Openings**  
for multiple positions including Software Engineer for WPH opportunity. Qualified applicants please send resumes to talent-operations-job-postings@circle.com. Clearly referencing job #0124

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(h) ***A description of the status and current balance of the letter of credit or other financial assurance mechanism held by the Sports Wagering Operator pursuant to 205 CMR 238.12(6) and any information necessary to permit the Commission or its appointed conservator or receiver to access and use such letter of credit or other financial assurance mechanism to satisfy the obligations in 205 CMR 258.03(1)(a) through (f) to the extent feasible.***

WynnBET will satisfy its obligations prior to expiration of its license on February 23, 2024.



## WynnBET Mobile Sports Betting Cessation Plan

February 2024

This Cessation Plan is submitted in accordance with 205 CMR 258.03(1) – *Cessation Plan*.

On or before the expiration of WynnBET’s temporary license, WynnBET will undertake the following steps to cease mobile sports betting operations in the Commonwealth of Massachusetts. Within 48 hours of receiving approval from the MGC to proceed under this Cessation Plan (or on the following Monday if approval is received on a Thursday or Friday), WynnBET will shut off all sports wagering markets so that no wagers can be placed and will shut off the ability of patrons to deposit funds into their sports wagering account from within Massachusetts at 11:00 a.m. Eastern.

**(a) *The distribution of winnings to patrons holding unredeemed Wagers***

Within 48 hours of receiving approval from the MGC to proceed under this Cessation Plan (or on the following Monday if approval is received on a Thursday or Friday) and at 11:00 a.m. Eastern, WynnBET will send an initial notice to its patrons in substantially the following form:

*“We want to thank you for being a dedicated customer of WynnBET. Unfortunately, we have had to make the difficult decision to close down mobile sports betting operations in Massachusetts. We have enjoyed serving you and look forward to continuing to provide you sports betting options at our kiosks and retail sports book at Encore Boston Harbor.*

*Effective immediately, we will be discontinuing new sports betting offerings. Your account will be accessible for the next thirty (30) days to allow time for your outstanding bets to settle and to withdraw your account balance. If you have any futures bets or parlay legs that will not be settled within the next 30 days, a WynnBET representative will contact you within seven (7) business days.*

*The Wynn Rewards points you have earned will remain in effect so that you can redeem them for rewards at Encore Boston Harbor or at Wynn Las Vegas and Encore at Wynn Las Vegas properties. A description of the Wynn Rewards benefits for our resorts can be found here and here [Wynn Rewards Card | Encore Boston Harbor](#) for Boston and here [Wynn Rewards | Las Vegas Casino & Resort Rewards Program \(wynnlasvegas.com\)](#) for Las Vegas.*

*Please be sure to visit our FAQ page for responses to more questions. [LINK TO BE INSERTED]. You can always reach our Customer Support team at [wynnbetsupport@wynnbet.com](mailto:wynnbetsupport@wynnbet.com) if you have any additional questions. Rest assured, your account balance and bets settled as winnings over the next 30 days will be paid out!"*

During the 30-day wind-down period, a weekly reminder will be sent to Massachusetts patrons to withdraw funds on their account. In addition, notices about the 30-day wind-down period will be posted prominently on WynnBET's Massachusetts app and website.

Attached as Exhibit A is a sample of FAQs that will be updated as necessary and made available to WynnBET Massachusetts patrons.

**(b) *The refund of pending Wagers that will not be paid out before the cessation of operation.***

Patrons with wagers and parlay legs that will remain unsettled after the 30-day wind-down period has elapsed will be contacted by a WynnBET customer representative within seven (7) business days of the closure email sent to patrons to resolve settlements of these outstanding wagers/parlay legs.

WynnBET does not have current promotions and bonuses running in Massachusetts, except for the Wynn Rewards loyalty program. Any outstanding bet credits from the Wynn Rewards loyalty program at time of closure will be paid out in cash, while remaining loyalty points will continue to be available for use at Encore Boston Harbor or Wynn Las Vegas and Encore at Wynn Las Vegas.

**(c) *The distribution of funds in a patron's Sports Wagering Account maintained by a Sports Wagering Operator to that patron.***

As set forth in (a) above, patrons will have thirty (30) days to withdraw funds from their mobile sports wagering accounts. They will receive weekly reminders of to withdraw funds on their account. Once all wagers are settled and the account funds are withdrawn, a patron's account will be closed and inaccessible to the patron. Patrons who do not

withdraw their funds within the 30-day wind-down period will be contacted by a WynnBET customer representative within ten (10) business days to settle their account. Patrons will also have the opportunity to withdraw their funds in-person at Encore Boston Harbor during the 30-day period.

WynnBET customer representatives will use good faith efforts to contact all patrons with any remaining balances. Any unclaimed balances will be handled in accordance with Chapter 200A: *Disposition of Unclaimed Property*.

**(d) *The closure of Sports Wagering Accounts maintained by the Sports Wagering Operator.***

Attached is a separate plan for the decommissioning of the Sports Wagering Platform, access to patron accounts, and the retention and access of data for a period required by applicable law.

**(e) *The closure of the Sports Wagering Operator's Sports Wagering Area, Sports Wagering Facility, or Sports Wagering Platform.***

Attached is a separate plan for the decommissioning of the Sports Wagering Platform, access to patron accounts, and the retention and access of data for a period required by applicable law.

**(f) *The Sports Wagering Operator's plan to satisfy outstanding debts and obligations, including excises taxes due to the Commission pursuant to M.G.L. c. 23N, § 14 and 205 CMR 240.00: Adjusted Gross Sports Wagering and Adjusted Gross Fantasy Wagering Receipts Tax Remittance and Reporting.***

WynnBET will continue to submit financial reports to the Commission so long as there are liabilities, ensure that W2Gs are issued, and make win-loss statements available to patrons. Any reserve will be maintained until all liabilities are paid out.

Further, WynnBET will meet all obligations relating to fees and annual assessments pursuant to 205 CMR 214 and 205 CMR 221.

WynnBET Legal/Compliance team will seek a weekly meeting with the MGC Sports Wagering Division to review the status of the closure process and to discuss any accounts that are suspended for unusual or suspicious reasons and accounts with funds remaining after 30 days.

**(g) *The Sports Wagering Operator's plan to communicate the cessation plan to the public, patrons, and vendors, including applicable timelines for cessation.***

Please see (a) above concerning notification to patrons.

WynnBET notified its primary suppliers, including its platform provider and sports provider, on January 29, 2024, that it was submitting a notice of cessation for approval to the Massachusetts Gaming Commission. WynnBET will commence notification to all its Massachusetts vendors and suppliers within 48 hours of the MGC's approval of its cessation plan and will notify such vendors or suppliers licensed and doing business solely with WynnBET that they will be required to surrender their license within ten (10) days of WynnBET's surrender or expiration of its license pursuant to 205 CMR 258.06.

In addition, WynnBET notified its employees of the notice of cessation submission on January 29, 2024.

WynnBET will also publish the notice of cessation in The Boston Globe's online and print editions within five business days of Commission approval of the cessation plan in accordance with 205 CMR 258.03(4).

**(h) *A description of the status and current balance of the letter of credit or other financial assurance mechanism held by the Sports Wagering Operator pursuant to 205 CMR 238.12(6) and any information necessary to permit the Commission or its appointed conservator or receiver to access and use such letter of credit or other financial assurance mechanism to satisfy the obligations in 205 CMR 258.03(1)(a) through (f) to the extent feasible.***

Attached is an attestation that the obligations of 205 CMR 258.03(1)(a) through (f) will be satisfied.

WynnBET will satisfy its obligations prior to expiration of its license on February 23, 2024.

**EXHIBIT A**  
**FAQs**

## **What states is WynnBET closing down?**

WynnBET will be ceasing operations in Colorado, Indiana, Louisiana, Massachusetts, New Jersey, Tennessee, Virginia and West Virginia.

Michigan, Arizona, and New York will continue to be available.

## **Why is WynnBET shutting down?**

For commercial reasons, WynnBET has decided to shut down mobile sports betting operations in Massachusetts. However, retail sports betting will continue to be offered by our related company at the sports book and kiosks located at Encore Boston Harbor.

## **What happens to the bets I have already placed?**

Bets that were placed prior to the announced cessation, for events that occur after the 30-day cessation period [DATE TO BE ADDED], will be settled and paid out according to the market result. For open bets that settle after [DATE TO BE ADDED], the patron will be contacted by a WynnBET customer support representative.

## **What happens to my betting history?**

Your betting history will be available in your WynnBET account until [DATE TO BE ADDED].

## **How do I withdraw the money in my account?**

Withdrawals are quick and easy. To withdraw, click 'Account' on our mobile app and select 'Withdrawal'. On our website, click on your balance, then select 'Withdraw'. You will then be prompted to enter a withdrawal amount. Enter the full balance and click 'Submit'.

## **What happens to my Wynn Rewards Tier Credits & COMPDOLLARS?**

The Wynn Rewards COMPDOLLARS you have earned will remain in effect on your Wynn Rewards account so that you can redeem them for rewards at Encore Boston Harbor and Wynn Las Vegas and Encore at Wynn Las Vegas. A description of the Wynn Rewards benefits for our resorts can be found here [Wynn Rewards | Las Vegas Casino & Resort Rewards Program \(wynnlasvegas.com\)](#) for Las Vegas and here [Wynn Rewards Card | Encore Boston Harbor](#) for Boston.

## **Will I still receive the proper tax forms?**

Yes, the W-2G will be issued and sent to you via the email address used to set up your account.

## **What happens to the Wynn Rewards FreeCREDIT in my account?**

FREECREDIT cannot be redeemed for Bet Credits or other bonuses, but can still be used at Wynn Las Vegas, Encore at Wynn Las Vegas, and Encore Boston Harbor. Please see [Wynn Rewards](#) for further information on your FREECREDIT. If you had previously purchased Bet Credits or other bonuses from the Rewards Store, and they were unused in your account when we stopped taking bets in your state, we have refunded the FREECREDIT to your Wynn Rewards account.

## **How do I sign-up for Wynn Rewards?**

Unlock exclusive benefits at Encore Boston Harbor with the Wynn Rewards card. It is your gaming card, and your ticket to exclusive access throughout Encore Boston Harbor. To join our Wynn Rewards program, please visit the Wynn Rewards desk located on the casino floor or [sign up online](#).

## **Where is WynnBET available?**

You can register and play online or download and use WynnBET's mobile apps for [Arizona](#), [Michigan](#), and [New York](#).

## **How can I get help with gambling addiction?**

If you are having any doubts, please seek assistance.

If you or someone you know has a gambling problem, call 1-800-GAMBLER for residents of Michigan. If you're in Arizona, call 1-800-NEXT-STEP. In Massachusetts, call 1-800-327-5050. In New York, call 1-877-8-HOPENY or text 467369.

Please visit our [Responsible Gaming](#) information page for more information about available resources.

## **How do I reach customer service?**

If you are unable to find the answers you need here, please email the WynnBET Customer Service team at [wynnbetsupport@wynnbet.com](mailto:wynnbetsupport@wynnbet.com) for a representative to address your inquiries.





## **Data Retention and Decommission Plan**

### **Introduction**

Upon approval of cessation of mobile sports betting operations of WSI US, LLC, dba WynnBET, pursuant to a Category 3 license in the Commonwealth of Massachusetts, server hardware and other associated equipment must be decommissioned, and all relevant data retained. This will require certain transactional data and all patron and financial data to be migrated and securely stored for legal and regulatory purposes.

### **Data Sources and Locations**

WynnBET uses White Hat Gaming (WHG) as a PAM provider, so WHG stores WynnBET patron databases and is the source of truth for data requests. In addition, WynnBET has several databases, including state-residing databases, cloud-hosted databases, and a cloud-hosted data warehouse. The location and control of these databases will be reviewed in detail with the Massachusetts Gaming Commission staff. WynnBET's state-residing databases will be archived and retained in a new cloud-hosted data store for data requests relating to marketing and gamification data. WynnBET cloud-hosted databases will remain operational (read only) to provide transaction history to users on the WHG application, until closure. WynnBET will also retain, and store patron data provided by geolocation, identity, customer support, and marketing providers alongside the state database archives. The WynnBET data warehouse will remain operational for historical purposes until data retention expires.

### **Data Storage**

In accordance with 205 CMR 238.09(1) and internal controls, WynnBET records are retained in an electronic format. All corporate records, current employee files, and revenue accounting data are retained without an expiration period. Other, non-essential data is generally retained for a period of a minimum of five to seven years.

Raw backups from PAM, geolocation, identity, customer support, and marketing providers will be encrypted and stored on a cloud-hosted storage facility. Backups will be used to restore the PAM provider databases. Backups from geolocation, identity, customer support, and marketing providers will be consolidated on a cloud server.

For any data required to be accessed by the Massachusetts Gaming Commission for regulatory purposes, the legal and compliance team of WynnBET will serve as contacts. If not available, the legal team at Encore Boston Harbor will respond to requests.

## **Data Retention**

Data will be retained for a period of time required by Massachusetts laws and regulations. Pursuant to 205 CMR 238.09, WynnBET utilizes electronic storage for its primary confidential documents. Additionally, WynnBET transactional data may be retained in a cloud environment in accordance with this plan.

## **Data Security/Access Controls**

All data sources that will support internal or external long-term reporting or compliance requirements will be consolidated and stored to mask patron passwords, full SSNs, and payment information. The information will be in read-only mode with access limited only to specific IT/technology personnel.

Firewall rules will be configured to control which IP addresses or IP ranges are allowed to ensure only authorized users and applications can access the data. Raw database extractions will be encrypted at rest using public/private key encryption. To support any regulatory request, the data will be transmitted over encrypted tunnels to a temporary database server based on the data source. To support any patron data request, a tool will be developed to query consolidated datasets by a patron's relational identifiers.

## **Patron and Regulator Requests**

Throughout the closure process, Massachusetts patron requests will be addressed via an e-mail request to WynnBET Customer Support ([wynnbetsupport@wynnbet.com](mailto:wynnbetsupport@wynnbet.com)). The current Legal/Compliance contacts at WynnBET will continue to liaise with the Massachusetts Gaming Commission. If not available, the legal team at Encore Boston Harbor will respond to inquiries.

## **Server Decommission/Deletion of Data**

Once all data has been confirmed as archived by Wynn/WynnBET resources and signed off by legal and compliance once notice is given to and approval is secured from the Massachusetts Gaming Commission, all source systems will be wiped of data and systems will be securely decommissioned and destroyed. WynnBET will follow the requirements of 205 CMR 238.09 for any records required by the Massachusetts to be retained. Further, WynnBET retains the services of a disposal company for any physical documents that are permitted to be destroyed.



**ATTESTATION OF COMPLIANCE WITH RESERVE REQUIREMENT  
PURSUANT TO 205 CMR 238.12**

FOR THE MONTH ENDED DECEMBER 2023

1. I have reviewed 205 CMR 238.12 as it pertains to a Sports Wagering Operator's obligation to maintain and protect sufficient cash and other supplies to conduct Sports Wagering at all times through a reserve in the amount necessary to ensure the security of funds held in Sports Wagering Accounts and the ability to cover outstanding Sports Wagering liability.
2. WynnBET has established a reserve, either in the form of Cash, Cash Equivalents, payment processor reserve, payment processor receivable, irrevocable letter of credit, bond or a combination thereof.
3. Funds held in the Sports Wagering Accounts are held:
  - a. In trust for the patron in a Segregated Account; or
  - b. In a special purpose Segregated Account as outlined in 205 CMR 238.12(2)(b).
4. Funds held in the Segregated Accounts:
  - a. Do not belong to WynnBET;
  - b. Are not available to creditors other than the patron whose funds are being held; and
  - c. Are not commingled with other funds including, without limitation, funds of WynnBET.
5. To the best of my knowledge and belief, funds have been safeguarded in accordance with 205 CMR 238.12.

*I swear or attest under the pains and penalties of perjury that the information provided as part of this request for a hearing is true and accurate to the best of my knowledge and understanding.*

Stewart Elkins  
\_\_\_\_\_  
[NAME of Attesting Person]

01/08/2024  
\_\_\_\_\_  
[Date]



Massachusetts Gaming Commission

Dir - Revenue Controller  
\_\_\_\_\_  
[TITLE of Attesting Person]

/s/ Stewart Elkins  
\_\_\_\_\_  
[SIGNATURE of Attesting Person]

[If this request is submitted via email, it may be signed electronically by typing the petitioner's name on the signature line above. In that case, the 'signature' must be preceded by /s/ (e.g.- /s/ John S. Doe). Use of an electronic signature permits the Commission to rely upon the signature as if it were handwritten.]

2023 ANNUAL REPORT



# LETTER FROM THE CHAIR

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**January 2024**

The Honorable Maura Healey, Governor  
The Honorable Andrea Joy Campbell, Attorney General  
The Honorable Deborah B. Goldberg, Treasurer  
The Honorable Michael Rodrigues, Chair, Senate Committee on Ways and Means  
The Honorable Aaron Michlewitz, Chair, House Committee on Ways and Means  
The Honorable Barry Finegold, Senate Chair, Joint Committee on Economic Development and Emerging Technologies  
The Honorable Jerald Parisella, House Chair, Joint Committee on Economic Development and Emerging Technologies

## **HONORABLE MADAMS AND MESSRS.**

Fiscal Year 2023 (FY23) marked a significant expansion of the Massachusetts Gaming Commission's (Commission) regulatory responsibilities when Governor Charlie Baker signed An Act to Regulate Sports Wagering on August 10, 2022, legalizing sports betting in the Commonwealth of Massachusetts. M.G.L. Chapter 23N creates three categories of sports wagering licenses: Category 1 and Category 2 licenses afford the Commonwealth's three casino licensees and horse racetracks and/or simulcast centers, respectively, the opportunity to operate retail sportsbooks. A Category 3 license is intended for online operators to offer sports wagering through a mobile application or other digital platform. The law allows for up to six Category 3 licenses tethered to retail operators and seven untethered Category 3 licensees. Operators are taxed on their gross sports wagering revenue at 15% for retail and 20% for online.

The Commission immediately got to work to stand up this new industry with fidelity to the law. We prioritized establishing a sustainable regulated sports betting market, grounded in integrity, that would offer consumer protections and other features to mitigate risks and protect Massachusetts wagerers.

In September 2022, the Commission held an in-person hearing where more than 30 companies expressed interest in selection as prospective online operators. The MGC then convened multiple public roundtables comprised of key stakeholders including casino operators, technical and financial consultants, responsible gaming and public health experts, professional sports leagues, players associations, First Amendment experts, broadcast networks, third-party marketing affiliates, and elected officials. With the benefit of information derived from the roundtables and consultation with fellow regulators, we developed regulations and a license application process that reflected the Commission's priorities, including commitment to responsible gaming and diversity, equity and inclusion.

In addition to the three Category 1 applications, the Commission assessed 11 online sports betting applications and awarded 10 temporary online licenses following the withdrawal of one application. In just under six months of the bill being signed into law and after approximately 150 public meetings, in-person sports wagering began on January 31, 2023. Six weeks later, mobile sports wagering launched on March 10, 2023. By June 30, legal sports wagering generated more than \$40 million in state taxes.

