



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:

Tuesday | April 25, 2023 | 10:00 a.m.
VIA REMOTE ACCESS: 1-646-741-5292
MEETING ID/ PARTICIPANT CODE: 111 372 2009
All meetings are streamed live at 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.

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 - #449

1. Call to Order – Cathy Judd-Stein, Chair

2. Minutes from Commission Agenda Setting Meetings **VOTE**
 - a. November 16, 2022

3. Sports Wagering – Bruce Band, Director of Sports Wagering, Sterl Carpenter, Operations Manager, Division of Sports Wagering
 - a. FBG Enterprises Opcp, LLC (D/B/A Fanatics) - Approval of House Rules **VOTE**
 - b. Betr, Holdings, Inc. (D/B/A Betr) – Approval of Certificate of Operations **VOTE**
 - c. NFL Draft Event Catalog Report

4. Commissioners – Executive Director Annual Review and Setting of Compensation **VOTE**



Massachusetts Gaming Commission

5. Legal – Todd Grossman, General Counsel; Caitlin Monahan, Deputy General Counsel
 - a. 205 CMR 138: Uniform Standards of Accounting Procedures and Internal Controls – review of regulation and Small Business Impact Statement for possible emergency adoption and to begin the promulgation process **VOTE**
 - b. 205 CMR 238: Uniform Standards of Accounting Procedures and Internal Controls for Sports Wagering – review of regulation and Small Business Impact Statement for possible emergency adoption and to begin the promulgation process **VOTE**
 - c. 205 CMR 247: Uniform Standards of Sports Wagering - review of regulation and Small Business Impact Statement for possible emergency adoption and to begin the promulgation process **VOTE**
 - d. 205 CMR 248: Sports Wagering Account Management - review of regulation and Small Business Impact Statement for possible emergency adoption and to begin the promulgation process **VOTE**
 - e. 205 CMR 256.05(1): Sports Wagering Advertising – to remove the word “branding” from 205 CMR 256.05(1); and Small Business Impact Statement for possible emergency adoption and to begin the promulgation process **VOTE**

6. Commissioner Updates

7. 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 and emailed to regs@sec.state.ma.us. Posted to Website: April 21, 2023 | 10:00 a.m. EST

April 21, 2023

Cathy Judd-Stein

Cathy Judd-Stein, Chair

If there are any questions pertaining to accessibility and/or further assistance is needed, please email Grace.Robinson@massgaming.gov.



Massachusetts Gaming Commission



Massachusetts Gaming Commission Meeting Minutes

Date/Time: November 16, 2022, 10:30 a.m.
Place: Massachusetts Gaming Commission
VIA CONFERENCE CALL NUMBER: 1-646-741-5292
PARTICIPANT CODE: 111 341 2862

The Commission conducted this public meeting remotely utilizing collaboration technology. The use of this technology was intended to ensure an adequate, alternative means of public access to the Commission's deliberations for any interested member of the public.

Commissioners Present:

Chair Cathy Judd-Stein
Commissioner Eileen O'Brien
Commissioner Bradford Hill
Commissioner Nakisha Skinner
Commissioner Jordan Maynard

1. [Call to Order](#) (00:00)

Chair Judd-Stein called to order the 402nd Public Meeting of the Massachusetts Gaming Commission ("Commission"). Roll call attendance was conducted, and all five commissioners were present for the meeting.

2. [Community Affairs](#) (1:00)

a. Release of MGM Springfield Bond

Chief of the Community Affairs Division Joe Delaney explained that MGM Springfield ("MGM") was requesting the release of a performance bond that was being held for their commitment to construct fifty-four market grade housing units as part of their gaming license.

Chief Delaney explained that the City of Springfield had requested MGM participate in the redevelopment of the 31 Elm Street property next to the MGM Site, and MGM negotiated to contribute a value of \$16 million to the site. He stated that the Commission required a bond be maintained until such time the payment was made, and that MGM fulfilled that payment on May 20, 2022. He stated that MGM had met its commitment and can be released from this bond.

Commissioner O'Brien moved that the Commission find that Blue Tarp reDevelopment has satisfied its initial RFA2 construction related obligations and is accordingly released from its obligation to maintain a deposit bond in accordance with Chapter 23K Section 10(a). Commissioner Hill seconded the motion.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

b. [Encore Boston Harbor Quarterly Report – Q3](#) (8:07)

Chief Delaney introduced Senior Vice President and General Counsel at Encore Boston Harbor ("EBH") Jacqui Krum and Executive Director at EBH Juliana Catanzariti. Ms. Krum and Ms. Catanzariti presented EBH's quarterly report, with topics including gaming revenue and taxes; lottery sales; employment; operating spending; compliance; launching *Play My Way*; Non-profit leadership retreats; and the ABCD program. The *EBH Third Quarter report* was included in the Commissioner's Packet on pages 6 through 30.