With the legalization of sports betting, the Commission's responsibilities have grown but not shifted. In FY23, the three casinos employed roughly 5,387 people, which included significant management and growth-opportunity positions, and generated \$330.7 million in state taxes. Additionally, the Commission continued its oversight and work to regulate the Commonwealth's horse racing industry, including standardbred racing at Plainridge Park Casino and simulcast operators across the state. After holding a well-attended public hearing, the Commission ultimately took no action on an application for a new thoroughbred horse racing track in Hardwick once required municipal approval was denied. The Community Mitigation Fund released \$10.2 million in grants and at the same time began an extensive re-imagining of its guidelines to make funding more accessible – inspired by the familiar Community Development Block Grant program.

Fiscal Year 23 closed with an expansion of our team as we set up the new Sports Wagering Division to integrate with all Commission divisions, working to ensure that operators' practices meet state law and commission regulations. We said goodbye to Executive Director Karen Wells and Investigations and Enforcement Bureau Director Loretta Lillios, who

each served with distinction in key roles at the agency for 10 years since the inception of expanded gaming in the Commonwealth.

Newly enacted state law allows us to continue to conduct our public meetings utilizing remote collaboration technology, advancing an open and participatory process by enhancing access and transparency. In addition to virtual meetings, the Commission has held public meetings and hearings in Plainville, Springfield, and Everett. In each instance, these meetings were streamed live on our website. We also regularly solicit written comments from the public and invested stakeholders to inform our work.

We thank the Legislature for trusting us with the task of setting up the new sports betting industry. We continue to assess our regulations, adjusting as needed to create efficiencies and avoid unintended consequences. By legalizing and regulating gaming, a robust legal market will meet the goal of putting an end to illegal enterprises operating in the state. To that end, we remain committed to collaborating with our partners in law enforcement to promote a healthy, safe, and regulated market, rich with strong consumer protections.

The following Annual Report offers details of the Commission's operations from July 1, 2022 through June 30, 2023 (FY23) in accordance with G.L. c. 23K, s. 70 and c. 23N, s. 14(d). On a personal note, I am beyond grateful for the team at the Commission and my fellow Commissioners. As so well documented through our public meetings, this group worked tirelessly over the course of FY23 to fulfill our statutory mandate, and did so with unwavering commitment to integrity, transparency, and the best interests of the Commonwealth.

Sincerely,

*Cathy Judd-Stein*



# MISSION STATEMENT\*

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The mission of the Massachusetts Gaming Commission is to create and maintain a fair, transparent, and participatory process for implementing the expanded gaming law passed by the Legislature and signed by the Governor in November of 2011. The Commission strives to ensure that its decision making and regulatory systems engender the confidence of the public and participants, and that they provide the greatest possible economic development benefits and revenues to the people of the Commonwealth, reduce to the maximum extent possible the potentially negative or unintended consequences of expanded gaming, and allow an appropriate return on investment for gaming providers that assures the operation of casino-resorts of the highest quality.

\*A Mission Statement Working Group has been convened by the Chair, led by Commissioners O'Brien and Maynard, to reexamine the Commission's Mission Statement following the introduction of sports wagering in the Commonwealth and to more accurately reflect the work and values of the current Commission. That work is ongoing and a new mission statement is expected in early FY24.





# KEY PROVISIONS OF THE GAMING ACT

**Chapter 194 of the Acts of 2011 (“The Gaming Act”)** includes significant features to ensure public confidence and a robust gaming industry that generates economic development while providing mitigation measures to protect potentially vulnerable groups. The Gaming Act established a board of five, full-time commissioners to implement rigorous standards for suitability by licensed companies, vendors and employees. The Gaming Act also established specific protocols for the operations of oversight of expanded gaming in the Commonwealth to ensure integrity, transparency, and fairness.

The statute specifically identifies a variety of uses for gaming revenue generated for the Commonwealth for local aid, health care, education and community colleges, transportation infrastructure, manufacturing initiatives, debt reduction and tourism. Additionally, a portion of gaming taxes to the Community Mitigation Fund, which provides grants to cities and towns affected by the operation of casinos – additionally, Host Communities are entitled to a Host Community Agreement negotiated between the licensee and local community. Surrounding Communities also have a process for addressing mitigation concerns with the licensees.

The Gaming Act also established the Public Health Trust Fund to assist social service and public health programs dedicated to addressing challenges associated with problem gambling. The statute focuses on the development of a research agenda and directs the Commission to use research to make, in collaboration with the Gaming Policy Advisory Committee, scientifically based recommendations to the Legislature and consider such recommendations in all decisions related to enhancing responsible gambling and mitigating problem gambling. To further these ends, the Secretary of the Executive Office of Health and Human Services and the Commission entered into a second memorandum of understanding in August 2021, which addresses distributions from the Public Health Trust Fund and supports the Gaming Act’s directives.



# KEY PROVISIONS OF THE MASSACHUSETTS SPORTS WAGERING ACT

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On August 10, 2022, then Governor Charlie Baker signed Chapter 173 of the Acts of 2022, An Act to Regulate Sports Wagering, which legalized sports betting in the Commonwealth of Massachusetts. The Massachusetts Gaming Commission was tasked with overseeing the promulgation of the state's sports wagering industry.

The Massachusetts Sports Wagering Act created three categories of sports wagering licensees: Category 1 for licensed casinos, Category 2 for racetracks and/or simulcast centers, and Category 3 for online mobile operators. The Commission is directed to determine eligibility for sports wagering licenses.

Currently, the three retail casinos in the Commonwealth operate Category 1 retail sports wagering locations, and eight Category 3 licensees operate online sportsbooks. Of those eight, five have a tethered relationship to one of the retail casinos. Two additional operators have been awarded Category 3 sports wagering operator licenses but have not yet commenced operations. The Commission has not awarded a Category 2 license to date.

Licensed retail operators are taxed at 15% and online operators at 20% of their gross sports wagering revenue with these funds distributed to various state funds according to law.

An application period opened shortly after the law was signed and the Commission engaged in a robust and transparent evaluation, which included a public review of the applicants' sports wagering platforms and plans for responsible gaming, diversity, community engagement, vendor spending, company history, and other matters commissioners deemed necessary for evaluating the applicants. Approximately 150 public meetings were held and streamed live regarding the subject of launching sports wagering in the Commonwealth.

Retail sports wagering launched at three casinos in Massachusetts on January 31, 2023, just under six months from the time the law was signed. Online/mobile wagering launched on March 10, 2023, exactly seven months from the date the law was signed.

The Commission created a Sports Wagering Division to oversee these expanded responsibilities. Long serving Commission staff were asked to lead the division to help launch and regulate this new industry in the Commonwealth.

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# ABOUT THE COMMISSIONERS

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**Cathy Judd-Stein (Chair)**

*February 2019 – Current  
Current Governor’s Appointee*



**Brad Hill**

*September 2021 – Current  
Joint Appointment – Governor, AG,  
Treasurer  
Gaming Regulatory or Gaming  
Industry Management*



**Eileen O'Brien**

*April 2018 – Current  
Attorney General’s Appointee  
Criminal Investigations and  
Law Enforcement*



**Nakisha Skinner**

*March 2022 – Current  
Treasurer’s Appointee  
Corporate Finance and Securities*



**Jordan Maynard**

*August 2022 – Current  
Joint Appointment – Governor, AG,  
Treasurer  
Legal and Policy Issues Related  
to Gaming*



# RECOMMENDATIONS FOR LEGISLATIVE ACTION

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The Massachusetts Gaming Commission (“Commission”) is grateful for the Legislature’s continuous support and its efforts to ensure that the Commission is well-positioned to carry out its mission effectively. To that end, the Commission has performed a comprehensive review of existing statutes within its purview (G.L. c. 23K, G.L. c. 23N, G.L. c. 128A, and G.L. c. 128C), and proposes the statutory amendments that follow. These proposals are collectively intended to help ensure that the Commission is able to efficiently, fairly, and transparently execute its mandate while at the same time ensuring that it has a clear, modern, and flexible statutory base from which to regulate. The following proposals are intended to serve those ends:

## **ALIGN SPORTS WAGERING OVERSIGHT WITH GAMING OVERSIGHT**

- Amend G.L. c. 23K, 23N, and 128A to create a statutory exemption under the Massachusetts Public Records Law for records received by the Commission from its licensees that, in its discretion, are determined to contain trade secrets, competitively-sensitive or other proprietary information, the public disclosure of which would place the subject licensee at a competitive disadvantage (Rationale- It is difficult for the Commission to engage in robust oversight of the regulated entities in the sports wagering or racing space without being able to access certain sensitive information [e.g.- unaudited financial reports] that are otherwise not subject to an exemption to the public records law. While there is some ability to protect certain information from public disclosure on the casino gaming side, language more clearly outlining that authority would be beneficial.);
- Amend G.L. c. 23K, § 21(a)(7) to clarify the authority of the Commission to enter into nondisclosure agreements with gaming licensees and the types of materials that may be covered by such agreements (Rationale- Similar to the previous point, it is imperative that the Commission be afforded the ability to receive sensitive information from its licensees in order to ensure robust regulatory oversight. While there is some ability to do so at present, a clearer outline of such authority would be beneficial.);
- Amend G.L. c. 23N to allow the Commission and the Investigations and Enforcement Bureau (“IEB”) to obtain or provide pertinent information regarding applicants or licensees from or to law enforcement entities or sports wagering regulatory authorities and other domestic, federal or foreign jurisdictions, including the Federal Bureau of Investigation, and to transmit such information to each other electronically. See G.L. c. 23K, § 6(e) (Rationale – While this authority exists on the casino gaming side and is a beneficial tool allowing a cooperative and efficient approach across regulatory jurisdictions, no such authority exists in the context of sports wagering and may hinder the Commission’s ability to secure information relative to its licensed entities or applicants.);
- Add language to G.L. c. 23N affording the Commission the ability to direct sports wagering licensees to provide to the Commission customer tracking data collected or generated by loyalty programs, player tracking software, player card systems, or online transactions similar to that required of gaming establishments under Section 97 of Chapter 194 of the Acts of 2011 (Rationale- The inclusion of this requirement in the casino gaming law was an important step towards understanding gambling habits and related issues. Similar authority to require such information should be afforded to the Commission in the sports wagering space.);

## **ENHANCED OPERATIONAL FLEXIBILITY**

- Amend G.L. c. 23K, § 61(b) to afford the Commission greater discretion to distribute funds in the Community Mitigation Funds for the overall enhancement of host, surrounding, and nearby communities to a gaming establishment (Rationale- At present, the Commission may only distribute monies from the Fund for the narrow purpose of assisting the host community and surrounding communities in offsetting costs related to the construction and operation of a gaming establishment. By broadening the scope for which funds may be distributed, greater benefit may be achieved in the communities in some way affected by the operation of a casino.);

## RACING MODIFICATIONS

- Add language to G.L. c. 23K, § 60 authorizing the Commission to allocate a limited percentage of funds annually from the Race Horse Development Fund for the administration of the Commission's Racing Division (Rationale – The funding sources for the operation of the Commission's Division of Racing are generally insufficient to support the sort of robust regulatory oversight expected of the Commission. Broadening the allowable use of monies from the Fund will benefit the entire industry.);
- Amend G.L. c. 23K, § 60 to afford the Commission greater discretion to distribute funds in the Race Horse Development Fund as may be deemed necessary to enhance the interests of the racing industry and its participants (Rationale – At present, monies from the Fund may only be distributed for three specific purposes: purses, breeding, and health and welfare benefits. By affording the Commission greater discretion, funds may be awarded for other beneficial uses including the development of a new race track.);
- Amend G.L. 128A, § 2 to afford the Commission the ability to set a deadline for the filing of an application for a horse racing license for the following calendar year in lieu of the existing October 1 date. Similarly, remove the November 15 deadline by which a decision to grant or dismiss the application must be made by the Commission (Rationale – By prescribing artificial dates in the statute, the Commission is forced to adjust its review to these artificial dates instead of setting out a reasonable time period by which to effectively review a particular application. Affording the Commission discretion to set the dates would be a benefit to all involved parties.);
- Amend G.L. c. 128A, § 5(h) to modernize the purposes and order of priority the distribution of pari-mutuel taxes and other revenues collected by the Commission relative to horse racing are expended. Similarly, amend G.L. c. 128A § 5B in conjunction with section 5(h) to ensure a cohesive method of funding the Commission is established (Rationale – Given the changes in the racing industry over the past decade, many of the expenditures identified in the statute are outdated. Further, the Commission should be afforded discretion to expend the subject funds in the best interests of the racing industry including for purposes of ensuring rigorous regulatory oversight.);

## RESPONSIBLE GAMING CONSIDERATIONS

- Amend G.L. c. 23K, § 29 to reflect the use of modern technology and responsible gaming principles relevant to providing patrons of a gaming establishment monthly access to their total bets, win, and loss figures (Rationale – The statute does not address the use of modern technology, like e-mail, and does not contemplate responsible gaming related consequences of mailing a notice to a person's home. While the principles underlying this section of the statute are sound, the particulars should be modernized to ensure the intended outcome.)



# FY23 BY THE NUMBERS



\$1.2B

GROSS GAMING  
REVENUE



\$330.7M

GAMING TAX REVENUE TO  
THE COMMONWEALTH



\$252M

PARI-MUTUEL HANDLE



\$18.6M

RACE HORSE  
DEVELOPMENT FUND  
DISTRIBUTIONS



FY23

RESEARCH AND  
RESPONSIBLE GAMING

**1,430** individuals enrolled in Gaming VSE, **130** enrolled in Sports Wagering VSE and **42,616** enrolled in PlayMyWay.



\$3.6M

DEPARTMENT OF  
REVENUE INTERCEPTS

In FY23, IEB Gaming Agents helped to intercept these funds from unpaid taxes and child support payments, redistributed to the Department of Revenue.





\$228.7M

ADJUSTED GROSS SPORTS  
WAGERING REVENUE



\$44.1M

SPORTS WAGERING  
TAX REVENUE TO THE  
COMMONWEALTH



\$67M

CASINO GOODS/SERVICES  
SPEND WITH MA VENDORS



108

DAYS OF LIVE RACING



\$10.2M

COMMUNITY  
MITIGATION FUNDS

Since 2015, the MGC has awarded  
nearly **\$47.9M** in grants from the  
Community Mitigation Fund.



\$1.9M

MGC GOODS/SERVICES  
SPEND WITH SMALL  
BUSINESS (SBPP)



MGC WORKFORCE

28%

DIVERSE

49%

WOMEN



CASINO WORKFORCE\*

53%

DIVERSE

44%

WOMEN

5%

VETERANS

\*Represents FY23 data provided by UMass Donahue Institute (UMDI).



# FY23 FINANCIAL REPORT

MGC's Division of Administration and Finance (A&F), led by the Chief Financial and Accounting Officer, is responsible for the strict oversight of casino, sports wagering and fantasy sports wagering revenues and the collection of taxes due to the Commonwealth from those operations. The taxes and assessments are the following:

#### Casino taxes on gross gaming revenues:

- Category 2 licensee is 49%
- Category 1 licensees is 25%

#### Sports Wagering taxes on adjusted gross sports wagering receipts:

- Category 1 licensee (in-person betting) 15%
- Category 2 licensee (in-person betting) 15%
- Category 3 licensee (tethered and untethered mobile betting) 20%

#### Daily Fantasy Sports taxes on adjusted gross fantasy wagering receipts:

- 15%

The Division is also in charge of completing all financial transactions and coordinating with other functional areas to complete administrative functions including, but not limited to, accounting, budgeting, contracting, and revenue collection.

#### CASINO GAMING REVENUES AND TAX COLLECTIONS

In its seventh year of operation, the Category 2 licensee, Plainridge Park Casino, reported \$150.34M in gross gaming revenues, which generated \$60.13M in tax dollars to local aid and \$13.53M in assessments to the Race Horse Development Fund for a total of \$73.66M in taxes.

MGM Springfield reported \$270.97M in gross gaming revenue, which generated \$67.74M in taxes for the Commonwealth. Encore Boston Harbor reported \$757.12M in gross gaming revenue, which generated \$189.28M in taxes. The total of taxes for Category 1 licensees amounted to \$257.02M.

Below are charts by month by licensee, also posted to the Commission's [website](#).

*Combined, gaming licensees generated \$1.18 billion in gross gaming revenue (GGR) and contributed \$330.69M to the Commonwealth for FY2023.*



## SLOT MACHINE REVENUE

### Plainridge Park Casino

Month	Coin in	Slot GGR	Hold %	Payout %	Total in Collected State Taxes (40%)	Total in Collected Race Horse Dev Fund (9%)	Total in Collected State Taxes and RHDF (49%)
July 2022	\$182,418,848.70	\$12,498,196.15	6.85%	93.15%	\$4,999,278.46	\$1,124,837.65	\$6,124,116.11
August 2022	\$172,643,602.00	\$11,961,566.29	6.93%	93.07%	\$4,784,626.52	\$1,076,540.97	\$5,861,167.48
September 2022	\$180,281,562.17	\$12,199,572.68	6.77%	93.23%	\$4,879,829.07	\$1,097,961.54	\$5,977,790.61
October 2022	\$174,584,176.50	\$12,363,500.65	7.08%	92.92%	\$4,945,400.26	\$1,112,715.06	\$6,058,115.32
November 2022	\$167,501,879.25	\$11,392,148.60	6.80%	93.20%	\$4,556,859.44	\$1,025,293.37	\$5,582,152.81
December 2022	\$176,776,793.21	\$12,310,688.75	6.96%	93.04%	\$4,924,275.50	\$1,107,961.99	\$6,032,237.49
January 2023	\$172,345,978.27	\$12,166,668.78	7.06%	92.94%	\$4,866,667.51	\$1,095,000.19	\$5,961,667.70
February 2023	\$169,657,182.74	\$12,040,729.95	7.10%	92.90%	\$4,816,291.98	\$1,083,665.70	\$5,899,957.68
March 2023	\$198,511,894.12	\$14,256,239.09	7.18%	92.82%	\$5,702,495.64	\$1,283,061.52	\$6,985,557.15
April 2023	\$189,829,564.83	\$13,444,345.44	7.08%	92.92%	\$5,377,738.18	\$1,209,991.09	\$6,587,729.27
May 2023	\$185,312,775.16	\$12,812,924.90	6.91%	93.09%	\$5,125,169.96	\$1,153,163.24	\$6,278,333.20
June 2023	\$194,191,469.00	\$12,890,231.78	6.64%	93.36%	\$5,156,092.71	\$1,160,120.86	\$6,316,213.57
<b>TOTAL FY23</b>	<b>\$2,164,055,725.95</b>	<b>\$150,336,813.06</b>	<b>6.95%</b>	<b>93.05%</b>	<b>\$60,134,725.22</b>	<b>\$13,530,313.18</b>	<b>\$73,665,038.40</b>