Commissioner Hill requested an update regarding opportunities opening regarding the employment of women at EBH. Ms. Krum noted that the employment of women had increased by one percent over the previous quarter and stated that EBH continues to make efforts to reach their employment goals.

Commissioner O'Brien asked what EBH does to increase the number management positions or above for women and minority employees. Ms. Krum stated that there were weekly meetings reviewing each job posted, and the candidates for those jobs. She stated that some women had left the company, and that EBH was focusing on hiring to meet the goal. Commissioner O'Brien noted that Plainridge Park Casino ("PPC") had a program for teaching and the opportunity to enter management positions, and asked if EBH had a similar program. Ms. Krum stated that EBH had a similar program that offered more management opportunities to current staff members.

Commissioner O'Brien questioned why the local spending numbers seemed low for this quarter. Chief Delaney explained that local spending goals were from the surrounding community agreement, and that they were developed prior to knowing what the spending would be. He noted that the local spending numbers were not entirely in the licensee's control. Commissioner O'Brien asked if the spending goals should be reassessed, given Chief Delaney's explanation. Chief Delaney stated that the local spending goals were in the surrounding community agreements and that the Commission would not be the entity to renegotiate the agreements, but more of a mediator if needed. Ms. Krum stated that EBH had trouble finding services to fit their needs from the more residential communities surrounding the gaming establishment.

Commissioner O'Brien sought clarification regarding the minor who had accessed and been on the gaming floor for over an hour. Ms. Catanzariti explained that the minor had borrowed another person's identification to gain access to the floor and was later identified by a server.

Commissioner O'Brien asked if the workers at EBH had sufficient access to a voucher for the ABCD Program. Ms. Krum stated that the employees have access to the program and that the program helps with maintaining the employment numbers of women employees. Commissioner Skinner expressed an interest in hearing how EBH could augment its existing management program to recruit additional women and POC into management and supervisory positions.

c. [Development of East of Broadway in Everett, MA](#) (28:01)

i. Project Introduction

Transitioning to a new agenda item, Chief Delaney provided an overview of the East of Broadway project to the Chair and Commissioners. He explained that EBH proposed the development of property on the east side of Broadway across from the casino. He noted that the Commission needed to first determine whether or not gaming could be permitted on the property across the street from the existing establishment. He stated that if the Commission permitted gaming at this property, there would be a public hearing for input and a public meeting to evaluate and deliberate on the aspects and design of the proposed project. He noted that if the project was approved, it would also require an amendment to the gaming license, and imposition of conditions as well.

Chief Delaney explained that the earlier development, approved by the Commission, did not include a gaming component, but the newly proposed development would include a poker room and sportsbook. He stated that this would require the Commission to regulate the development as part of the gaming establishment, and that the establishment would not belong to another entity as previously considered.

ii. [Project Presentation](#) (33:52)

Ms. Krum presented the proposed development, including sections on the project site; existing conditions; a rendering of the proposed structures. She explained that the structure would contain a sportsbook restaurant, a night club, a day club, a comedy club, a poker room, a theater, parking garage, and a pedestrian bridge.

Ms. Krum stated that the proposed development would create 4,000 construction jobs and also improve pedestrian safety and traffic. She noted that the anticipated permits required were from the Massachusetts Environmental Policy Act Office, Massachusetts Water Resources Authority, and local permits from the City of Everett. Additionally, the Commission would need to approve the expansion of the gaming establishment boundary.

Commissioner Hill noted that a night club was proposed, and inquired whether the current nightclub would be relocated. Ms. Krum stated that the current nightclub was being moved, and that EBH hoped the updated design would be better suited to address the issues of patrons leaving the nightclub. Commissioner Hill asked if patrons could engage in sports wagering at

both locations. Ms. Krum stated that the sports wagering bar in EBH would remain, and that additional facilities would be constructed across the street. She explained that the existing sports book bar only had three hundred seats, which was not enough to meet demand. Commissioner Hill inquired about the public safety issues associated with the pedestrian bridge and garage. Ms. Krum stated that security guards would be at each entrance and that identification would be checked at each entrance point.

Commissioner O'Brien asked what EBH had planned for the vacated nightclub space. Ms. Krum explained that there were no established plans for that space at this time but would update the Commission. Chair Judd-Stein asked if the bridge design impacted Mémoire's space more directly than earlier blueprints indicated. Ms. Krum confirmed that the bridge had been altered in this design, to enter where Mémoir was currently located.

Commissioner Hill asked why the new theater would not be subject to the agreement with ILF. Ms. Krum stated that the theater was under 1,000 seats, and the agreement was related to venues with between 1,000 and 3,500 seats. She stated that EBH had spoken with various theater groups, and they were comfortable with the proposal. Commissioner Hill expressed an interest in further discussion on this issue.

Chair Judd-Stein stated the previous design allowed for flexibility in the theater space, and asked if the theater would have set theater seats. Ms. Krum stated that there were going to be 979 theater seats and that the flexible area was going to be the gaming area. Commissioner O'Brien asked if there would be the same restrictions on the entrance into the gaming area. Ms. Krum stated that it was a standalone theater.

Chief Delaney noted that the surrounding community, host community, and interested parties could offer and submit comments at the public hearing should this project move forward. Commissioner Skinner expressed an interest in the opportunity to hear comments from the surrounding community and potentially reopen the surrounding community, and host community agreements.

Commissioner O'Brien asked if there were materials submitted that showed the boundaries of the 2013 Monsanto chemical site. Ms. Krum stated that the land discussed was not part of the Monsanto chemical site. Commissioner O'Brien requested an overlay of that site.

iii. [Legal Presentation: MGC](#) (49:41)

General Counsel Todd Grossman explained that the specific issue for consideration was whether the Commission had legal authority to allow gaming at the prospective development across the street. He explained that the law was silent when it came to the expansion of gaming operations beyond the footprint of the existing gaming establishment.

General Counsel Grossman explained that under Chapter 23K, the applicant required a favorable vote in the host community on a ballot question for the applicant to receive a gaming license. He noted that this vote occurred on June 22, 2013. He noted that the question on the ballot referred

to a specific location, the property located on Horizon Way off Lower Broadway in Everett, formerly known as the Monsanto chemical site.

General Counsel Grossman stated that there needed to be analysis of whether the voters approved of Wynn's license, or for the specific parcel of land listed on the ballot. He noted that the host community agreement had to be summarized and included on the ballot as part of the process, but the general consensus was that the location across the street was not part of the former Monsanto chemical site.

Commissioner O'Brien asked if the host community agreement was posted on the municipal website within seven days. General Counsel Grossman stated that he did not believe there to be a procedural issue with compliance on this requirement.

iv. [Legal Presentation: Mintz Levin](#) (1:01:04)

General Counsel Grossman introduced Attorney Tony Starr from Mintz Levin, outside counsel representing EBH. Mr. Starr stated that the first question for analysis was whether the Commission had authority to revise Wynn MA, LLC's gaming establishment boundary. He stated that the Commission had broad authority under General Law Chapter 23K, and the regulations promulgated thereunder. He noted that under 205 CMR 102.06 there was language that matters not specifically provided for in the regulations for the licensing and operation of gaming establishment shall be determined by the Commission. He stated that the Massachusetts Supreme Judicial Court in *Revere v The Massachusetts Gaming Commission* found that the legislature vested a tremendous amount of discretion in the Commission. He stated it was clear that the Commission had the authority to determine the boundary of a gaming establishment and revise it.

Mr. Starr explained that the second question was whether the June 22, 2013, election in Everett approved solely the license to Wynn, or also included the Host Community Agreement. He explained that the ballot included a fair and precise summary of the Host Community Agreement. He noted that under Chapter 23K, § 15, subsection 13, the applicant may not ask for a vote until the Host Community Agreement had been executed, and that it was his belief the legislature's intent was that the Host Community Agreement was part of the vote.

Mr. Starr stated that the third question for analysis was whether the April 19, 2013, Host Community Agreement, incorporated into the vote on June 22, 2013, had contemplated the expansion of the gaming establishment to the East of Broadway project as described. He stated that the Host Community Agreement did contemplate that Wynn may undertake substantial new construction on a property outside of the existing site. He then read part of the Host Community Agreement which referred to "acquired land or options to acquire land in and around the area specified in the Host Community Agreement." He explained that if after Wynn commenced operations, they began construction on an area not part of the initial construction, they were required to renegotiate their impact fee for new construction on new property. He stated that the proposed development met the definition of new property, and that there was no need for a new vote.

Commissioner O'Brien asked if the full text of the Host Community Agreement was available at election sites. Chief Delaney stated that as part of the RFA2 process, the city mailed the Host Community Agreement to every household in the community. Commissioner O'Brien asked to receive a copy of the mailing, if possible.

Commissioner O'Brien noted that this was a live issue, as the decision in March was for a non-gaming proposal. General Counsel Grossman stated that the property was determined to not be part of the gaming establishment in March, but that was prior to the new proposal which included gaming elements.

Commissioner Skinner asked if the map detailed in Exhibit A of the Host Community Agreement depicted the proposed development site. Mr. Starr stated that the pedestrian bridge would fall into that plan but clarified that the buildings and structures proposed were to the right of the street on the schematic.

Chair Judd-Stein referred to the language in the Host Community Agreement pertaining to Wynn acquiring lands in and around what was depicted in Exhibit A, and asked if the Commission should consider the proposed development. Mr. Starr confirmed and stated that the land was proximate to the site, and it would be a reasonable interpretation that "in and around the area" would include a parcel across the street.

Commissioner O'Brien asked if Wynn had completed the purchase of the land where the East of Broadway development was proposed at the time of the Host Community Agreement in 2013. Mr. Starr stated that Wynn had the option to buy the land where EBH was located in 2013, but not the development project. General Counsel Grossman added that the Commission had amended boundaries of gaming establishments previously, with the distinction that the proposed development was not connected to the boundary of the existing gaming establishment.