## TAX REVENUE

### MGM Springfield

Month	Coin in	Slot GGR	Slot Hold %	Slot Payout %	Table GGR	Total Slot and Table GGR	Total (25%) in Collected State Taxes
July 2022	\$206,715,370.84	\$17,275,318.86	8.36%	91.64%	\$4,242,403.60	\$21,517,722.46	\$5,379,430.62
August 2022	\$200,166,870.21	\$17,518,085.09	8.75%	91.25%	\$4,474,746.40	\$21,992,831.49	\$5,498,207.87
September 2022	\$194,560,345.68	\$16,358,042.03	8.41%	91.59%	\$4,213,605.83	\$20,571,647.86	\$5,142,911.97
October 2022	\$205,930,219.12	\$17,980,905.48	8.73%	91.27%	\$4,917,880.59	\$22,898,786.07	\$5,724,696.52
November 2022	\$192,102,376.39	\$17,327,291.21	9.02%	90.98%	\$4,706,483.14	\$22,033,774.35	\$5,508,443.59
December 2022	\$201,545,436.12	\$17,640,504.18	8.75%	91.25%	\$4,829,782.52	\$22,470,286.70	\$5,617,571.68
January 2023	\$207,564,553.56	\$18,452,254.93	8.89%	91.11%	\$4,401,494.82	\$22,853,749.75	\$5,713,437.44
February 2023	\$202,389,050.41	\$17,858,976.07	8.82%	91.18%	\$5,398,514.88	\$23,257,490.95	\$5,814,372.74
March 2023	\$228,308,925.98	\$19,792,210.64	8.67%	91.33%	\$4,287,427.13	\$24,079,637.77	\$6,019,909.44
April 2023	\$211,587,866.01	\$18,465,208.65	8.73%	91.27%	\$5,270,487.53	\$23,735,696.18	\$5,933,924.05
May 2023	\$208,486,377.66	\$18,121,772.27	8.69%	91.31%	\$5,224,772.00	\$23,346,544.27	\$5,836,636.07
June 2023	\$201,933,869.12	\$17,707,957.31	8.77%	91.23%	\$4,503,845.50	\$22,211,802.81	\$5,552,950.70
<b>TOTAL FY23</b>	<b>\$2,461,291,261.10</b>	<b>\$214,498,526.72</b>	<b>8.71%</b>	<b>91.29%</b>	<b>\$56,471,443.94</b>	<b>\$270,969,970.66</b>	<b>\$67,742,492.67</b>

**TAX REVENUE**  
**Encore Boston Harbor**

Month	Coin in	Slot GGR	Slot Hold %	Slot Payout %	Table GGR	Total Slot and Table GGR	Total (25%) in Collected State Taxes
July 2022	\$423,467,115.76	\$35,051,906.67	8.28%	91.72%	\$29,672,721.61	\$64,724,628.28	\$16,181,157.07
August 2022	\$428,080,198.44	\$35,372,908.84	8.26%	91.74%	\$22,711,324.56	\$58,084,233.40	\$14,521,058.35
September 2022	\$383,548,839.06	\$32,941,867.36	8.59%	91.41%	\$28,642,137.95	\$61,584,005.31	\$15,396,001.33
October 2022	\$410,939,577.19	\$33,677,401.58	8.20%	91.80%	\$28,365,680.78	\$62,043,082.36	\$15,510,770.59
November 2022	\$407,632,618.93	\$32,841,989.82	8.06%	91.94%	\$26,588,480.33	\$59,430,470.15	\$14,857,617.54
December 2022	\$424,315,281.13	\$34,984,642.31	8.24%	91.76%	\$33,475,100.78	\$68,459,743.09	\$17,114,935.77
January 2023	\$409,173,509.68	\$34,197,723.87	8.36%	91.64%	\$27,659,200.57	\$61,856,924.44	\$15,464,231.11
February 2023	\$397,442,407.53	\$32,797,874.02	8.25%	91.75%	\$29,907,304.74	\$62,705,178.76	\$15,676,294.69
March 2023	\$439,776,871.29	\$36,230,027.77	8.24%	91.76%	\$29,981,942.12	\$66,211,969.89	\$16,552,992.47
April 2023	\$427,118,272.37	\$36,152,795.82	8.46%	91.54%	\$27,831,387.32	\$63,984,183.14	\$15,996,045.79
May 2023	\$417,756,430.99	\$34,589,478.32	8.28%	91.72%	\$27,952,315.35	\$62,541,793.67	\$15,635,448.42
June 2023	\$406,189,244.19	\$34,797,034.24	8.57%	91.43%	\$30,698,770.38	\$65,495,804.62	\$16,373,951.16
<b>TOTAL FY23</b>	<b>\$4,975,440,366.56</b>	<b>\$413,635,650.62</b>	<b>8.31%</b>	<b>91.69%</b>	<b>\$343,486,366.49</b>	<b>\$757,122,017.11</b>	<b>\$189,280,504.28</b>

**SPORTS WAGERING REVENUES AND TAX COLLECTIONS**

Sports Wagering was legalized in the Commonwealth in August of 2022. The Commission authorized in person betting to begin in late January of 2023. Numbers reported for in person sports books reflect January through June of 2023. In its first year of operation in Sports Wagering Plainridge Park Casino's sports book reported \$1.6M in AGSWR resulting in \$240.5K in taxes for the Commonwealth. MGM's sportsbook reported \$220.3K in AGSWR resulting in \$72.2K in taxes for FY23. Encore Boston Harbor's sportsbook reported \$3.12M in AGSWR resulting in \$468.9K in taxes.

Mobile sports wagering was authorized by the Commission to begin in March of 2023. Numbers reported below reflect the time period of March through June of 2023. The Commission authorized 10 mobile operators to accept wagers in the Commonwealth. The operators are PennSports Interactive, FanDuel, BetMGM, BetR, Caesars, DraftKings, Fanatics, WynnBets, Bally's and Betway-DGC. For the period of March through June of 2023 the operators generated \$195.55M in AGSWR which resulted in \$39.1M in taxes to the Commonwealth.

Daily Fantasy Sports Wagering was legalized in the Commonwealth in August of 2022. Taxes on DFS started accumulating on the date of the passage of the legislation. While the Commission is not responsible for regulation DFS, it is responsible for tax collections. For the period of August 2022 through June of 2023 DFS operators generated \$28.18M in AGFWR generating \$4.23M in taxes for the Commonwealth.

*Combined, sports wagering licensees generated \$228.69 million in adjusted gross wagering revenues and contributed \$44.13M to the Commonwealth for FY2023.*

### SPORTS WAGERING TAX REVENUE ALL – CATEGORY 1

Month	Monthly Ticket Write	Monthly Handle (tickets Settled)	Monthly Win (Accrual Basis)	Monthly Hold %	Fed Excise .25% of Ticket Write	Taxable AGSWR (Mo win – Excise)	Retail Tax Collected Rate of 15%
January 2023	\$642,630.12	\$488,746.90	-\$8,227.36	-1.68%	\$1,218.87	-\$9,446.43	\$9,717.56
February 2023	\$24,979,240.49	\$24,435,509.49	\$1,486,743.31	6.08%	\$61,443.34	\$1,425,299.97	\$202,660.48
March 2023	\$20,530,719.55	\$19,988,765.45	\$1,505,677.91	7.53%	\$50,373.48	\$1,455,304.43	\$218,295.96
April 2023	\$12,870,636.24	\$13,025,956.35	\$396,985.97	3.05%	\$32,504.43	\$364,481.54	\$89,546.23
May 2023	\$11,099,417.90	\$11,405,702.11	\$1,588,385.56	13.93%	\$28,557.21	\$1,559,828.35	\$238,230.92
June 2023	\$8,279,504.62	\$8,517,200.90	\$174,871.07	2.05%	\$20,948.52	\$153,922.55	\$23,088.58
<b>TOTAL</b>	<b>\$78,402,148.92</b>	<b>\$77,861,881.20</b>	<b>\$5,144,436.46</b>	<b>N/A</b>	<b>\$195,045.85</b>	<b>\$4,949,390.41</b>	<b>\$781,539.73</b>

### SPORTS WAGERING TAX REVENUE ALL – CATEGORY 3

Month	Monthly Ticket Write	Monthly Handle (Tickets Settled)	Monthly Win (Accrual Basis)	Monthly Hold %	Fed Excise .25% of Ticket Write	Taxable AGSWR (Mo win – Excise)	Retail Tax Collected Rate of 20%
March 2023	\$563,990,008.58	\$548,231,163.78	\$46,815,576.50	8.54%	\$1,178,223.29	\$45,637,353.16	\$9,127,470.64
April 2023	\$561,959,246.36	\$566,236,866.31	\$59,884,578.33	10.58%	\$1,336,309.34	\$58,548,268.26	\$11,709,653.81
May 2023	\$446,041,022.26	\$443,559,714.07	\$60,484,866.70	13.64%	\$1,074,046.30	\$59,410,840.40	\$11,882,168.06
June 2023	\$324,033,259.66	\$328,385,932.00	\$32,743,973.00	9.97%	\$786,938.36	\$31,957,034.54	\$6,391,406.88
<b>TOTAL</b>	<b>\$1,896,023,536.86</b>	<b>\$1,886,413,676.16</b>	<b>\$199,928,994.53</b>	<b>N/A</b>	<b>\$4,375,517.29</b>	<b>\$195,553,496.36</b>	<b>\$39,110,699.39</b>

### TOTAL FANTASY SPORTS WAGERING TAX REVENUE

Month	Gross Fantasy Wagering Receipts	Adjusted Gross Fantasy Wagering Receipts	Prior Month Adjusted Neg Carry Forward	Net Adjusted Gross Fantasy Receipts	Total (15%) in Collected State Taxes
Aug 10 – Aug 31 2022	\$8,537,701.41	\$965,008.09	\$0.00	965,008.09	\$144,751.21
September 2022	\$14,231,149.46	\$1,676,034.76	-\$702.10	\$1,675,332.66	\$251,510.82
October 2022	\$21,575,958.44	\$2,599,085.89	-\$1,406.18	\$2,597,679.71	\$390,136.23
November 2022	\$20,448,999.96	\$3,448,556.79	-\$3,228.47	\$3,445,328.32	\$518,444.05
December 2022	\$21,741,753.48	\$2,739,683.58	-\$10,965.31	\$2,728,718.27	\$410,900.94
January 2023	\$24,476,127.81	\$4,630,260.44	-\$10,620.72	\$4,619,639.72	\$694,126.51
February 2023	\$38,822,756.49	\$4,369,283.79	\$0.00	\$4,369,283.79	\$655,393.17
March 2023	\$17,281,966.22	\$2,371,552.93	\$0.00	\$2,371,552.93	\$355,733.38
April 2023	\$15,678,081.25	\$2,100,004.14	-\$7,232.89	\$2,092,771.25	\$315,087.92
May 2023	\$14,735,234.09	\$1,980,727.58	-\$7,638.85	\$1,973,031.97	\$303,193.34
June 2023	\$11,356,135.32	\$1,304,035.13	-\$48,257.07	\$1,255,777.96	\$196,303.64
<b>TOTAL</b>	<b>\$208,885,863.93</b>	<b>\$28,184,233.12</b>	<b>-\$90,051.59</b>	<b>\$28,094,124.67</b>	<b>\$4,235,581.22</b>

The Commission approved an FY23 budget for the Gaming Control fund of \$35.97M, requiring a \$29.88M assessment on licensees. The Gaming Control Fund's final spending for FY23 was \$34.98M, which was \$985.15K (2.74%) less than the approved budget. The Gaming Control Fund's final revenue for FY23 was \$36.39M. The net impact of spending under budget, revenue exceeding projections, and reimbursements for FY23 invoices for the independent monitor received in FY24 resulted in a \$1.41M FY23 surplus in the Gaming Control Fund. The surplus will be credited to licensees' FY24 assessments.

The Sports Wagering Control fund was estimated to spend \$4.74M, requiring a \$2.23M assessment on licensees. Final spending for the fund in FY23 was \$3.96M, which was \$779.1K (16.4%) less than the approved budget. The Sports Wagering Control Fund's final revenue for FY23 was \$6.65M. The net impact of spending under budget, revenue exceeding projections, and carryforward of suitability investigation deposits resulted in a \$2.38M FY23 surplus in the fund. The surplus will be credited to sports wagering licensees' FY24 assessments.

**10500001 – GAMING CONTROL FUND**  
**2023 Budget Projections**

Row Labels	Initial Projection	Revised Budget	Final Spending	Variance (Final Spending – Revised Budget)	% Variance	Variance Explanation
MGC REGULATORY COST						
AA REGULAR EMPLOYEE COMPENSATION	\$7,982,768.03	\$8,110,391.80	\$8,187,467.12	77,075.32	0.95%	Carryforward of the pay fairness exercise from June of FY22
BB REGULAR EMPLOYEE RELATED EXPENSES	\$81,197.00	\$81,197.00	\$27,202.48	(53,994.52)	-66.50%	Less travel than anticipated
CC SPECIAL EMPLOYEES	\$248,022.52	\$248,022.52	\$251,894.08	3,871.56	1.56%	
DD PENSION & INSURANCE RELATED EXPENSES	\$3,198,108.43	\$3,251,570.03	\$3,377,599.74	126,029.71	3.88%	Carryforward of the pay fairness exercise from June of FY22
EE ADMINISTRATIVE EXPENSES	\$634,974.92	\$634,974.92	\$465,958.80	(169,016.12)	-26.62%	Less travel and training in all divisions, and HR did not utilize all of its partnership and sponsoring budget
FF PROGRAM, FACILITY, OPERATIONAL SUPPLIES	\$20,000.00	\$20,000.00	\$18,170.51	(1,829.49)	-9.15%	
GG ENERGY COSTS AND SPACE RENTAL	\$1,347,958.08	\$1,347,958.08	\$1,364,459.80	16,501.72	1.22%	
HH CONSULTANT SERVICES (TO DEPTS)	\$818,500.00	\$901,880.20	\$1,582,389.51	680,509.31	75.45%	Additional independent monitor costs that hit after the 3rd update (\$604.6K).
JJ OPERATIONAL SERVICES	\$10,510,400.56	\$10,510,400.56	\$9,943,219.53	(567,181.03)	-5.40%	Vacancies in GEU
KK EQUIPMENT PURCHASE	\$62,000.00	\$62,000.00	\$16,336.49	(45,663.51)	-73.65%	Need for office repairs was minimal in FY23
LL EQUIPMENT LEASE- MAINTAIN/REPAIR	\$41,707.90	\$41,707.90	\$37,285.57	(4,422.33)	-10.60%	
NN NON-MAJOR FACILITY MAINTENANCE REPAIR	\$25,000.00	\$25,000.00	\$10,014.64	(14,985.36)	-59.94%	Need for office repairs was minimal in FY23
PP STATE AID/POL SUB/OSD	\$150,000.00	\$150,000.00	\$25,020.00	(124,980.00)	-83.32%	LEAF Grant was executed for FY24.
TT PAYMENTS & REFUNDS	\$-	\$-	\$-	-		
UU IT NON-PAYROLL EXPENSES	\$4,222,914.03	\$4,222,914.03	\$4,154,797.12	(68,116.91)	-1.61%	
<b>MGC REGULATORY COST SUBTOTAL:</b>	<b>\$29,343,551.47</b>	<b>\$29,608,017.04</b>	<b>\$29,461,815.39</b>	<b>(146,201.65)</b>	<b>-0.49%</b>	
<b>EE-INDIRECT COSTS</b>	<b>\$2,419,852.48</b>	<b>\$2,419,852.48</b>	<b>\$2,304,290.17</b>	<b>(115,562.31)</b>	<b>-4.78%</b>	Underspending in GEU
OFFICE OF ATTORNEY GENERAL						
ISA TO AGO	\$2,927,384.00	\$2,927,384.00	\$2,040,703.26	(886,680.74)	-30.29%	Actually a 12.8% underspend as we combine the state reimbursed appropriation with this ISA.
TT REIMBURSEMENT FOR AGO 0810-1024	\$-	\$-	\$510,930.00	510,930.00		
AGO STATE POLICE	\$939,113.12	\$939,113.12	\$591,791.78	(347,321.34)	-36.98%	GEU Vacancies
<b>OFFICE OF ATTORNEY GENERAL SUBTOTAL:</b>	<b>\$3,866,497.12</b>	<b>\$3,866,497.12</b>	<b>\$3,143,425.04</b>	<b>(723,072.08)</b>	<b>-18.70%</b>	
<b>ISA TO ABCC</b>	<b>\$75,000.00</b>	<b>\$75,000.00</b>	<b>\$74,682.70</b>	<b>(317.30)</b>	<b>-0.42%</b>	
<b>GAMING CONTROL FUND TOTAL COSTS</b>	<b>\$35,704,901.07</b>	<b>\$35,969,366.64</b>	<b>\$34,984,213.30</b>	<b>(985,153.34)</b>	<b>-2.74%</b>	

## 2023 Revenue Projections

Revenues	Initial Projection	Revised Projection	Final Revenue	Variance	% Variance	Variance Explanation
Gaming Control Fund Beginning Balance 0500	\$-	\$1,437,053.08	\$1,437,053.08	-	0%	
EBH Security fees 0500/ Independent Monitor	\$1,200,000.00	\$83,380.20	\$718,241.28	634,861.08	761%	Additional independent monitor bills and revenue of \$598K after the 3rd update. There is also \$6K additional revenue received in FY24 that represents the June independent monitor bills that we did not bill for and collect until after June 30th.
ENHANCED EBH Security fees	\$-	\$-	\$62,840.15	62,840.15	0%	These are billed as the costs are incurred
Category/Region Collection Fees 0500	\$-	\$-		-	0%	
Prior Year Independent Monitor Fees 500	\$-	\$401,316.12	\$401,316.09	(0.03)	0%	
<b>IEB background / investigative collections 0500</b>	\$125,000.00	\$125,000.00	\$341,116.60	216,116.60	173%	Many of these costs are the fees in addition to the initial \$15K fee. This is combined with the Vendor Primary investigatory costs below.
Phase 1 Refunds 0500	\$-	\$-		-	0%	
Phase 2 Category 1 Collections (restricted) 0500	\$-	\$-		-	0%	
Region C Phase 1 Investigation Collections 0500	\$-	\$-		-	0%	
Region C Phase 2 Category 1 Collections 0500	\$-	\$-		-	0%	
Grant Collections (Restricted) 0500	\$-	\$-		-	0%	
Region A Slot Machine Fee 0500	\$1,596,600.00	\$1,596,600.00	\$1,650,000.00	53,400.00	3%	Fees were from initial projections and varied. This reconciles with variance in assessment
Region B Slot Machine Fee 0500	\$912,600.00	\$912,600.00	\$930,000.00	17,400.00	2%	Fees were from initial projections and varied. This reconciles with variance in assessment
Slots Parlor Slot Machine Fee 0500	\$542,400.00	\$542,400.00	\$615,000.00	72,600.00	13%	Fees were from initial projections and varied. This reconciles with variance in assessment
Gaming Employee License Fees (GEL) 3000	\$300,000.00	\$300,000.00	\$250,800.00	(49,200.00)	-16%	
Key Gaming Executive (GKE) 3000	\$10,000.00	\$10,000.00	\$5,000.00	(5,000.00)	-50%	
Key Gaming Employee (GKS) 3000	\$50,000.00	\$50,000.00	\$91,000.00	41,000.00	82%	
Non-Gaming Vendor (NGV) 3000	\$50,000.00	\$50,000.00	\$39,100.00	(10,900.00)	-22%	
Vendor Gaming Primary (VGP) 3000	\$225,000.00	\$225,000.00	\$31,600.00	(193,400.00)	-86%	See note on invests above
Vendor Gaming Secondary (VGS) 3000	\$15,000.00	\$15,000.00	\$25,000.00	10,000.00	67%	
Gaming School License (GSB)/LIQ	\$15,000.00	\$15,000.00	\$300.00	(14,700.00)	-98%	
Gaming Service Employee License (SER) 3000	\$75,000.00	\$75,000.00	\$31,125.00	(43,875.00)	-59%	
Subcontractor ID Initial License (SUB) 3000	\$15,000.00	\$15,000.00		(15,000.00)	-100%	
Temporary License Initial License (TEM) 3000	\$10,000.00	\$10,000.00		(10,000.00)	-100%	
Assessment for PHTF	\$5,000,000.00	\$5,000,000.00	\$5,000,000.00	-	0%	
Transfer PHTF Assessment to PHTF	\$(5,000,000.00)	\$(5,000,000.00)	\$(5,000,000.00)	-	0%	
Veterans Initial License (VET) 3000	\$-	\$-		-	0%	
Transfer of Licensing Fees to CMF 0500	\$-	\$-		-	0%	
Assessment 0500	\$30,523,901.07	\$29,885,531.87	\$29,742,131.88	(143,399.99)	0%	See notes on slot fees above
Misc/MCC Grant	\$25,000.00	\$25,000.00		(25,000.00)	-100%	Grant ended in FY22
Miscellaneous 0500	\$11,000.00	\$11,000.00	\$12,845.66	1,845.66	17%	
Bank Interest 2700	\$3,400.00	\$3,400.00	\$6,310.53	2,910.53	86%	
<b>Grand Total</b>	<b>\$35,704,901.07</b>	<b>\$35,788,281.27</b>	<b>\$36,390,780.27</b>	<b>602,499.00</b>	<b>1.68%</b>	