Attorney Mina Makarios, the Commission's outside counsel from Anderson and Krieger, stated that the Host Community Agreement stated what needed to occur between the City and EBH, but did not satisfy all of the requirements such as additional permitting. He advised that the Commissioners should focus on the statutory analysis, rather than the Host Community Agreement.

Chief Delaney stated that representatives from the City of Everett could also provide their opinions if the Commissioners desired. Commissioner Skinner stated she wanted a clearer understanding of the process prior to hearing from the city. Chief Delaney stated that after this meeting's discussion, the Commission could review and determine whether they required additional information. General Counsel Grossman stated that the interpretation of Chapter 23K, § 15 subsection 13 meant the decision was within the Commission's authority, but noted other stakeholder's perspectives may be beneficial.

Chair Judd-Stein inquired whether the Commission could give deference to the city on this issue. General Counsel Grossman stated that the Commission could give deference to the city, but that the court would look to the Commission's decision. Commissioner Skinner stated that the city's input would be valuable to the Commission's determination. Commissioner Maynard agreed

with Commissioner Skinner and stated that the directly elected officials from the community should offer their views on the proposed expansion.

Commissioner O'Brien stated that while the expansion was licensee specific, other municipalities could potentially be impacted by this decision in the future and expressed an interest in input from those communities as well. Commissioner Hill expressed appreciation for Commissioner O'Brien's concerns and asked to hear from the Everett officials.

Chief Delaney introduced the Everett Mayor's Chief of Staff, Ms. Erin Deveney, and outside counsel for the City of Everett attorney Jonathan Silverstein. Ms. Deveney noted that the Mayor had submitted a letter of support for the proposed expansion. She stated that the Lower Broadway District Urban Renewal Plan included visions for the parcels of land that were underutilized, and that the proposal envisioned better and higher uses of the land for the surrounding community.

Ms. Deveney noted that the city sent a mailer in June 2013 to all residents, which included a letter explaining the process, and a full copy of the Host Community Agreement. She stated that due to the steps taken in 2013, the city did not believe that an additional ballot question was required to amend the space, and that the city was in support of the proposed project.

Mr. Silverstein stated that as a matter of election law, any interpretation of the statute should ensure the will of the voters be furthered and prevent voter confusion. He stated that Chapter 23K, § 15 subsection 13 required the Host Community Agreement be executed prior to the vote and stated that a new Host Community Agreement must be drafted if there was a negative vote. Mr. Silverstein stated that it was implicit in the statute that the voters were not simply voting on a project, but the Host Community Agreement as well.

Mr. Silverstein stated that while the proposed project was across the street, it was still within the Broadway Urban Renewal District. He stated that when voters approved the project, they had knowledge and access to the Host Community Agreement. He stated that he did not think a reasonable person who had voted in favor of a casino on the west side of Broadway would not also vote to build on the east side of Broadway. He summated by stating that the city's view was that no new ballot question was required as the voters could understand that the project would expand based upon the language in the Host Community Agreement.

Commissioner O'Brien inquired what the standard would be to determine what an objective voter would believe to be outside of the boundary of expansion as it was described on the ballot question. Mr. Silverstein stated that it cannot be reduced to an extreme, but that land across the street connected by a pedestrian bridge would not be outside the boundary of expansion. He noted that the pedestrian bridge had been contemplated on day one and asked for by the city officials. He stated that leading up to the vote, there were well-attended public information sessions where this project was discussed in context of the Lower Broadway Master Plan Area.

Commissioner O'Brien asked why the ballot question did not refer to the Lower Broadway Master Plan Area and instead referred to the 'Monsanto chemical site.' Mr. Silverstein explained that the Monsanto chemical site was a colloquial reference that Everett citizens were more likely to recognize. He stated that it was a general reference to the property that the citizens would know the locations of, but not the bounds. Chief Delaney noted that the properties across the street, where the proposed project was to be developed, were developed by other businesses in 2013.

Commissioner Maynard inquired whether the average voter who had voted on the site in 2013 would be expected to identify the property across the street as being part of the vote. Mr. Silverstein stated that it was unclear if the answer would be yes, but that the voter would be able to define the area where the Monsanto chemical site was. He stated that he could not imagine that a voter would care what side of the street the project was on.

Commissioner Hill sought clarification as to whether the property across the street was included in the Monsanto chemical site referenced in the ballot question. Attorney Silverstein confirmed that the property across the street was not part of the Monsanto site.

Chair Judd-Stein stated that it was assumed that the voters had read the Host Community Agreement, and asked if the weight of that was enough to overcome the description of the land. Mr. Makarios stated that the Host Community Agreement referenced the land in or around the area depicted in Exhibit A, and that the language was ambiguous as to whether it included areas adjacent to the project site.

Chair Judd-Stein inquired whether voters would anticipate the expansion of the Encore Boston Harbor. Mr. Makarios stated that it could be anticipated, looking solely at the Host Community Agreement, but it was dependent upon whether the license was bound to the narrow site as it was described.

General Counsel Grossman stated that the vote was to decide whether the electorate voted in favor of the applicant's license, and that it could be interpreted as implicitly including the Host Community Agreement and location of the site. He stated that the vote was in favor of the license, and that the particulars were for the Commission to determine; by means of licensure, conditions, and a binding agreement between the licensee and the city.

Chair Judd-Stein asked if the license included terms from the Host Community Agreement. General Counsel Grossman stated that the Host Community Agreement terms were incorporated by reference. He stated an alternative interpretation would be that the description of the site, as included, was the only place the gaming establishment could be placed.

Commissioner Skinner surmised that the question was less about what the parties intended with the Host Community Agreement, but about what the voters had actually approved. Ms. Deveney stated that the Mayor of Everett had always presented the initial development of the current EBH

site as a catalyst for further development of the land in the Lower Broadway Area. She stated that the goal and vision was to transform those parcels of land with the opportunity that the proposal brings to the community.

Mr. Starr stated that it was a reasonable interpretation of the ballot question that the voters approved both the location of the establishment and the Host Community Agreement. He stated that the Host Community Agreement reflects a meeting of the minds between the applicant and the city's executive branch, with the possibility of further development.

Chair Judd-Stein stated that the Commission would need time to reflect on the information presented, and that a vote would be required prior to discussing the approval of the proposed project.

Commissioner O'Brien expressed an interest in seeing the boundaries of the Monsanto chemical site overlaid with Exhibit A, further information and perspectives from other municipalities that could potentially be in this situation, and case law discussing the determination of voter intent.

Commissioner Skinner agreed with Commissioner O'Brien and stated she would like time to reflect on the information presented in this meeting. Commissioner Hill agreed with Commissioners O'Brien and Skinner. He stated that while more information was required, he wanted this issue to be resolved quickly. Commissioner Maynard agreed.

Chair Judd-Stein asked if there had been opposition or support from the citizens of Everett to the proposed expansion. Ms. Deveney stated that the community was aware of the opportunity for this development due to discussions of the Lower Broadway Urban Renewal Plan in public meetings. She stated that there had been no opposition to the proposal to expand gaming operations. She stated that she did not believe residents would object to the proposed pedestrian bridge.

Mr. Silverstein stated that there had been public hearings, with little public participation, except for the initial opposition to a larger entertainment venue. Chair Judd-Stein asked if in 2013 there was a suggestion that the expansion would not include an expansion of gaming. Mr. Silverstein stated that at the time of the initial proposal, the expansion of gaming across the street was not included.

Commissioner O'Brien asked for a copy of the mailer that was sent to residents in 2013 with the Host Community Agreement attached. Chief Delaney stated he had emailed the mailer to the Commission earlier this morning.

Mr. Makarios clarified that there were two relevant terms in the Host Community Agreement, "property in and around the project site," and property identified as "new property." He noted that the property in and around Exhibit A that had options to purchase, and that the new project site was new property that had been acquired later.

Chief Delaney added that the Monsanto chemical site was not the only property that EBH had built on, and that Wynn LLC acquired other properties as well. Chair Judd-Stein asked if the land across the street had been acquired at the same time. Commissioner O'Brien noted that at least one of the sites across the street had not provided Wynn with a purchase option in 2013.

Mr. Starr stated that it was Wynn's perspective that the land should be considered in and around the area depicted in Exhibit A. He stated that the "new property" designation arises when development goes beyond the project site.

Mr. Silverstein stated that Wynn had actively looked at assembling land in the area, but had yet to acquire it in 2013, which is why the language included the term "will acquire". He stated that the city's perspective was that the project site was whatever could be developed as part of the initial project per the Host Community Agreement, which could have included the land across the street. He stated that the project site could have included the land, had they assembled the land prior to the filing of their phase-two application. He explained that the land was not assembled at the time, and therefore it should be considered "new property."

Commissioner Skinner asked if the new property referenced was outside of the area referred to as the project site plan. Mr. Starr stated that there was a temporal aspect, if the substantial new construction were not part of the site as of the date Wynn commenced operations in June of 2019 it would be new property. He stated that any new construction away from the project site at the time of gaming operation was new property.

Mr. Silverstein stated that under the Host Community Agreement, the parties recognized that the project may change, including any increase to the project site, and that post-opening, there may be new property. Chair Judd-Stein stated that the focus would be to get the information requested by the Commissioners and reflect on the information presented. She noted that she would like the legal analysis memorialized in writing.

4. [Other Business](#) (2:45:08)

Hearing no other business, Chair Judd-Stein requested a motion to adjourn.