## 10501384 SPORTS WAGERING CONTROL FUND

### 2023 Budget Projections

Row Labels	Initial Projection	Revised Budget	Final Spending	Variance (Final Spending-Revised Budget)	% Variance	Variance Explanation
AA REGULAR EMPLOYEE COMPENSATION	\$794,970.77	\$794,970.77	\$578,299.20	\$(216,671.57)	-27.26%	Delays in Hiring
BB REGULAR EMPLOYEE RELATED EXPEN	\$-	\$-	\$78.10	\$78.10	0.00%	
CC SPECIAL EMPLOYEES	\$393,600.00	\$393,600.00	\$67,375.00	\$(326,225.00)	-82.88%	Did not bring on 5 contracted investigators but rather 2
DD PENSION & INSURANCE RELATED EX	\$336,002.01	\$336,002.01	\$116,852.13	\$(219,149.88)	-65.22%	
EE ADMINISTRATIVE EXPENSES	\$-	\$-	\$8,163.73	\$8,163.73	0.00%	
FF PROGRAMMATIC FACILITY OPERATIONAL SUPPLIES	\$-	\$-	\$-	\$-	0.00%	
HH CONSULTANT SVCS (TO DEPTS)	\$500,000.00	\$2,230,000.00	\$2,442,815.62	\$212,815.62	9.54%	Additional costs of establishing regulatory framework
JJ OPERATIONAL SERVICES	\$-	\$-	\$-	\$-	0.00%	
KK EQUIPMENT PURCHASES	\$-	\$-	\$-	\$-	0.00%	
LL EQUIPMENT LEASE-MAINTAIN/ REPAR	\$-	\$-	\$-	\$-	0.00%	
NN INFRASTRUCTURE:	\$-	\$-	\$-	\$-	0.00%	
TT LOANS AND SPECIAL PAYMENTS	\$-	\$-	\$-	\$-	0.00%	
UU IT Non-Payroll Expenses	\$-	\$592,100.00	\$406,501.78	\$(185,598.22)	-31.35%	Delays in opening of a few operators and review of internal controls submissions.
EE-Indirect Costs	\$168,857.08	\$401,067.08	\$348,566.85	\$(52,500.23)	-13.09%	Under spending in employees
<b>Grand Total</b>	<b>\$2,193,429.86</b>	<b>\$4,747,739.86</b>	<b>\$3,968,652.41</b>	<b>\$(779,087.45)</b>	<b>-16.41%</b>	

### 2023 Revenue Projections

Revenues	Initial Projection	Revised Projection	Final Revenue	Variance	% Variance	Variance Explanation
CATEGORY 1	\$600,000.00	\$600,000.00	\$600,000.00	\$-	0%	
CATEGORY 2	\$200,000.00	\$200,000.00	\$200,000.00	\$-	0%	
CATEGORY 3 (TETHERED)	\$1,200,000.00	\$1,200,000.00	\$1,200,000.00	\$-	0%	
CATEGORY 3 (UNTETHERED)	\$1,200,000.00	\$1,200,000.00	\$1,200,000.00	\$-	0%	
SW GAMING CONTROL FUND BALANCE 0500	\$-	\$-	\$-	\$-	0%	
<b>EMPLOYEE LICENSING FEES 3000</b>	\$-	\$-	\$175,000.00	\$175,000.00	#DIV/0!	No projections were initially made
VENDOR SW FEES 3000	\$-	\$-	\$976,931.00	\$976,931.00	#DIV/0!	No projections were initially made
FANTASY FEES 3000	\$-	\$-	\$-	\$-	0%	
ASSESSMENT 0500	\$-	\$2,236,453.60	\$2,277,926.51	\$41,472.91	2%	Overpayment by one operator and underpayment by another.
FINES & PENALTIES 2700	\$-	\$-	\$-	\$-	0%	
MISC 0500	\$-	\$-	\$18,000.02	\$18,000.02	0%	
IEB BACKGROUND/ INVESTIGATIVE FEES 3000	\$-	\$-	\$-	\$-	0%	
BANK INTEREST SW	\$-	\$-	\$3,780.38	\$3,780.38	0%	
<b>Grand Total</b>	<b>\$3,200,000.00</b>	<b>\$5,436,453.60</b>	<b>\$6,651,637.91</b>	<b>\$1,215,184.31</b>		



# FY23 DIVISION REPORTS

## SPORTS WAGERING DIVISION

In FY23, MGC's Sports Wagering (SW) division was formed, comprising a director, an operations manager and a business manager. The division is tasked with oversight of the sports wagering operators' compliance with the regulations developed in relation to Ch. 23N, monitoring the required reporting, constructive communications with the operators, and collaborative initiatives across the many existing MGC divisions and departments which sports wagering intersects with.

The division went to work immediately, working with legal to answer operator questions, responding to and stewarding nearly 200 patron inquiries, researching and developing an incident tracker, creating compliance processes and procedures, gaining access to operators' back-end wagering platforms and financial records, monitoring launch promotions and marketing for compliance, and reviewing house rules and internal controls.

On May 4, 2023, the division staff presented an official launch update to the Gaming Policy Advisory Committee, providing insights on the first 45 days of operations.

### Sports Wagering Operations Certificates

In FY23, the SW division granted 11 Certificates of Operations for Sports Wagering.

*In its first 5 months of operations, the SW division onboarded 11 operators, handled nearly 200 patron inquiries, processed over 100 additional compliance issues, and participated in at least 35 public meetings.*

### CATEGORY 1 (RETAIL) – January 31, 2023

Encore Boston Harbor Sportsbook

MGM Springfield Sportsbook

Plainridge Park Sportsbook

### CATEGORY 3 (MOBILE) – March 10, 2023

#### *Tethered (entity)*

BetMGM, LLC (MGM)

WSI US, LLC d/b/a WynnBET (EBH)

American Wagering, Inc. d/b/a Caesars Sportsbook (EBH)

Penn Sports Interactive, LLC d/b/a Barstool Sportsbook (PPC)

#### *Untethered*

Crown MA Gaming, LLC d/b/a DraftKings

Betfair Interactive US, LLC d/b/a FanDuel

### CATEGORY 3 (MOBILE)

#### *Tethered (entity)*

FBG Enterprises Opco, LLC d/b/a Fanatics (PPC)

May 16, 2023

#### *Untethered*

Betr Holdings, Inc. d/b/a Betr

April 25, 2023

Although certificates of operation were granted, both Fanatics and Betr delayed the launch date of their sports wagering platforms in MA. Betr officially launched on May 11, 2023 and Fanatics launched on May 25, 2023.

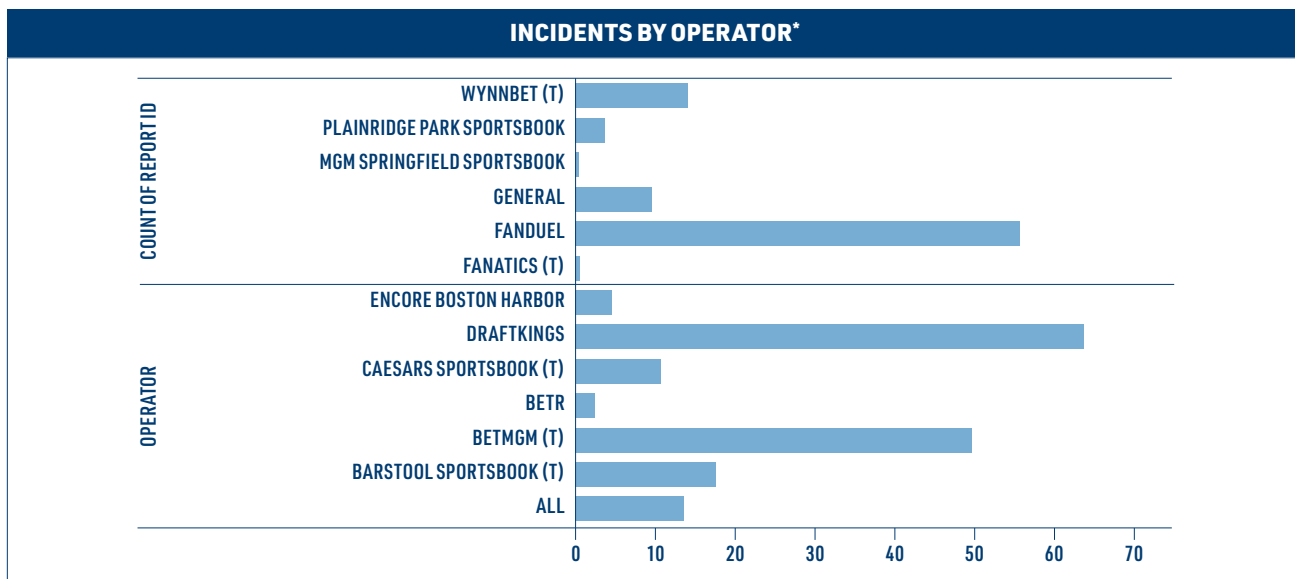
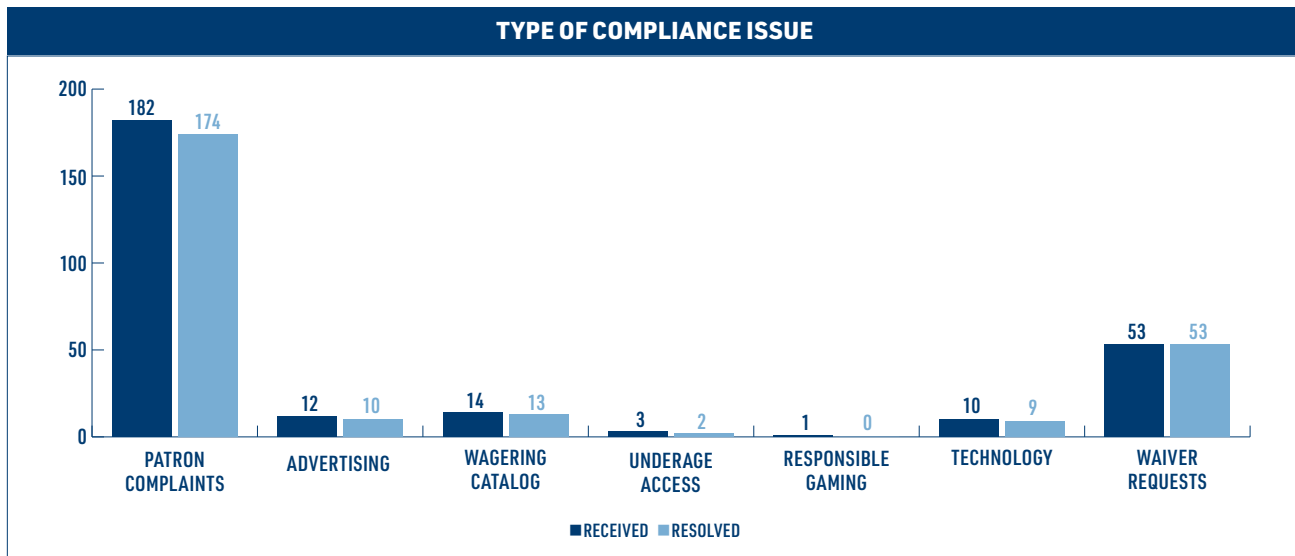
Two other Category 3 applications have been reviewed and approved by the Commission, with intended FY24 launch dates. No Category 2 licenses were granted in FY23.

### FY23 Major Initiatives

1. An API interface was developed with the Dept. of Revenue to ensure each operators' compliance with the intercept for taxpayer winnings to the state, as required.
2. The team developed an internal training from a consultant to provide an overview of general marketing processes to assist with development of regulations, determine compliance outcomes and to provide general education to staff in departments which may be impacted.
3. Each operator developed test accounts for the SW team to ensure direct access to each sports wagering app and the ability to view the patron experience, and monitor compliance in real time.
4. Staff worked to ensure operators were in contact with the MA Lottery with a goal of fostering symbiotic relationships and minimizing negative impacts.
5. The division contracted with Gaming Labs International to perform the initial Technical Security Audits.

### FY23 Sports Wagering Compliance

The Sports Wagering division received, reviewed and/or resolved over 300 compliance issues and/or incidents between January 31, 2023 and June 30, 2023. Below are the types of issues/incidents the SW division reviewed or addressed:

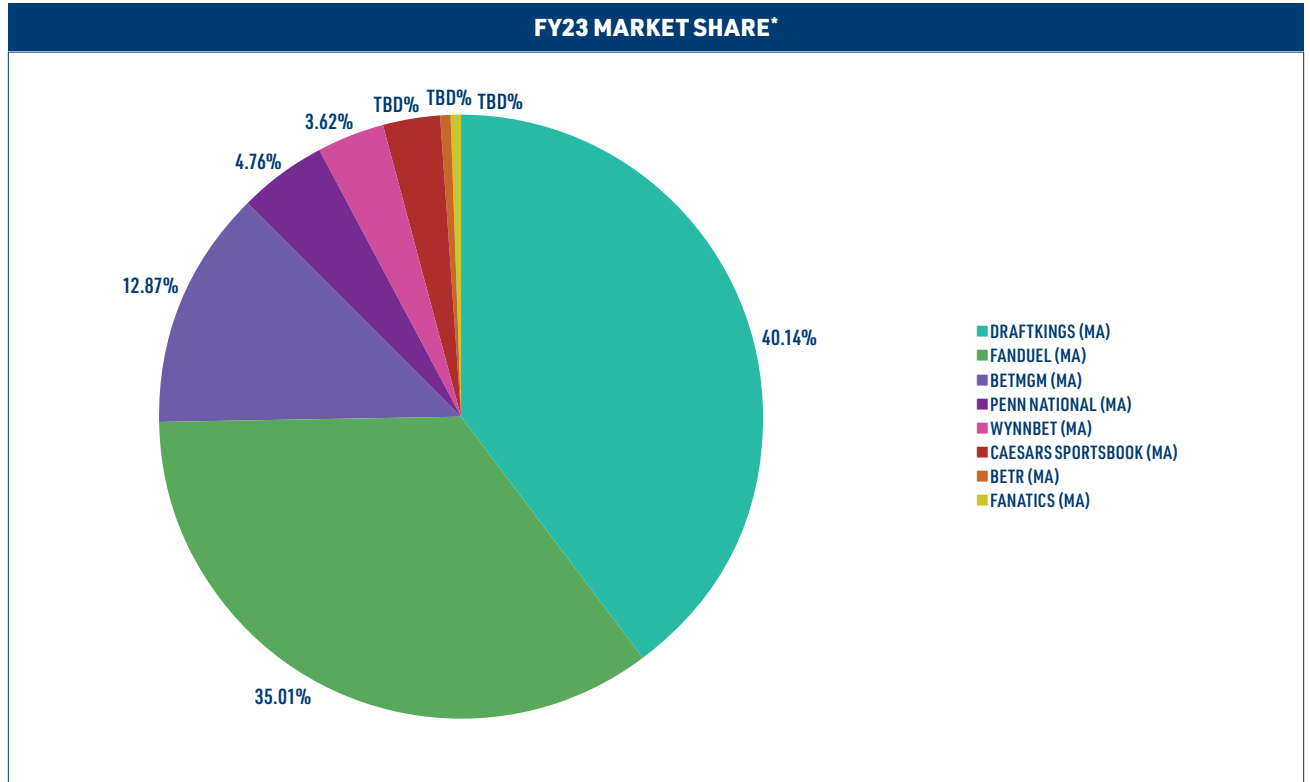


\*Graph does not include waiver requests or house rules

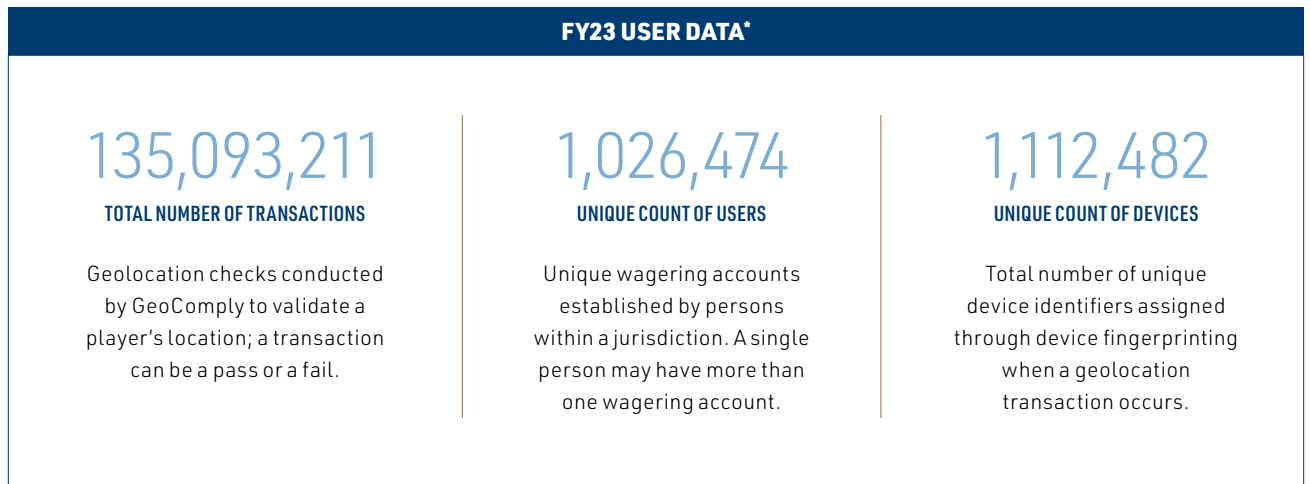
The SW division manages the oversight, compliance and review for over 70 monthly reports from the 11 operators. The division also handles the waiver and variance requests related to the sports wagering regulations. As reflected in the table above, the division reviewed and processed over 50 such requests in FY23. Such requests are tracked for commission determination, date of expiration and require investigation to determine compliance, once expired. In addition, aside from the initial 11 approved house rules at their go-live/launch date, an additional 10 house rules were reviewed by the sports wagering division and brought forth to the Commission for approval during this period.

The Sports Wagering director also works closely with the Massachusetts State Police regarding fraud alerts. Such alerts come in from both the operators and industry resources such as GeoComply and U.S. Integrity.

**Industry Insights**



\*Data from GeoComply



\*Data from GeoComply

## DIVISION OF COMMUNITY AFFAIRS

The Division of Community Affairs is responsible for coordinating and communicating interactions among the Commission and its many stakeholders, including the Host and Surrounding Communities, and other state agencies. It also monitors the activities of its casino licensees, including quarterly reporting and ensuring the licensees continue to meet the terms of their licenses. The primary initiative of the division is to facilitate the Community Mitigation Fund Grant program; including coordinating and supporting the legislatively mandated advisory committees and subcommittees that support the Commission in the development of and adoption of the Community Mitigation Fund guidelines.

*For 2023, \$28M  
was made available  
for local mitigation  
projects.*

### Community Mitigation Fund Grant Program

The Community Mitigation Fund receives monies from the taxes on gross gaming revenues and is designed to address impacts that may result from the construction and operation of casinos. It may also be used for planning to determine how to achieve further benefits from a facility.

The Division of Community Affairs reviews requests for mitigation dollars and makes recommendations to the Commission on the award of grants from the Community Mitigation Fund. These recommendations are developed through an intensive process involving analysis by many MGC staff members.

During grant year 2023, the Community Mitigation Grants available were as follows:

1. **Community Planning Grants:** These grants were developed to provide technical assistance and promotion for groups of area businesses; marketing and outreach efforts to identify local opportunities for casino patrons; tourism plans to attract casino patrons to nearby attractions and other community planning efforts designed to take advantage of proximity to the casino or allow a community to compete better with gaming establishments for customers.
2. **Gambling Harm Reduction:** The Commission seeks to study and mitigate gambling related harms through this new pilot program. The pilot program provides funding for a limited number of community-engaged research projects. The objective of community-engaged research is to more deeply understand specific negative or unintended impacts of casino gambling at a community level.

The funding for this grant is available for two levels of assistance. Type 1 is for community engagement, vision and planning. Applicants may apply to develop a plan to engage the community to identify a casino or gambling related topic or issue which warrants further investigation. Type 2 is for Applicants that have a specific research topic and/or question and are prepared to propose a research strategy.

3. **Projects of Regional Significance:** Projects of Regional Significance are designed to mitigate identified gaming impacts that affect multiple communities. To be considered under this category, the Applicant must demonstrate that the project will have regional benefits. The Applicant must also demonstrate that the project is in the general vicinity of the gaming establishment and will address an identified impact of that establishment. The Commission will cover up to 15% of the total cost capped at \$5 million in Region A and \$3 million in Region B.
4. **Public Safety Grants:** This Grant category allows for the funding of public safety operations costs up to \$200,000. These funds may be used for training to support the Police Reform Law, public safety equipment and certain operational costs. The application must demonstrate that CMF funds will supplement and not supplant historical operations funding.
5. **Specific Impact Grants:** These grants were developed to assist communities with unanticipated mitigation impacts specific to that community which have occurred or are occurring as of the January 31 due date.
6. **Transportation Planning Grants:** These planning grants were developed to assist communities in transportation issues and transportation-related impacts. Eligible planning projects must have a defined area or issue that will be investigated as well as a clear plan for implementation of the results. The Commission continues to support regional approaches to mitigation needs and recognizes that some mitigation requires the commitment of more than one community. The Community Mitigation Fund provides an additional monetary incentive to communities that submit regional applications.
7. **Transportation Construction Grants:** This grant category allows for the implementation of mitigation projects identified through transportation planning studies. The Commission awards up to 1/3 of the project cost with a maximum grant of \$1,500,000. Applicants had to demonstrate that the project would begin construction no later than June 30, 2024.

8. **Workforce Development Grants:** This was the seventh year that the Commission allocated funding for Workforce Development purposes as part of the Community Mitigation Fund. This program was conceived to help increase job readiness in both Regions A and B in anticipation of the high volume of casino hires. Applicants demonstrate that the education and skills training programs proposed are in response to an identified need at the casinos or to provide sufficient supply of workers to backfill jobs being lost to the casinos. These programs have assisted many individuals to receive their GED, ABE, and postsecondary credentials of value in the regional labor market. The Commission continues to support these workforce training programs to continue to feed the pipeline of workers.

**Funding Set Aside to Mitigate Other Impacts:**

9. **Emergency Mitigation Grants:** The Commission has set aside not more than \$200,000 in grant funds to mitigate unanticipated casino-related impacts that arise after January 31, 2023. This grant is not intended to circumvent the normal CMF process.
10. **Tribal Gaming Technical Assistance Reserve:** The Commission has set aside up to \$200,000 in technical assistance funding to assist in the determination of impacts that may be experienced by communities in geographic proximity to the potential Tribal Gaming facility in Taunton.

**2023 GRANT APPLICATIONS AWARDED**

The Commission awarded grant applications totaling approximately \$10.2 million.

APPLICANT	PROJECT NAME	REGION	TYPE	AWARD
Boston	Police Training and Patrols	A	PS	\$65,000
Boston	Pao Arts Center	A	SI	\$283,000
Cambridge	Grand Junction Path	A	TP	\$249,900
Everett	Wellington Connector Path	A	TC	\$336,700
Everett	Northern Strand Trail Extension	A	TC	\$335,260
Everett	Harbor Walk	A	TP	\$248,000
Everett	Fire: Highrise & Ion Battery Training	A	PS	\$45,000
Everett	Police Overtime	A	PS	\$104,100
Everett	Outfitting CONEX: Radios, graphics	A	PS	\$18,700
Everett	Pumping Station Alford Bridge	A	CP	\$199,100
Foxborough	Regional Marketing	Cat. 2	CP	\$272,000
Foxborough	Police: Motorcycle, Drone, Mapping	Cat. 2	PS	\$61,400
Hampden	Special Patrol: Casino Traffic	B	PS	\$15,300
Hampden	Sidewalk Design	B	TP	\$203,100
Hampden DA	Personnel Assistance	B	SI	\$75,000
Hampden Sheriff	Lease Assistance	B	SI	\$400,000
Holyoke	Main Street Redevelopment	B	TP	\$82,300
Holyoke	Wayfinding	B	CP	\$200,000
Holyoke	Tourism	B	CP	\$200,000
Holyoke Community College	Work Ready 2023	B	WD	\$350,000
Longmeadow	Camera Phase 2	B	PS	\$192,400
Ludlow	Police: Vehicle, training	B	PS	\$31,800
Malden	Police EV and Speed Alert Board	A	PS	\$17,900

APPLICANT	PROJECT NAME	REGION	TYPE	AWARD
Malden	Transit Oriented Study	A	CP	\$100,000
Malden	Bluebike Expansion	A	TC	\$113,000
Malden	Broadway 25% Design	A	TP	\$250,000
Malden	River Works Path	A	TC	\$542,400
Malden	Spot Pond Greenway Design	A	TP	\$250,000
MassHire MNREB	Boston Workforce Consortium	A	WD	\$500,000
Medford	Traffic Vehicle and Signs	A	PS	\$130,000
Pioneer Valley Planning	Regional Business Network	B	PRS	\$485,600
Plainville	Police: Force Science Cert.	Cat. 2	PS	\$123,750
Plainville	Fire Blankets	Cat. 2	PS	\$13,200
Revere	Police License Plate Reader	A	PS	\$64,000
Saugus	Shade Trees	A	SI	\$100,000
Springfield	Mixed-Use Parking Project	B	TC	\$1,500,000
Springfield	Safe Ride Home Project	B	PS	\$191,200
Springfield	Young Adult Gambling	B	HR1	\$19,600
Springfield	Union St Intersection	B	TP	\$250,000
Springfield	Police: Equipment Upgrades, Training	B	PS	\$135,200
Springfield	Dwight Street Reconstruction	B	TC	\$966,700
Springfield	Defibrillators	B	PS	\$19,800
Springfield Technical Community College	Work Ready 2023	B	WD	\$185,000
West Springfield	Emergency Responders	B	PS	\$200,000
Wilbraham	Radio Software Upgrade	B	PS	\$42,800
Wrentham	Traffic Management	Cat. 2	PS	\$44,900
<b>TOTAL</b>				<b>\$10,213,110</b>





**FY 2023 HR Update: Agency Headcount & Diversity**

The chart below represents the recent and current headcount by department. The numbers below do not include Massachusetts State Police (MSP) assigned to the Commission, contract employees or FTE's in the Attorney General's office of Gaming.

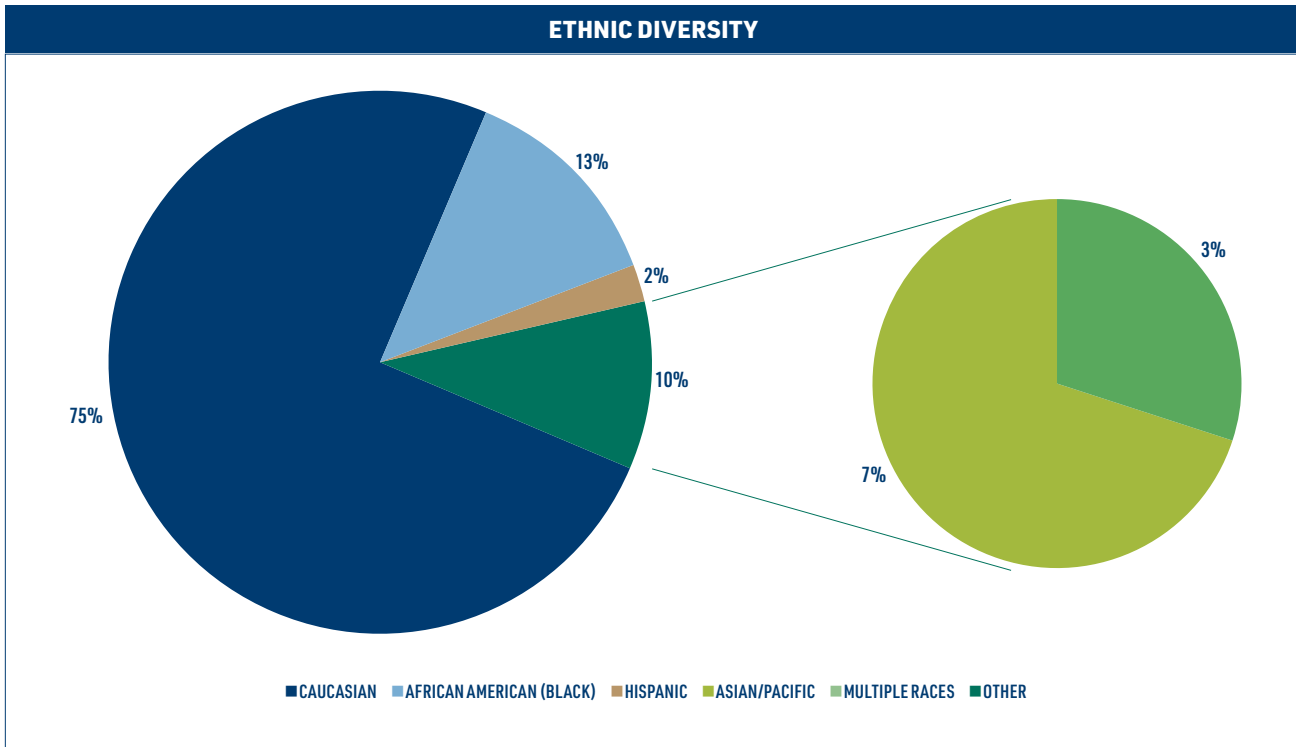
**HUMAN RESOURCES/DIVERSITY, EQUITY, AND INCLUSION UPDATE**

<b>AGENCY HEADCOUNT<sup>1</sup></b>				
<b>Department/Division</b>	<b>Headcount FY20</b>	<b>Headcount FY21</b>	<b>Headcount FY22</b>	<b>Headcount FY23</b>
Commissioners & Staff	5	4	7	7
Executive Director & Staff	4	4	2	2
Communications	2	2	2	2
Investigations & Enforcement	43	37	39	46
Licensing	6	5	10	10
Legal	10	10	5	5
Human Resources	2.5	2.5	3	5
Finance	6.5	5.5	7	8
Information Technology	8	7	8	12
Racing <sup>1</sup>	3	3	3	3
Responsible Gaming			3	3
Community Affairs			3	3
Sports Wagering				3
<b>TOTAL</b>	<b>90</b>	<b>80</b>	<b>96</b>	<b>109</b>

<sup>1</sup>Racing numbers do not include seasonal employees

The depicted chart illustrates the present staffing levels categorized by department, aligning with the approvals outlined in the Fiscal Year budget. It is pertinent to acknowledge that Responsible Gaming, Community Affairs, and General Counsel were formerly integrated within our legal division. Nevertheless, owing to adjustments in structural reporting and managerial revisions, they have since been delineated as distinct entities. It is imperative to note that the figures presented do not encompass MSP personnel assigned to the Commission or Full-Time Equivalents (FTEs) within the Attorney General's Office of Gaming Enforcement.

As acknowledged in last year's MGC Annual Report, the human resources department has undergone internal expansion through the recruitment and onboarding of key staff, including the Chief People and Diversity Officer, Sr. D.E.I. Program Manager, and Human Resources Information Analyst. Concurrently, the MGC HR team has initiated programs aimed at focusing on sourcing and recruitment processes, establishing supplier diversity objectives, amplifying programming through training initiatives, formulating internal diversity goals and continuing to develop a talented, culturally diverse working environment for all MGC employees.



From FY22 to FY23, the proportion of Caucasian employees at MGC remained stable. In the corresponding timeframe, the representation of African American (Black) employees increased from 12% to 13%, and the percentage of Asian American employees rose from 8% to 9%. Conversely, the percentage of Hispanic American employees decreased from 4% to 2%, while the proportion of Mixed-Race employees increased from 1% to 3%. It is posited that the decline in Hispanic American employees and the rise in mixed race employees may be attributed to an enhanced and more precise reporting structure.

**FY23 HR Update:**

- Implementing new performance management system for 2023.
- Conducting Implicit Bias training for Senior and executive level management.
- Introduce D.E.I. activities which provide an exciting working environment, improve inclusiveness and encourage dynamic dialog among our MGC staff.
- Creation of MGC Internship Program for 2023.
- Introduction of MGC Succession Planning for 2024.

DEMOGRAPHIC	FY21	FY22	FY23
Female	52.5%	46%	47%
Male	47.5%	54%	53%

Over the past three years an ongoing challenge at MGC has been the retainment of female staff. While the initial decline was attributed to the impact of the COVID-19 pandemic, it has become apparent that other factors, such as the nature of the industry, may also contribute to this trend. Nevertheless, we are trending in a positive direction. There has been an improvement in the representation of women in our workforce, with a 1% increase observed from FY22 to FY23.



MGC remains actively engaged in fostering diversity and inclusion, as evidenced by its participation in All-In Diversity's All-Index and the Boston Chamber of Commerce's Pacesetters program. Additionally, the Sr. D.E.I. Program Manager, voluntarily leads a project audit team and with the C.P.D.O. meets with our licensees on a quarterly basis to discuss vendor diversity goals and objectives. MGC dutifully submits an annual report to the Commonwealth's Supplier Diversity Office (SDO), demonstrating our commitment to transparency and accountability by promoting diversity within our supplier network.

## **INFORMATION TECHNOLOGY SERVICES DIVISION**

The MGC Information Technology Services Division ("ITS"), led by the Chief Information Officer, comprises of two major teams: 1) the Corporate Technology Unit and 2) the Gaming Technology Compliance Unit. In 2023, MGC-ITS tested and approved new software and hardware for 150 Kiosks and Sportsbooks to verify that they were in compliance in time to launch for major sporting events in February and March.

### **Corporate Technology**

The Corporate Technology Unit ("CTU") provides information technology products and services, governance, and security to meet the needs of the MGC community and achieve the highest level of customer satisfaction. More specifically, Network and Security Services, Unified Communications, End User Services, Risk Management, Project Management, Operations, Digital and Data Management and Infrastructure.

Over the past year, the CTU implemented numerous changes to improve, stabilize, and provide a robust and agile computing environment for the MGC community. Including but not limited to updating all user devices to ensure the latest technological needs were being met. The MGC continues some of its operations in a hybrid capacity. To better assist the program, new equipment was added to several conference rooms, including the Public Meeting Room, to facilitate hybrid meetings. The CTU continues to provide secure access locally and remotely without compromising versatility and security.

### **Gaming Technology Compliance**

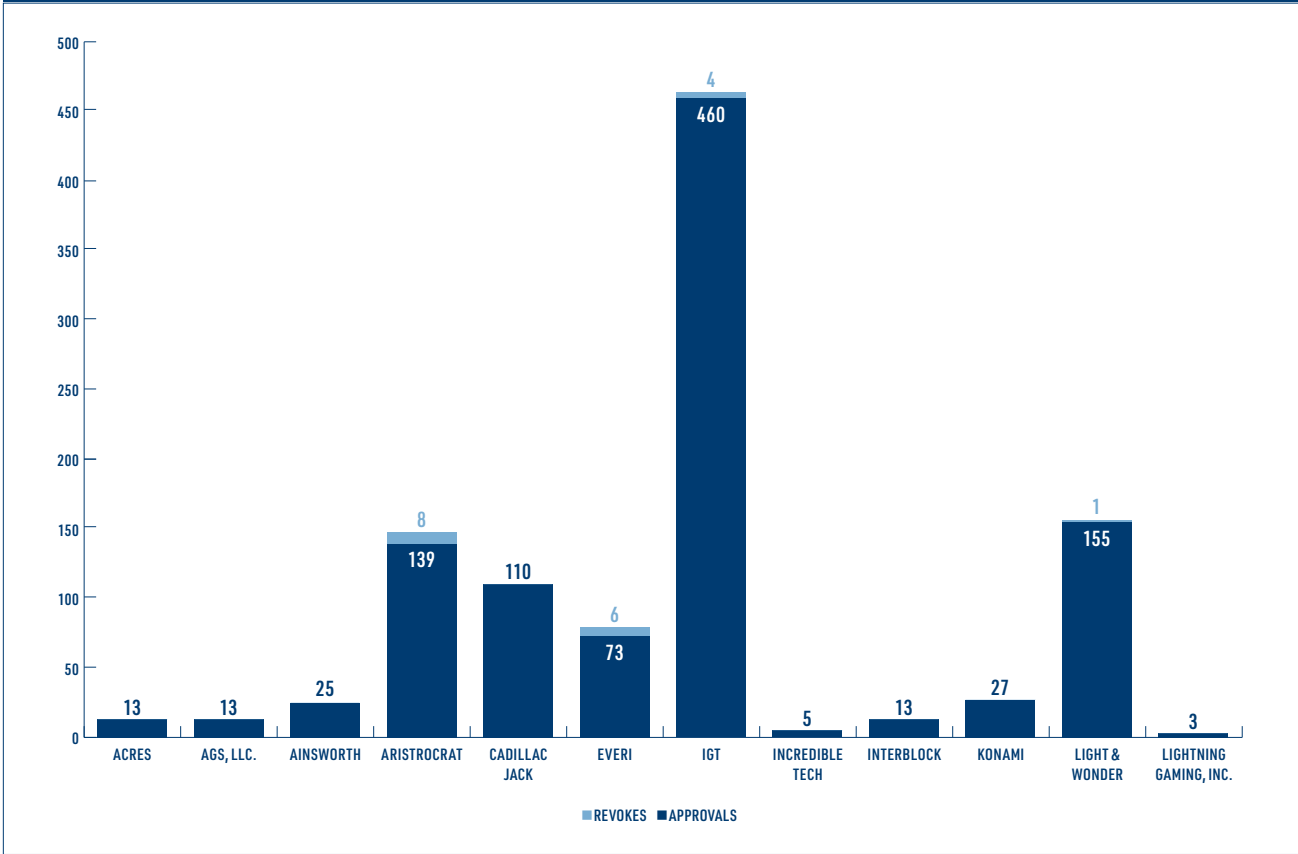
The Gaming Technology Compliance Unit ("GTCU") is responsible for planning, organizing, managing, and implementing the regulations, policies, procedures, and testing needed to ensure the integrity of electronic gaming devices ("EGDs" aka slot machines), sports wagering and associated software and equipment. In addition, it oversees technical compliance requirements by sports wagering operators in the areas of information security, change management, testing, and reporting requirements on an ongoing basis.