Commissioner O'Brien moved to adjourn. Commissioner Skinner seconded the motion.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

List of Documents and Other Items Used

1. Notice of Meeting and Agenda dated November 10, 2022
2. [Commissioner's Packet](#) from the November 16, 2022, meeting (posted on massgaming.com)



Sports Wagering Division

TO: Chair Cathy Judd-Stein
Commissioner Bradford R. Hill
Commissioner Jordan Maynard
Commissioner Eileen M. O'Brien
Commissioner Nakisha L. Skinner

FROM: Sterl Carpenter – Sports Wagering Operations Manager

CC: Karen Wells – Executive Director
Bruce Band – Sports Wagering Division Director

DATE: April 13, 2023

RE: Fanatics House Rules reviewed

Enclosed for the Commission's review is Fanatics Sportsbook proposed house rules. Before a licensee can receive its operational certificate, they must have their house rules approved by the commission. Fanatics sections their house rules into three parts Introduction, General Betting Rules, and Sport-Specific Rules.

A review was performed to ensure Fanatics house rules followed 205 CMR 247.02(3) (a-p). Initial review found Fanatics having to re-address sections b, c, g, j, l, and n. Section n was changed to conform to the requirement voted on during the March 8, 2023, meeting. This requirement was to require all operators to seek approval with the commission for all canceled or voided wagers due to an 'obvious error.'

On April 11, 2023, the sports division received the updated changes to the house rules for all six (6) areas requested. The review found all areas were now in compliance with 247.02(3). Other areas changed included removal of unapproved events, and wagers.

Fanatics appears to list their Sport-Specific Rules in order of popularity. The sports included are Football, Basketball, Baseball, Ice Hockey, Tennis, Golf, Soccer, Boxing, MMA, Motor Sports, Table Tennis, Darts, Volleyball, Winter Sports, Athletics, Cycling, Rugby Union, Snooker/Pool, Cricket, Lacrosse, Australian Rules Football, and Handball.

Below is Fanatics house rules submission to be voted on for approval by the commission. Each section (a-p) in the regulation is noted in this copy for ease of reference.

Rules for Fanatics Sportsbook



Introduction

The general betting rules set out here are subject to modification at any time at the sole discretion of Fanatics Sportsbook, subject to regulatory approval. Revisions will be binding and effective immediately on the posting out to customers of such rule changes and any bets accepted after the rule changes have been posted shall be governed by the new rules. There are exceptions or variations to these rules for certain sports. Sport-specific rules will take precedence over the general betting rules where there are exceptions or variations made. Player specific markets and same-game parlays have a unique set of rules which are also included in this document. Fanatics Sportsbook customers should make themselves aware of all of the House Rules affecting any market on which they wish to place a bet. Whilst every effort is made to offer a comprehensive rulebook, any matter that is not covered by these rules will be decided on an individual basis by Fanatics Sportsbook.

General Betting Rules

Customer Contacts

Players are instructed to submit complaints or disputes in writing as soon as is reasonably practicable following the date of the original transaction to which the claim or dispute refers. Complaints may be submitted to Fanatics Sportsbook [Customer Service](#). To the extent that a player is not satisfied with Fanatics Sportsbook response, they may contact the Massachusetts Gaming Commission (MGC).

A patron can contact the MGC directly to file a complaint by accessing <https://massgaming.com/regulations/fairdeal/> and completing the requisite information. Patrons can submit disputes by calling the Commission's Integrity Tip Line at 1 (844) 303-8477 or completing a form (found on <https://massgaming.com/regulations/fairdeal/>) and sending it via email to MGCcomments@massgaming.gov, or mailing it to: Massachusetts Gaming Commission, 101 Federal Street, 12th Floor, Boston, MA, ATTN: Sports Division .02(3)(i).

Prohibited Persons .02(3)(j)

Fanatics Sportsbook will not accept or payout any wagers from Prohibited Persons including:



Sports Wagering Division

- A person that is under 21 years old;
- Fanatics Sportsbook, its directors, officers, owners and employees or any relative living in the same household;
- An individual with proprietary or non-public information held by Fanatics Sportsbook;
- A professional or athlete, coach, referee, team owner, employee of a Sports Governing Body or its member teams and patron and referee union personnel, seeking to place sports wagers on events in the sport in which the individual participates, or in which the athlete the individual represents participates;
- Any individual prohibited from sports wagering pursuant to 205 CMR 250.00;
- Any individual who is self-excluded from sports wagering pursuant to 205 CMR 233.00;
- Any individual who is prohibited from or subject to limitations regarding sports wagering pursuant to 205 CMR 254.00 or 255.00;
- Any individual wagering while not in the authorized geographical boundaries within the Commonwealth;
- Any individual placing sports wagers as agents or proxies for others;
- Any restricted patron wagering in violation of their restrictions established in 205 CMR 238.32;
- Any individual wagering in violation of state, local or federal law; or
- Other prohibited persons as determined by MGC.