### **Casino Gaming**

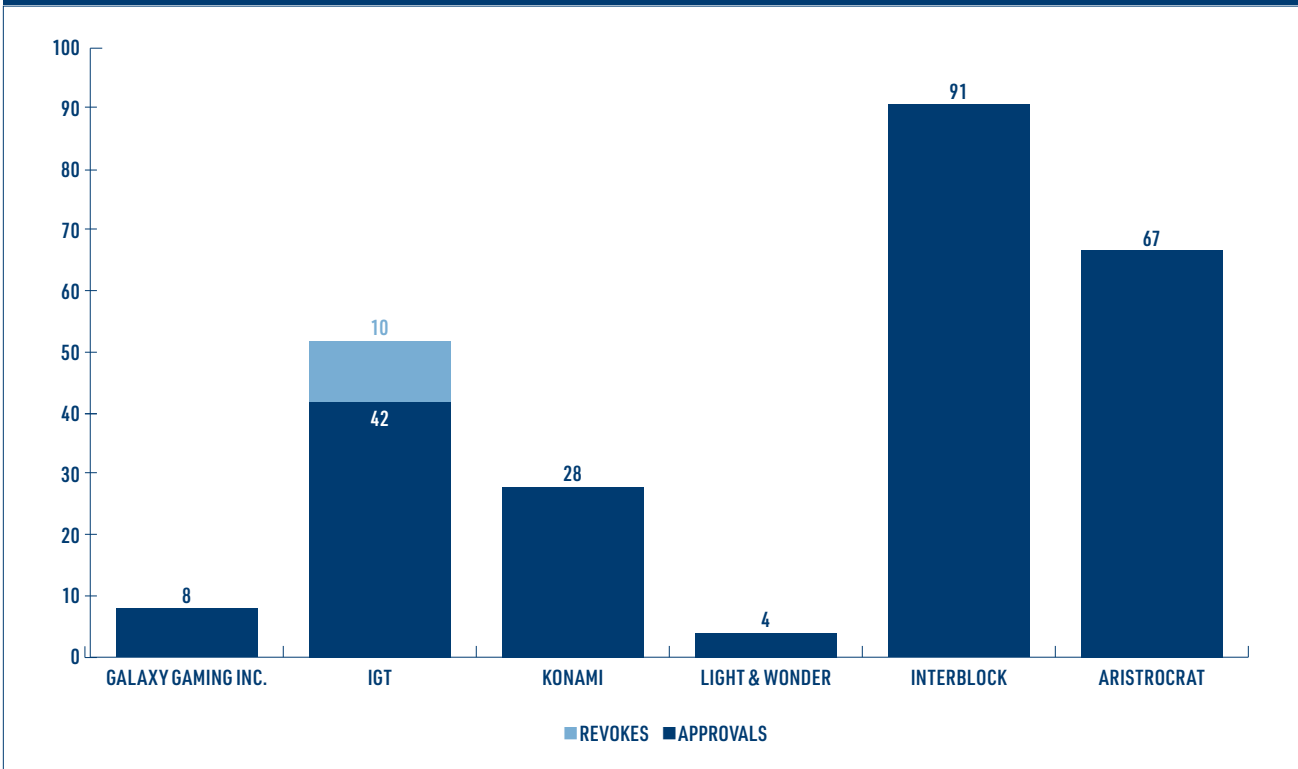
Currently, there are 4,995 active EGDs across all three casinos in Massachusetts, which the GTCU continuously monitors. The GTCU oversees the issuance of certifications and permits for the use of EGDs in Massachusetts. In 2023, the GTCU certified 1,322 individual software packages approved for use in Massachusetts by our Certified Independent Testing Labs ("CITL"), of which 1,060 software packages were approved by GLI and 262 software packages were approved by BMM. Through the assistance of the MGC's Central Monitoring System (CMS), software signatures for licensee compliance are verified daily. Each CITL is reviewed annually to ensure its adherence to the MGC's approved standards.

Issuing revocations typically begins with a notification from the CITL when an issue is found with an individual piece of gaming software that denotes the severity and description of the issues. The GTCU reviews each notification to verify if the software is active in Massachusetts. A notification is sent to each property, including software information, removal date, and, if any, the affected EGDs. During the last fiscal year, the GTCU issued 26 revocations based on recommendations from the CITLs. Below is a breakdown of the software approved and revoked by manufacturers for each CITL for FY2023.

### GLI APPROVALS AND REVOKES BY MANUFACTURERS

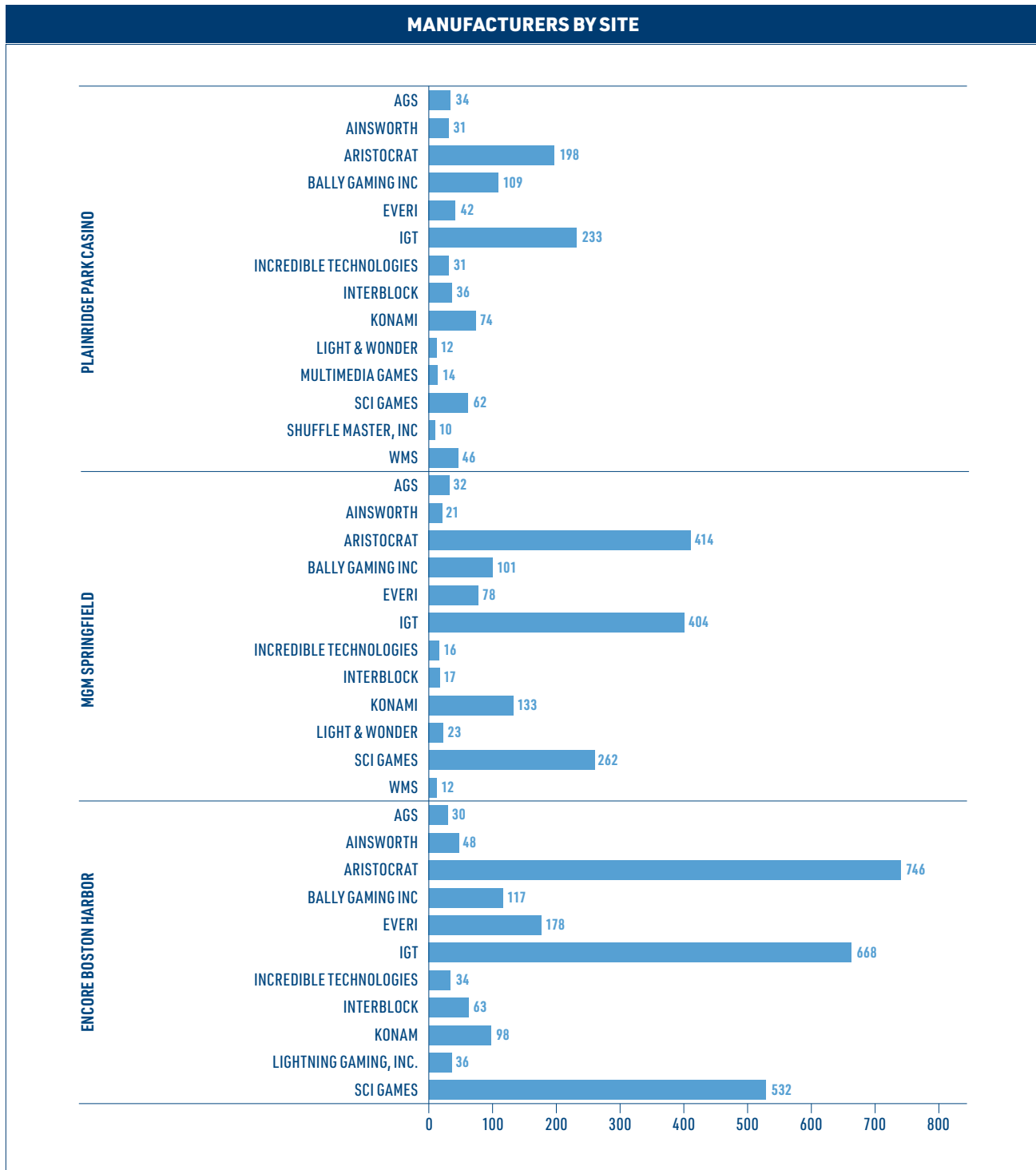


### BMM APPROVALS AND REVOKES BY MANUFACTURER



The GTCU is also responsible for evaluating, inspecting, and investigating EGDs and associated equipment in Massachusetts. Integration and interoperability testing are essential to ensure the EGDs communicate effectively with the MGC’s CMS and the licensees’ house systems. Through systematic testing, GTCU supports and achieves MGC’s reporting, compliance, and alerting expectations. Additionally, specific EGD hardware/cabinets are tested based on licensees’ requests due to the popularity of a particular game or theme.

The chart below highlights the variety of approved manufacturers’ equipment at each licensed casino in the Massachusetts jurisdiction.



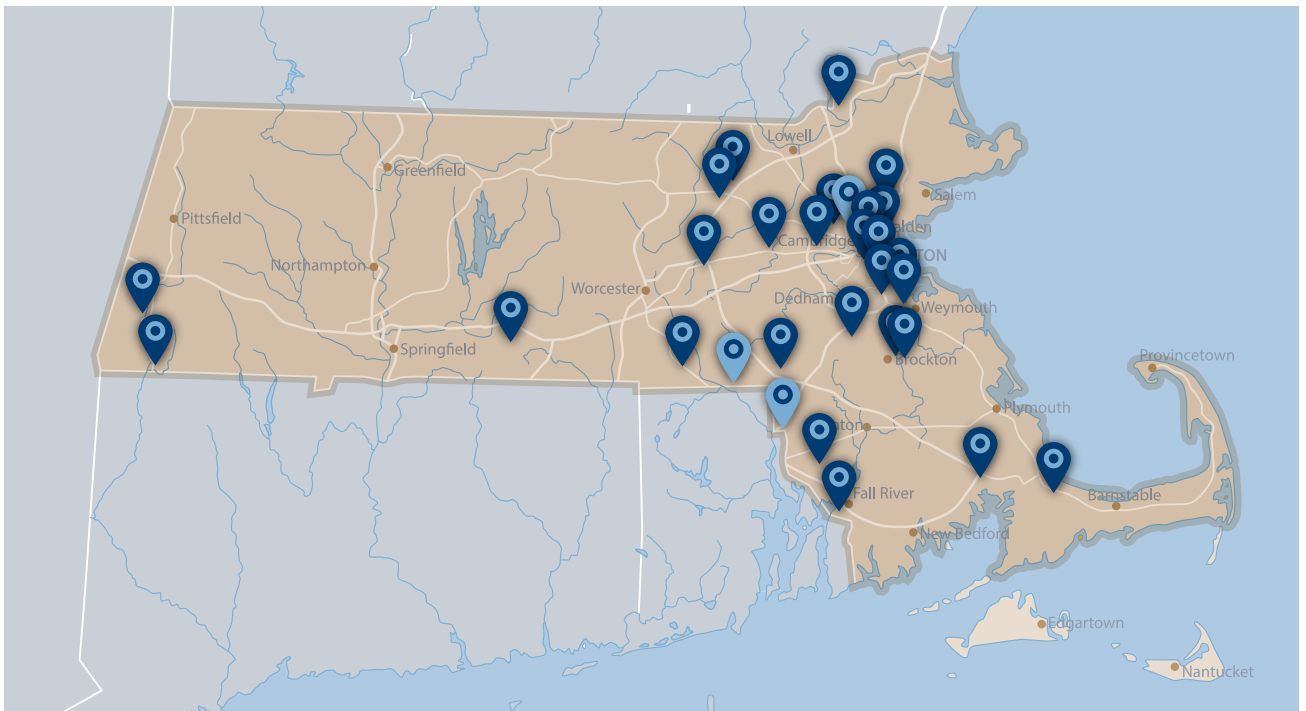
## Sports Wagering

The Massachusetts Gaming Commission was tasked with overseeing the promulgation of the state's sports wagering industry after Governor Charlie Baker signed An Act to Regulate Sports Wagering (House Bill No. 5164) into law on August 10, 2022.

Leading up to the execution of the law, the GTCU reviewed the bill, regulations, and information related to sports wagering from other jurisdictions over two years. The GTCU met with certified independent test labs to determine implementation strategies for drafting new regulations, testing, and verifying software necessary to stand up sports wagering in the Commonwealth. The GTCU reviewed draft regulations as needed to adhere to the emergency regulation promulgation process. Approximately one week prior to the launch of retail sports wagering, the GTCU worked closely with GLI to conduct field verifications of all controlled regulatory software and hardware components within the Sportsbooks and at Kiosks throughout the casinos with the assistance of Investigations and Enforcement Bureau's Gaming Agents Division.

On Friday, March 10, 2023, Massachusetts launched online sports wagering for several mobile (Category 3) operators. Leading up to the launch of online sports wagering, the GTCU met regularly with mobile operators to verify controlled regulatory software and ensure compliance with the newly drafted regulations, certified testing, and reporting requirements. The GTCU helped to bring new mobile operators on board by participating in regular compliance meetings and verifying software as needed to launch successfully alongside other MGC divisions to ensure readiness for all mobile launches.

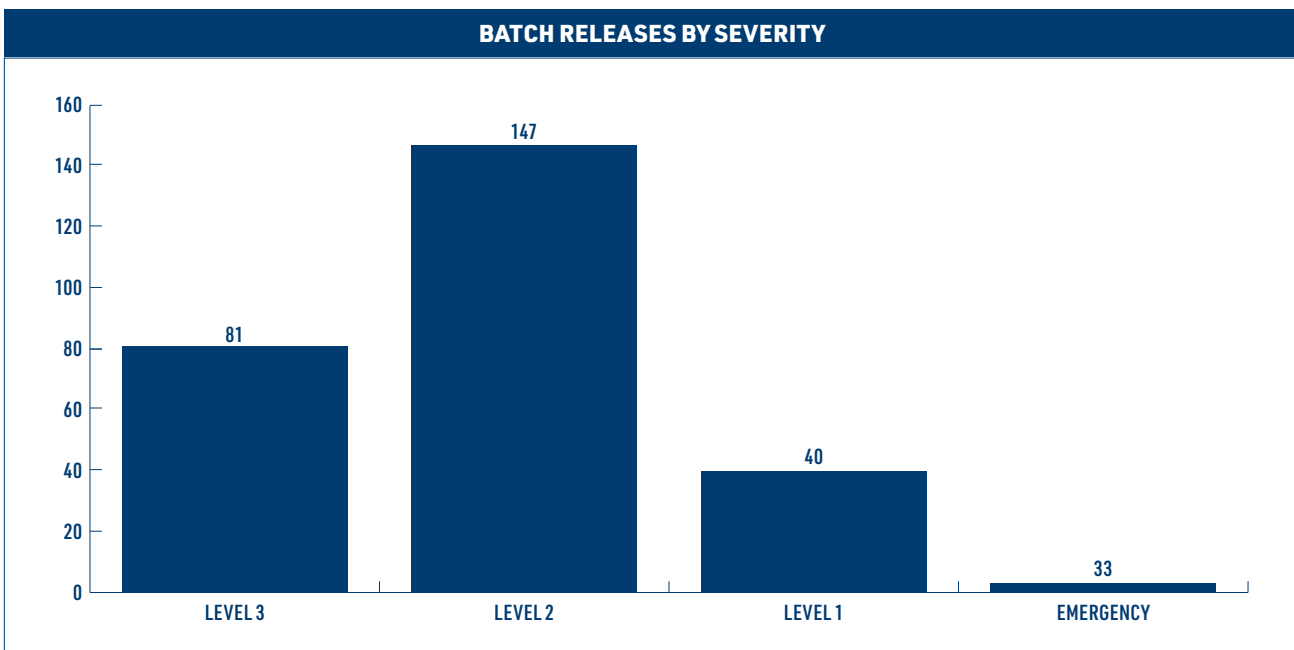
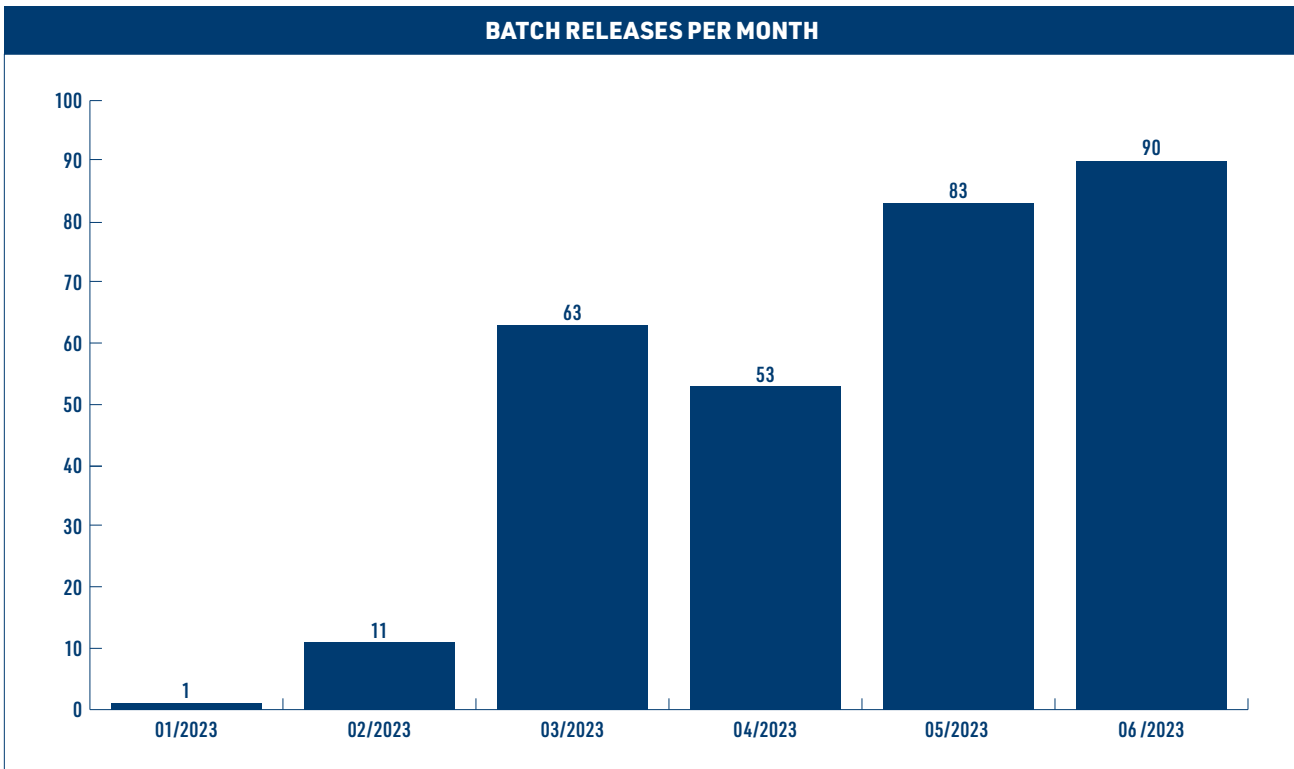
Screenshots of sports wagering mobile apps approved in Massachusetts and geolocation pin drops:



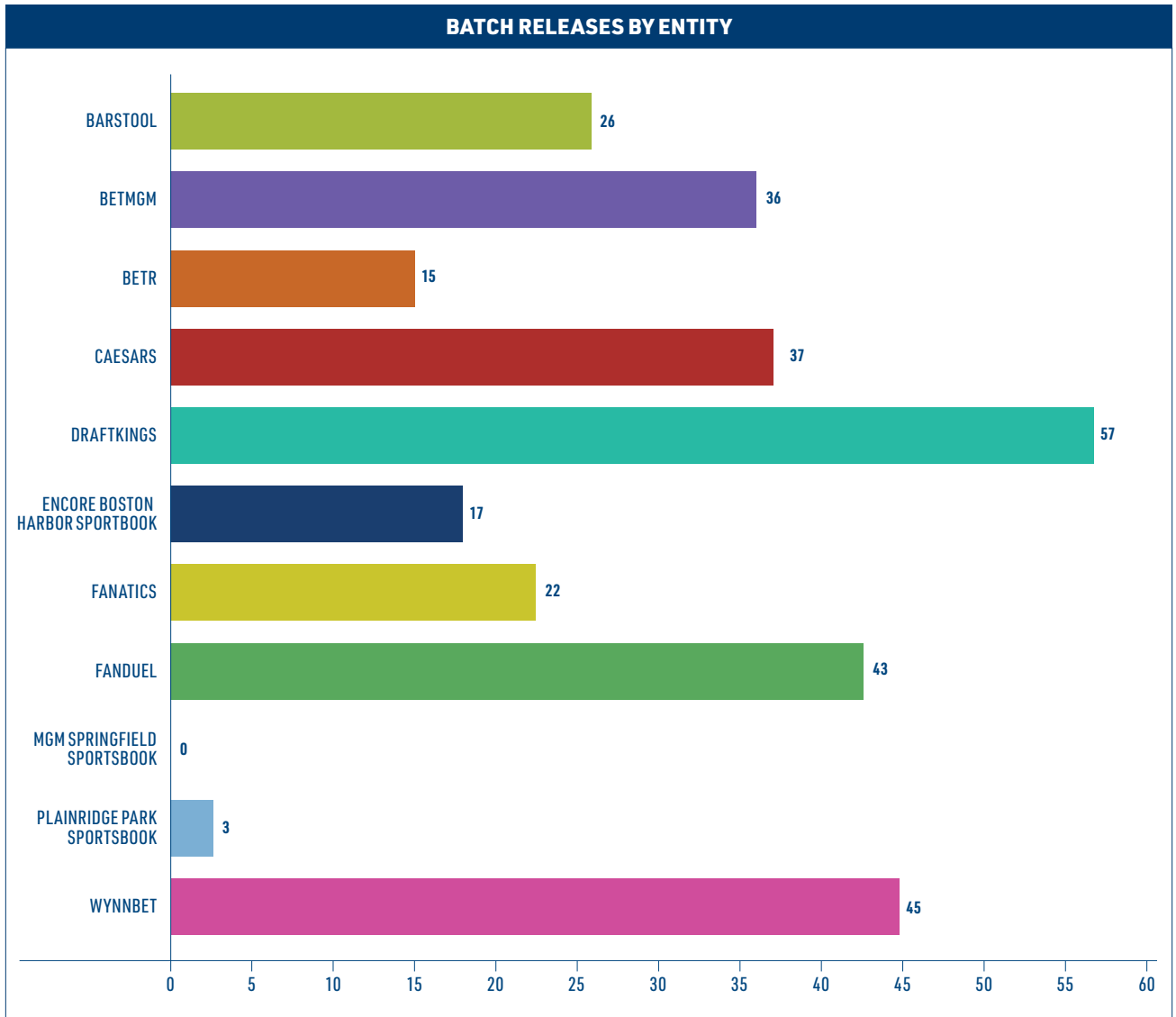
These geolocations are also displayed in the main lobby of the MGC office so that staff and visitors can view where bets are being placed in real-time.

## Change Management

According to regulation 205 CMR 244.03 Integration and Change Management Requirements, change management procedures shall be developed in accordance with GLI's Change Management Program (CMP) Guide, version 1.0, released May 6, 2020. The GTCU manages all change management releases for the retail and mobile sports wagering operators and informs other MGC divisions, most notably, the Sports Wagering Division and IEB, of the releases.







**INVESTIGATIONS & ENFORCEMENT BUREAU/DIVISION OF LICENSING**

The Investigations and Enforcement Bureau (IEB) is comprised of: 1) the Massachusetts State Police (MSP) Gaming Enforcement Unit (GEU), which maintains a 24/7 presence at all three licensed gaming establishments; 2) the Financial Investigations Division, a team of civilian financial investigators, who conduct suitability investigations; 3) the Gaming Agents Division, comprised of civilian agents who maintain a 24/7 presence in the three licensed gaming establishments, and are charged with providing regulatory oversight and on-site monitoring of the establishments; and 4) the Chief Enforcement Counsel’s Office (CEC), comprised of a team of a paralegal/intake officer and four attorneys, whose duties include legal review of investigations and representing the IEB in licensing and enforcement actions initiated by the IEB. The Director of the IEB also oversees the Division of Licensing, which administers the licensing and registration functions on behalf of the Commission.

The IEB conducts probity investigations to determine the suitability of gaming establishment employees and vendors, per gaming licensing regulations (205 CMR 134.00). These regulations also define thresholds, standards, and procedures for licensing and registration. During FY2023, the IEB collaborated with the MGC’s General Counsel’s Office, outside counsel, and other divisions within the MGC on implementing the sports wagering law, G.L. c. 23N. The IEB provided input on draft sports wagering regulations for conducting temporary and full suitability investigations; issuing temporary and full licenses to operators, and sports wagering employees (205 CMR 235.00), and vendors (205 CMR 234.00); as well as reporting requirements for licensees.

There are five types of employee licensure: Key Gaming Employee – Executive; Key Gaming Employee – Standard; Gaming Employee; Key Sports Wagering Employee – Executive; and Key Sports Wagering Employee – Standard. If an employee is not classified by regulation, they must register as a Gaming Service Employee, unless exempted from classification by the Commission. Similarly, there are three levels of casino vendor licensure and registration: Gaming Vendor – Primary; Gaming Vendor – Secondary; and Non-Gaming Vendor. For sports wagering, there are Sports Wagering Vendors; Sports Wagering Registrants; and Non-Sports Wagering Vendors. Each credentialed employee or vendor must submit to a background check. The depth of all background checks are commensurate with the level of licensure/registration.

With respect to Gaming, in FY23, the Division of Licensing and the IEB processed and completed background investigations for 1,795 applications for individual employee licensure or registration. The IEB completed renewal investigations for 2 Gaming Vendors, consisting of 6 entity qualifiers and 10 individual qualifiers. Further, with respect to casino qualifiers (corporate level suitability investigations), the Division of Licensing and the IEB processed and conducted background investigations for 8 individual qualifiers (4 of which were related to full investigations of real estate investment trust (REIT) transactions), and 11 entity qualifiers, all of which were related to REIT transaction investigations. The IEB and the Division of Licensing processed and conducted background investigations for 288 non-gaming vendor registrations.

As for sports wagering, the Division of Licensing and IEB scoped 26 sports wagering operator applicants, 16 of which ultimately submitted applications to the MGC. In conjunction with those 16 applications, the Division of Licensing and the IEB processed 68 entity applications and 52 individual applications (102 total); as well as 104 applications for employee licensure. In addition, 166 temporary sports wagering vendor licenses and registrations were issued.

In FY23, the IEB's Gaming Agents Division saw their long-time Chief, Bruce Band, transition to the role of Director of the Sports Wagering Division. IEB Gaming Agent Division Field Manager of Casino Operations, Burke Cain, subsequently assumed the role of Chief of the Gaming Agents Division. Over the course of the fiscal year, the Gaming Agents, conducted the necessary regulatory work for the ongoing operations of Plainridge Park Casino, MGM Springfield, and Encore Boston Harbor. Gaming Agents conducted hundreds of regulatory examinations to test casino internal controls and procedures at each facility to ensure compliance with MGC regulations. Gaming Agents continue to oversee and review a variety of tasks at the three gaming establishments, including slot machine moves and inspections, operational audits, compliance reports, patron complaints, machine jackpots over certain thresholds, and tips from the Fair Deal tip line, with one of their primary duties being certification of revenue for the Commonwealth.

Leading up to the launch of retail sports wagering in Massachusetts, the Gaming Agents at all three licensed gaming establishments were tasked with inspecting several aspects of the security, surveillance, and operations of sports wagering. Additionally, Gaming Agents, along with Gaming Laboratories International (GLI), verified each sports wagering kiosk and over-the-counter (OTC) unit contained the correct software.

The members of the Massachusetts State Police GEU have criminal enforcement responsibilities, and are also assigned to conduct employee background checks and corporate-level suitability investigations of applicants for gaming and sports wagering licenses.

## **RACING OPERATIONS**

MGC is also responsible for the operational and fiscal oversight of the Standardbred racing operation, and pari-mutuel and simulcasting facilities in the Commonwealth (under G.L. c 128A & 128C).

### **Standardbred Racing**

Plainridge Park Casino is scheduled to race 108 days of live racing during calendar year 2023 and will extend the season by one week. The Racing Division issued over 1000 occupational licenses.

The Paul Revere Pace and Bunker Hill Trot were both held in May, with \$100,000 purses. July 23 saw the return of the \$250,000 Spirit of Massachusetts Trot and the \$100,000 Clara Barton Pace.

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## **\$1,000,000 WAS DISTRIBUTED AS PURSES IN FISCAL YEAR 23 IN THE FINALS OF THE RACES FOR MASSACHUSETTS BRED HORSES, KNOWN AS THE SIRE STAKES.**

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### **Thoroughbred Racing**

There was no live Thoroughbred racing in Massachusetts in FY23. Several groups have expressed interest in returning Thoroughbred racing to the Commonwealth.

### **Simulcasting**

Simulcasting and account wagering is conducted year-round at the following facilities:

- Plainridge Park Casino, including Hollywood Races
- Raynham Park including Dial 2 Bet
- Suffolk Downs, including Twin Spires, TVG, 1/ST Bet (Xpressbets), NYRA Bets, FanDuel Racing, BetMGM, Caesars Racebook, and DK Horse

For FY23, total pari-mutuel handle in the Commonwealth reached \$252 million.

During the fiscal year, the Division of Racing continued efforts to enhance the safety and welfare of racing participants, as well as monitor and regulate the racing operations in the Commonwealth. Key activities included virtual participation in Association of Racing Commissioners International (ARCI) meetings and continuing education.

### **Race Horse Development Fund Disbursements**

FY23 marked the ninth year that the Race Horse Development Fund had monies available to supplement purses, and accordingly the Commission approved disbursements for the prescribed purposes in the manner recommended by the Horse Racing Committee in accordance with G.L. c. 23K, §60.

**The distributions out of the Race Horse Development Fund were as follows:**

### **RESEARCH AND RESPONSIBLE GAMING**

The Office of Research and Responsible Gaming leads MGC's efforts to mitigate gambling-related harm through the development and implementation of casino-based responsible gaming programs. In addition, this office directs the implementation of a comprehensive gaming research program as mandated by Section 71 of Chapter 23K and Section 23 of Chapter 23N.

MGC and the Department of Public Health set an annual budget for expenditures from the Public Health Trust Fund, which includes funding for the annual gaming research program. For FY23, the Public Health Trust Fund directed approximately \$ 7.4 million to support the MGC's gaming research, and responsible gaming programs.

### **Research Studies and Activities**

The Commission has supported a wide range of gambling-related research projects, of which 6 were released in FY23; adding up to more than 60 reports since 2014. Of importance during FY23, the MGC continued its support of Community Driven Research to understand the impacts of gambling on groups and communities considered to be at greater risk of gambling-related harms. In FY23, two reports in this category of research were released: *Views and Perspectives of Springfield Hispanic Residents Towards the MGM Casino, their Homes, Community and Neighborhoods* (6/30/2023) and *Community Perspectives on Encore Boston Harbor Casino* (10/28/2022). Shortly after legalization and as the MGC mobilized efforts to license and regulate sports wagering in the state, the Social and Economic Impacts of Gambling in Massachusetts (SEIGMA) team at UMass Amherst released the report *Legalized Sports Betting in the United States and Potential Impacts in Massachusetts*, which identifies the social and economic outcomes associated with the introduction of sports betting to date and based on this analysis, provides specific policy recommendations intended to optimize the economic and social benefits of sports betting in MA while minimizing social and economic harm.

### FY23 Research Findings Highlights:

- Legalizing sports betting in MA would likely increase the rates of gambling-related harm and gambling problems. However, the magnitude of these impacts is likely to be modest. That said, concerns remain about groups not previously involved in sports betting, such as adolescents, young adults, women, immigrants, individuals in recovery from gambling problems, and college athletes (*Legalized Sports Betting in the United States and Potential Impacts in Massachusetts*)
- There was a significant increase in crime before the Encore Boston Harbor Casino reopened after the COVID-19 closure, suggesting that the casino is not the primary cause of crime but other social, economic, or psychological factors may be at play (*Assessing the Influence of Gambling on Public Safety in Massachusetts Cities and Towns During the COVID-19 Pandemic: Analysis of the Influence of Encore Boston Harbor on its Surrounding Community*)
- In a study of the effects of the presence of a casino on housing-related issues primarily among Hispanic residents in Springfield, those with a high perception of safety, quality of life, sense of belonging, and rental affordability were more likely to report improvements in social conditions before and after the casino opened. Interview themes included increases in home prices and rental costs, concerns about gentrification, crime shifting to other areas, and a nuanced perspective highlighting both positive and negative aspects of the casino (*Views and Perspectives of Springfield Hispanic Residents Towards the MGM Casino, their Homes, Community and Neighborhoods*)
- Participants shared specific concerns and perceptions about Encore's community impact on the economy, social and environmental factors, and health. Participants also highlighted concerns about "Encore for whom?" noting casinos likely have disproportionate effects on their surrounding communities depending on socioeconomics and cultural background (*Community Perspectives on Encore Boston Harbor Casino*)

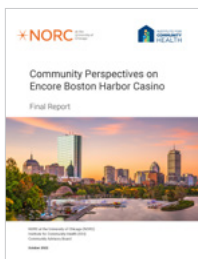
### FY 2023 Research:



#### ***Legalized Sports Betting in the United States and Potential Impacts in Massachusetts*** *September 8, 2022*

This report identifies the social and economic outcomes associated with the introduction of sports betting to date in the U.S. Based on this analysis, the authors provide specific policy recommendations intended to optimize the economic and social benefits of sports betting in Massachusetts while minimizing social and economic harm.

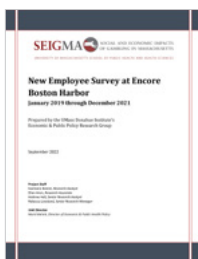
[Download the Report Online](#)



#### ***Community Perspectives on Encore Boston Harbor Casino*** *October 28, 2022*

This community-engaged research report presents community perspectives on the introduction of the Encore Boston Harbor Casino and how it has affected the day-to-day quality of life in its surrounding communities. Recommendations include reinvesting money into nearby communities, support and resources for people who experience problem gambling, and engaging more actively with community members.

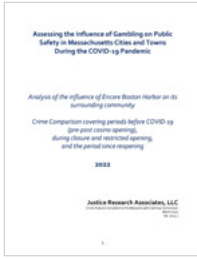
[Download the Report Online](#)



#### ***New Employee Survey at Encore Boston Harbor*** *December 6, 2022*

This report summarizes the results of a survey administered by the Massachusetts Gaming Commission (MGC) to the incoming employees hired at Encore Boston Harbor (EBH). Survey respondents reported improved economic situations through increased income, access to benefits, and employment status, though there is still some unmet demand for full-time employment and higher pay.

[Download the Report Online](#)

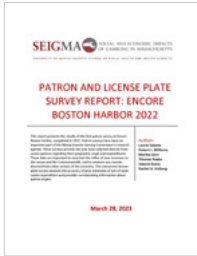


### ***Assessing the Influence of Gambling on Public Safety in Massachusetts Cities and Towns During the COVID-19 Pandemic: Analysis of the Influence of Encore Boston Harbor on its Surrounding Community***

*May 4, 2023*

This report is an analysis of changes in activity in the communities surrounding Encore Boston Harbor (EBH) over five distinct timeframes before, during, and since COVID-19-related closure. Findings include that, overall, the area around EBH did not experience significant increases in crime when compared to other areas in the region.

[Download the Report Online](#)



### ***Patron and License Plate Survey Report: Encore Boston Harbor 2022***

*June 1, 2023*

This report presents the results of the first patron survey at Encore Boston Harbor (EBH), completed in 2022. Findings include insights on demographics of casino visitors, behavior, and expenditures. Spending of MA residents that has been recaptured from out of state appears to constitute a major share of EBH's revenues, though not all represents new economic activity. An important social issue concerns whether people with lower incomes contribute disproportionately more to gambling revenues than people with higher incomes; this does not appear to be the case at EBH.

[Download the Report Online](#)



### ***Views and Perspectives of Springfield Hispanic Residents Towards the MGM Casino, their Homes, Community and Neighborhoods***

*June 30, 2023*

There has been relatively little attention in research literature on the impact of a casino on housing-related issues. This community-engaged research study investigated the effects of the presence of a casino on housing-related issues primarily among Hispanic residents in Springfield. Those with a high perception of safety, quality of life, sense of belonging, and rental affordability were more likely to report improvements in social conditions before and after the casino opened. Interview themes included increases in home prices and rental costs, concerns about gentrification, crime shifting to other areas, and a nuanced perspective highlighting both positive and negative aspects of the casino.

[Download the Report Online](#)

## **RESPONSIBLE GAMING INITIATIVES**

Since its inception, the MGC has developed, implemented, refined, and adapted its responsible gaming strategy to respond to the needs of all patrons. Responsible gaming is a central priority of the MGC as we recognize that we must minimize the potentially negative and unintended consequences of casino gaming and sports wagering. The following programs are available at all three licensee properties:

**The Voluntary Self-Exclusion (VSE) Program** assists patrons who recognize that they have experienced a loss of control over their gambling and wish to invoke external controls. People enroll in the program for one, three, or five-year terms and are prohibited from wagering at Massachusetts casinos or sports wagering mobile platforms. If they do, any gambling winnings are confiscated and transferred to the Gaming Revenue Fund. The MGC's VSE process utilizes an engaged approach, ensuring that enrollees are offered additional assistance, responded to in a respectful, timely and discreet manner, and feels supported. Remote VSE was implemented on January 4, 2021 in response to the COVID pandemic and in FY23 there were 155 remote VSE enrollments, a 63% increase from FY22. On January 23, 2023, MGC began accepting VSE enrollments for Sports Wagering. As of June 30, 2023, there are 1,430 people enrolled in the Gaming VSE and 130 people enrolled in the Sports Wagering VSE. In FY23, a total of 483 persons enrolled in the VSE program, a 12% increase from FY22.