Fanatics will not offer sports wagering on prohibited sporting events and wager categories pursuant to 205 CMR 247.01.

Anti-Money Laundering Standards

Wagers are subject to Anti-Money Laundering (AML) standards, including triggers and requirements for filing of Currency Transaction Reports and Suspicious Activity Reports. Structuring of bets to avoid federal currency transactional reporting thresholds is strictly prohibited.

Funding of Wagers.02(3)(k)



Sports Wagering Division

Customers may fund their Fanatics account using any of the following methods: (1) debit cards; (2) PayPal; (3) Venmo; (4) ApplePay; (5) Online Banking; or (6) wire transfer.

Wager Type Calculations .02(3)(d)

- Moneyline payoff: The moneyline is expressed as a three-digit number. For example, -150 means a player must bet \$150 for every \$100 they wish to win, and multiples thereof. Or, +140 means a player will win \$140 for every \$100 bet.
- Point spread payoff: The point spread is expressed as a 3-digit number. For example, -110 means a player must bet \$110 for every \$100 they wish to win. Or, +225 means a player will win \$225 in addition to their initial stake for every \$100 bet.
- Parlay payoff: Odds will be calculated based on the prices of the individual selections.
- Teaser payoff: Odds are derived from a fixed payoff chart.

Fanatics provides customers with the option to display odds in decimal format, which will be displayed rounded to the second decimal place. Payoff amounts will be calculated based on the full decimal value of the bet and then rounded to the nearest two decimal places (cents).

Notification of Odds or Line Changes .02(3)(f)

Fanatics Sportsbook displays real time-lines, current odds, and potential payouts when placing wagers. Line change notifications may occur at any time during the wager placement process. Customers will be notified within the betslip if odds for their selection change.

Fanatics Sportsbook only accepts wagers on currently posted terms unless otherwise noted for a specific circumstance. .02(3)(g).

Types of Wagers Accepted .02(3)(a)

- Moneyline & Straight Bets (Winner of Game/Tournament/Competition)
- 3-Way Winner (Includes Tie)



Sports Wagering Division

- A 3-way betting market on the winner of a matchup between two participants where the option of a tie is also offered.
- Spread/Handicap (2-Way and 3-Way)
 - A market where a handicap is applied to the side taken by the customer. Where a positive handicap is taken, the selection chosen will have the stated handicap added to their score before a result is determined. Where a negative handicap is taken, the selection chosen will have the stated handicap deducted from their score before a result is determined. In 3-way markets a tie will be offered in the event that scores finish level after a handicap is applied. In 2-way markets where the result is tied bets will be settled as a push.
- Totals (2-Way and 3-Way)
 - A market where the customer can bet on the total number of points (or equivalent scoring metric). The customer can choose whether they think the total will be higher or lower than the stated number. In a 3-way market, the customer can choose to bet on the exact midpoint of the total which will be offered as an integer.
- Teasers (Fixed odds parlay betting)
 - A teaser is a parlay of at least two legs, where a customer can choose to alter the point spread or total by a fixed amount for each of their selections. In exchange they will receive a fixed minimum price on their parlay, regardless of which games they select, and which side of the original spread or total they choose to tease.
- Odds Boosts (Increased odds promotions on specific selections)
 - Odds Boosts are offered as a promotional bet on specific selections or markets. Odds Boosts can be offered as a straight up single wager, or a packaged parlay of two or more selections.
- Player Specific Props
 - Player Specific Props allow the customer to bet on any of the accepted market types associated with player stats during a game. These are generally offered as 2-way Totals or Straight Bets on a stated outcome. Examples of these would be Quarterback Over/Under passing yards in a Football game, or a stated player to hit a Home Run in a Baseball game.
- Game Specific Props
 - Game Specific Props allow the customer to bet on propositions related to a specific game. These may include (but are not limited to):
 - Time Period Specific Wagers (such as 1st Quarter winner)



Sports Wagering Division

- Totals for a specific stat category (such as total strikeouts in a game of Baseball)
- Straight bets speculating on a certain event to occur during a game (such as Both Teams to score 100+ points in a game of Basketball)
- Team Specific Props
 - Team Specific Props allow the customer to bet on propositions related to a specific team within a game. These may include (but are not limited to):
 - Time Period Specific Wagers (such as Team to Score in 1st Inning)
 - Totals for a team specific category (such as Total Home Team points)
 - Straight bets speculating on a certain event for a specific team to occur during a game (such as Home team to score in each quarter)
- Same Game Parlay **.02(3)(m)**
 - Same Game Parlay bets combine two or more selections from within a single event. They are offered as a special market given the related nature of many selections within a standard event. Same Game Parlay bets enable the customer to bet on outcomes such as (but not limited to) the following:
 - Home Team to win, over 39.5 Match Points & over 3.5 Field Goals
 - Away Team to win, under 8.5 Runs & Away Team pitcher over 5.5 Strikeouts
- Futures/Outrights
 - Futures markets allow the customer to bet on outright competition winners, as well as derivative markets such as a team to make the playoffs, or win their division.
 - Awards (as specifically approved)
 - Awards based markets allow the customer to bet on the recipient of season long or post season awards such as Most Valuable Player, or Offensive Player of the Year.
- In-game/In-play
 - In-Play markets may be made up of any of the wager types listed above, but are offered once the event is deemed to be 'live'. Odds are revised constantly based on the action occurring during the event.
 - Next Occurrence of an event (e.g Goal/Touchdown/Run)
 - 'Next' markets allow the customer to bet during a fixture on which team will be the first to complete the stated action, or what type of