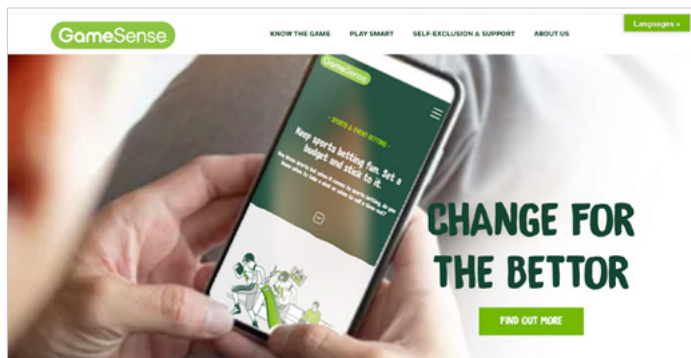
**GameSense** is an innovative responsible gaming program based at Massachusetts casinos and available virtually through LiveChat with a goal of promoting positive play behaviors and attitudes that reduce the risk of gambling-related harm. In furtherance of the statute, which calls for an on-site player protection program, the MGC-licensed the GameSense brand from the British Columbia Lottery Corporation in 2015 and drew upon the experience of the Massachusetts Council on Gaming and Health staff to operate the program at all three licensee properties.

In FY23, GameSenseMA.com was updated to include a page dedicated to responsible gaming for Sports Wagering, debunking gambling myths and misconceptions, and educating players on how games, odds and probabilities work. The updated GameSenseMA.com website also includes the profiles and pictures of the diverse GameSense Advisors who engage with casino and sports wagering patrons to promote informed player choice. The updated GameSenseMA.com website includes expanded language capability which includes content translated in Arabic, traditional and simplified Chinese, Brazilian Portuguese, Japanese, Khmer, Haitian, Korean, Spanish, and Vietnamese.

Most people who visit Massachusetts casinos engage in safe levels of gambling behavior, also known as positive play. GameSense Advisors staff the GameSense Info Center on the casino floor through innovative games, quizzes, and other demonstrations meant to increase gambling literacy by debunking gambling myths and misconceptions, and educate players on how games, odds and probabilities work. In FY23, GameSense Advisors engaged with over 80,301 casino patrons and employees to deliver information about responsible gaming and problem gambling.

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In the community, GameSense Advisors also engage with groups at greater risk of gambling harm to promote informed player choice before they visit the casino. In FY23, GameSense Advisors led community on-site and virtual presentations to the 786 community members.



As required by statute, GameSense Advisors provide training to casino employees to further the goal of promoting responsible gaming and mitigating problem gambling. In FY23, GameSense Advisors provided trainings to 2,160 casino employees.

In the casino, GameSense Advisors engage patrons and casino employees in two-way communication about responsible gaming or problem gambling. In FY23, GameSense Advisors engaged in 71,234 intensive interactions with patrons and casino employees.

In 2021, the MGC launched the first 24-hour online chat dedicated to responsible gaming in the U.S. Chat users connect directly with GameSense Advisors to enroll in the Voluntary Self-Exclusion program, connect with help, learn tips on responsible gaming and rules of the games. LiveChat is accessible on GameSense's website, <https://GameSenseMA.com>. In FY23, GameSense Advisors engaged in 787 chat sessions including 120 sessions which resulted in a VSE enrollment.

**PlayMyWay (PMW)** is a first-of-its-kind budgeting tool designed to allow players the ability to set a budget and monitor the amount of money they spend on electronic gaming machines. PMW was first launched at Plainridge Park Casino in 2016 followed by MGM Springfield in 2018. On September 12, 2022, PMW became available at Encore Boston Harbor meaning that it's available on all slots and electronic gaming machines in Massachusetts. Once enrolled, a player receives automatic notifications when approaching their daily, weekly, or monthly budget. They may then choose to stop at any point or keep playing. PMW allows enrollment/ unenrollment and budget adjustments at any time.

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**BY THE END OF FY23, THERE WERE 42,616 PLAYERS ACTIVELY ENROLLED  
IN PLAY MY WAY WITH AN AVERAGE UN-ENROLLMENT RATE OF 13.04%.**

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# LEGAL DEPARTMENT & PENDING LITIGATION

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## OVERVIEW

The legal department, which is managed by the General Counsel, provides legal counsel and advice to the entire agency including the commissioners and executive director. The legal team collaborates with personnel agency-wide to ensure compliance with governing statutes and regulations, implementation of legal requirements, and development of sound policy initiatives. Matters handled include production of responses to requests for public records, open meeting law compliance, management of litigation and outside counsel, provision of ethics advice and annual training of staff relative to the Enhanced Code of Ethics and G.L. c.268A, coordination of appeal hearings, contract and grant drafting and review, information technology and cyber-security matters, and personnel and workforce related issues. Additionally, the legal team drafts regulations for Commission review and oversees the public hearing and promulgation process. This year, the legal department coordinated the promulgation of regulations and associated licensing process relative to the implementation of the new sports wagering law codified in G.L. c. 23N.

## PENDING LITIGATION

### **FBT Everett Realty, LLC v. Massachusetts Gaming Commission v. Wynn MA, LLC (CA no. 1881CV00304)**

On November 14, 2016, the Massachusetts Gaming Commission (MGC) was sued by FBT Everett Realty, LLC for tortious interference with respect to the plaintiff's agreement to sell property to Wynn Resorts for the Region A Category 1 facility in Everett. The plaintiff is requesting damages as determined at trial. On May 14, 2018, the Superior Court granted the MGC's motion to dismiss on two of three claims then remaining. On July 5, 2018, the MGC filed a third-party complaint against the Region A Category 1 licensee for unjust enrichment and indemnification relating to the remaining claim against the MGC. The Region A licensee filed a motion to dismiss the complaint. On January 2, 2020, the court issued a decision effectively denying the motion to dismiss. On February 12, 2021, the MGC filed a motion for summary judgment. On June 16, 2021, the Court granted the MGC's motion for summary judgment and dismissed the case. The Court also dismissed the MGC's third-party claims against the Region A Category 1 licensee. The plaintiff appealed the Court's decisions and was granted direct appellate review by the Supreme Judicial Court. On May 23, 2022, the Supreme Judicial Court affirmed the lower court's allowance of the MGC's motion to dismiss the plaintiff's intentional interference with contract claim and reversed its entry of summary judgment in favor of the Massachusetts Gaming Commission on the plaintiff's regulatory takings claim. The matter was remanded to the Superior Court for further proceedings.



# CASINO & SPORTSBOOK PROPERTY SUMMARIES

## PLAINRIDGE PARK CASINO

PPC is the Category 2 licensee in Plainville, Massachusetts. The facility also hosts the Standardbred live racing and simulcasting operations.



<b>Conditional Award of the License</b>	February 2014
<b>Operations Certificate/Date Opened</b>	June 24, 2015
<b>Gaming Space</b>	50,225 sq. ft.
<b>Total Gross Area</b>	197,679 sq. ft.
<b>Capital Investment Amount</b>	\$250 million
<b>Total Employment</b>	385 employees (238 full-time, 147 part-time)
<b>Tax on Gross Gaming Revenues</b>	49%
<b>Parking</b>	1,575 patron spaces (1,818 total)
<b>Slots</b>	926 slots
<b>Table Games</b>	N/A
<b>Category 1 Sports Wagering License</b>	Certificate of Operations in effect as of January 31, 2023
<b>Name of Sportsbook</b>	The Sportsbook at Plainridge Park
<b>Tax on Gross Sports Wagering Revenue</b>	15%
<b>Additional Amenities</b>	1 full-service restaurant ("Slack's Oyster House & Grill") 4 food-court style eateries ("Smashburger", "Dunkin' Donuts", "Slice" "Grab & Game"] Live Entertainment ("Revolution Lounge"). Live harness racing April through November. Additional racing concessions/outlets.

\*Data reflects property status as of June 30, 2023.



## MGM SPRINGFIELD

MGM is a Category 1 licensee for Region B in Springfield, Massachusetts. The facility is located on approximately 14 acres in downtown Springfield in the congregation of parcels bound by Main, State, Union, and East Columbus streets.



<b>Conditional Award of the License</b>	June 2014
<b>Opening Date</b>	August 24, 2018
<b>Gaming Space</b>	126,262 sq. ft.
<b>Total Gross Area</b>	759,157 sq. ft.
<b>Total Investment Amount</b>	\$960 million**
<b>Tax on Gross Gaming Revenues</b>	25%
<b>Parking</b>	3,375 covered on site
<b>Total Employment</b>	1,484 employees (961 full-time, 308 part-time, 215 on call)
<b>Slots</b>	1,502 slots
<b>Table Games</b>	63 tables (15 Poker)
<b>Category 1 Sports Wagering License</b>	Certificate of Operations in effect as of January 31, 2023
<b>Name of Sportsbook</b>	BetMGM Sportsbook
<b>Tax on Gross Sports Wagering Revenue</b>	15%
<b>Additional Amenities</b>	240 room hotel, 8 food and beverage outlets, 26,000 sq. ft. of retail space, bowling alley, cinema, and 54 residential units.

\*Data reflects property status as of June 30, 2023. \*\*Does not include \$60.7 million for land and \$75.5 million for capitalized interest.



## ENCORE BOSTON HARBOR

EBH is a Category 1 licensee for Region A in Everett, Massachusetts. The facility sits on the formerly contaminated site on the banks of the Mystic River at the site of the former Monsanto plant.



<b>Conditional Award of the License</b>	September 2014
<b>Opening Date</b>	June 23, 2019
<b>Gaming Space</b>	211,971 sq. ft.
<b>Total Gross Area</b>	3.1 million sq. ft.
<b>Total Investment Amount</b>	\$2.6 billion
<b>Total Employment</b>	3,518 employees (2,451 full-time, 1,067 steady extra)
<b>Tax on Gross Gaming Revenues</b>	25%
<b>Parking</b>	2,741 spaces
<b>Slots</b>	2,543 slots
<b>Table Games</b>	221 tables (24 Poker)
<b>Category 1 Sports Wagering License</b>	Certificate of Operations in effect as of January 31, 2023
<b>Name of Sportsbook</b>	WynnBET Sportsbook
<b>Tax on Gross Sports Wagering Revenue</b>	15%
<b>Additional Amenities</b>	5-star hotel (671 rooms), 7,776 sq. ft. of retail space, 11 food and beverage outlets, 5 bars and lounges, 5-star spa/gym, convention space, extensive outdoor and waterfront space with pavilion and public harbor walk, indoor garden.

\*Data reflects property status as of June 30, 2023.



# ONLINE SPORTS WAGERING OPERATOR SUMMARIES



**BETMGM**

**Live Operations Began**

BetMGM is a Category 3 tethered licensee. BetMGM is tethered to Category 1 licensee MGM Springfield.

March 10, 2023

**Company Headquarters**

Jersey City, NJ

**License Status**

Awarded temporary, 1-year Category 3 Sports Wagering Operator License. Currently undergoing full suitability review ahead of vote on five-year Category 3 Sports Wagering Operator License.

**Tethered To**

MGM Springfield

**Tax on Gross Sports Wagering Revenues**

20%



**CAESARS  
SPORTSBOOK**

**Live Operations Began**

Caesars Sportsbook is a Category 3 tethered licensee. Caesars Sportsbook is tethered to Category 1 licensee Encore Boston Harbor.

March 10, 2023

**Company Headquarters**

Las Vegas, NV

**License Status**

Awarded temporary, 1-year Category 3 Sports Wagering Operator License. Currently undergoing full suitability review ahead of vote on five-year Category 3 Sports Wagering Operator License.

**Tethered To**

Encore Boston Harbor

**Tax on Gross Sports Wagering Revenues**

20%



**Fanatics  
Betting & Gaming**

**Live Operations Began**

Fanatics Betting and Gaming is a Category 3 tethered licensee. Fanatics Betting and Gaming is tethered to Category 1 licensee Plainridge Park Casino.

May 16, 2023

**Company Headquarters**

New York, NY

**License Status**

Awarded temporary, 1-year Category 3 Sports Wagering Operator License. Currently undergoing full suitability review ahead of vote on five-year Category 3 Sports Wagering Operator License.

**Tethered To**

Plainridge Park Casino

**Tax on Gross Sports Wagering Revenues**

20%



**Live Operations Began**

**Company Headquarters**

**License Status**

**Tethered To**

**Tax on Gross Sports Wagering Revenues**

Penn Sports Interactive is a Category 3 tethered licensee. Penn Sports Interactive is tethered to Category 1 licensee Plainridge Park Casino.

March 10, 2023

Philadelphia, PA

Awarded temporary, 1-year Category 3 Sports Wagering Operator License. Currently undergoing full suitability review ahead of vote on five-year Category 3 Sports Wagering Operator License.

Plainridge Park Casino

20%



**Live Operations Began**

**Company Headquarters**

**License Status**

**Tethered To**

**Tax on Gross Sports Wagering Revenues**

WynnBet is a Category 3 tethered licensee. WynnBet is tethered to Category 1 licensee Encore Boston Harbor.

March 10, 2023

Las Vegas, NV

Awarded temporary, 1-year Category 3 Sports Wagering Operator License. Currently undergoing full suitability review ahead of vote on five-year Category 3 Sports Wagering Operator License.

Encore Boston Harbor

20%



**Live Operations Began**

**Company Headquarters**

**License Status**

**Tethered To**

**Tax on Gross Sports Wagering Revenues**

Betr is a Category 3 untethered licensee.

April 25, 2023

Miami, FL

Awarded temporary, 1-year Category 3 Sports Wagering Operator License. Currently undergoing full suitability review ahead of vote on five-year Category 3 Sports Wagering Operator License.

Not applicable

20%





**Live Operations Began**

DraftKings is a Category 3 untethered licensee.

March 10, 2023

**Company Headquarters**

Boston, MA

**License Status**

Awarded temporary, 1-year Category 3 Sports Wagering Operator License. Currently undergoing full suitability review ahead of vote on five-year Category 3 Sports Wagering Operator License.

**Tethered To**

Not applicable

**Tax on Gross Sports Wagering Revenues**

20%



**Live Operations Began**

FanDuel is a Category 3 untethered licensee.

March 10, 2023

**Company Headquarters**

New York, NY

**License Status**

Awarded temporary, 1-year Category 3 Sports Wagering Operator License. Currently undergoing full suitability review ahead of vote on five-year Category 3 Sports Wagering Operator License.

**Tethered To**

Not applicable

**Tax on Gross Sports Wagering Revenues**

20%

\* Bally Bet has been awarded a temporary Category 3 Sports Wagering Operator license, but are not yet in operation. The company anticipates launching in calendar year 2024. Betway was awarded a one-year temporary Category 3 Sports Wagering Operator license, but did not begin operations. The company has informed the Commission they will not seek to renew this license.

\*\*The Commission has not yet issued Category 2 Sports Wagering Operator licenses.



# RESULTS ON GAMING LICENSEE WORKFORCE & SUPPLIER DIVERSITY GOALS

All data is provided from the 2022 Q2 gaming licensee reports.

While assessments of all sports wagering applicants included diversity goals, these numbers do not include data from the sports wagering licensees. The Commission will be expecting regular reporting from the sports wagering licensees on this issue and a study on diversity in the sports wagering industry in Massachusetts is forthcoming. Further information will be available in future annual reports.

MGC staff continue to monitor all our licensee’s adherence toward their stated goals for workforce and supplier diversity, as well as their local commitments.

## Workforce (Non-Sports Wagering Related Employees)

WORKFORCE						
	Minority		Veterans		Women	
	Goal	Result	Goal	Result	Goal	Result
Encore Boston Harbor	40%	59%	3%	2%	50%	45%
MGM Springfield	50%	51%	2%	5%	50%	41%
Plainridge Park Casino	15%	21%	2%	4%	50%	43%

SUPPLIER						
	MBE		VBE		WBE	
	Goal	Result	Goal	Result	Goal	Result
Encore Boston Harbor	8%	8%	3%	2%	14%	11%
MGM Springfield	10%	8%	2%	3%	15%	8%
Plainridge Park Casino	6%	5%	3%	6%	12%	12%



**Local Commitments**

**ENCORE BOSTON HARBOR**

	<b>Goal</b>	<b>Result</b>
Workforce Within 30 Miles	75%	88%
MA Workforce	N/A	91%
MA Supplier Spend	N/A	52%

**PLAINRIDGE PARK CASINO**

	<b>Goal</b>	<b>Result</b>
Host/Surrounding Community Workforce	35%	32%
MA Workforce	N/A	65%
MA Vendor Spend	N/A	57%
Host/Surrounding Community Spend	N/A	10%

**MGM SPRINGFIELD**

	<b>Goal</b>	<b>Result</b>
Springfield Workforce	35%	37%
MA Workforce	N/A	77%
Western MA Workforce	N/A	76%
MA Supplier Spend	N/A	57%
Local* Supplier Spend	N/A	47%

\*Local Vendor Spend includes Springfield, Surrounding Communities and Western Massachusetts



## INDUSTRY IMPACTS ON WORKFORCE AND DIVERSITY

The information below shows the impacts of the casino industry as a whole. Industry data from UMDI analysis of casino operating data across all three casino licensees. Employment is presented as an average across fiscal year 2023 (based on employment counts per payroll period).

	TOTAL	MASSACHUSETTS
<b>Annual Average Payroll Employment</b>		
Total	6,931	5,913
Women	3,018	2,586
Men	3,884	3,314
Not Specified*	29	13
White	2,319	1,835
Minorities	3,685	3,261
Not Specified**	927	817
Veterans	316	274
Non-Veterans	6,526	5,581
<b>Total Annual Wages</b>		
Total	\$291,333,112	\$248,102,673
Women	\$121,684,104	\$104,760,422
Men	\$169,290,713	\$143,235,047
Not Specified*	\$358,295	\$107,204
White	\$97,133,380	\$77,537,673
Minorities	\$152,975,928	\$134,370,771
Not Specified**	\$41,223,805	\$36,194,229
Veterans	\$10,559,658	\$8,863,401
Non-Veterans	\$278,726,272	\$238,162,915
<b>Total Annual Vendor Spend</b>		
Total	\$214,671,065	\$105,846,207
WBE	\$10,335,586	\$6,318,873
MBE	\$3,669,658	\$2,068,743
VBE	\$14,778,751	\$6,715,450

\*Gender Status Missing/Declined Response

\*\*Minority Status Missing/Declined Response



**EXECUTIVE STAFF  
(As of June 30, 2023)**

Karen Wells  
Executive Director

Bruce Band  
Director of Sports Wagering

Burke Cain  
Gaming Agents Division Chief

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Todd Grossman  
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Heather Hall  
Chief Enforcement Counsel

Derek Lennon  
Chief Financial Officer

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Kara O'Brien  
Chief of Licensing

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Director of Research and Responsible Gaming

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