Sports Wagering Division

action will happen next. Examples of these include (but are not limited to):

- Next Touchdown
- Next Run Scored
- Mythical/Situational Match-Ups
 - Mythical Match-Up bets allow the customer to match up two teams (or participants) that are facing different opponents in the given matchday, based on how many points they score. An example of this would be a mythical matchup offered between Alabama Crimson Tide and Georgia Bulldogs. The winner of the market would be the team that scored a greater amount of points during their game.
 - For example, if Georgia Bulldogs win 42-7 and Alabama Crimson Tide win 35-3 then the final score of the 'Mythical Matchup' would be Georgia Bulldogs 42 - 35 Alabama Crimson Tide, with Georgia Bulldogs settled as the winning selection.
- Parlay Betting **.02(3)(m)**
 - Parlay betting allows the customer to place a wager on two or more selections, with the odds multiplied together. If any selection within a parlay bet loses the entire bet is deemed to be a loser.
- Round-Robin Parlay Betting
 - A Round-Robin parlay allows the customer to place a series of wagers on two or more selections, from a greater amount of overall selections. For example, a customer could place three parlays covering two selections from an overall group of three selections. If two or more of these selections win then the customer would have at least one winning bet.
 - Example - A Customer wants to bet a Round-Robin parlay of two selections from three, meaning they bet on the following two team Parlays from the following fixtures; Team A to beat Team B, Team C to beat Team D, Team E to beat Team F:
 - The customer would have three two-team parlays as follows:
 - Team A & Team C
 - Team A & Team E
 - Team C & Team E

Amendments to events **.02(3)(e)**



Sports Wagering Division

- If an event is played at a different location to the one originally specified by the organizing body, bets will stand unless a fixture takes place at the home venue of the original visiting participant or team. In this instance selections will be made void. Please see sport specific rules for further exceptions.
- If the scheduled start time of an event is moved forwards or backwards by a period of more than 72 hours, selections will be made void. Sport-specific rules will take precedence here where a different amount of time is stated.
- In a team or individual sporting event, selections will be made void where there is a change to one or more of the teams or individual participants. For events such as tournaments with more than two entrants bets will stand, although they may be subjected to a reduced payout as per sport specific rules.
- Where the eligible participants in an event are changed materially or conditions are significantly altered Fanatics Sportsbook reserves the right to void an event in its entirety. For example, if a boxing match becomes unsanctioned and is held as an exhibition with a different rule set, or a soccer friendly which was originally advertised as 'Team A v Team B' becomes 'Team A vs Team B Under 21s'.
- If the structure of an event is changed on an individual basis from the competition rulebook in the following ways Fanatics Sportsbook reserves the right to void selections:
 - Stated changes in advance to the number of Period/Half/Quarter or adjustments to the lengths of these.
 - Stated changes to scoring procedure, such as amendment to number of points awarded for meeting a certain criteria.
 - Stated changes to the format of a team event such as a reduced/increased number of participants per team.

Additional Time

- For events that are settled by an additional period of play in the event of a tie, markets will be settled on the result at the end of the regulated period of play unless otherwise stated here, or in the Sport-specific rules.
 - All bets on any 2-way 'moneyline' market will settle on the final result of the event including additional periods of play.

In-Play Betting



Sports Wagering Division

- If a market is not scheduled to be offered in-play but Fanatics Sportsbook fails to suspend the market at the relevant time, then:
 - Bets taken after the advertised start time, where one is made available, will be made void.
 - Where no start time is made available Fanatics Sportsbook will aim to ascertain the 'off time' via sources including competition organizers, licensed broadcaster time stamps, official team/participant social media updates. Bets placed after this 'off time' will be made void.
- If an in-play market is left open for betting after it has reached a conclusion or the result of the stated market has been determined then bets on this market will be made void regardless of their result.
- For the purposes of in-play betting, customers should be aware that transmissions described as "live" by some broadcasters may actually be delayed or pre-recorded. The extent of any delay may vary depending on the set-up through which they are receiving pictures or data. Please also be aware that, for operational reasons, bets made in-play may be subjected to a delay. If a selection is suspended or the odds change during this delay Fanatics Sportsbook reserves the right not to accept the bet.
- Fanatics Sportsbook will make every effort to ensure that accurate data is displayed in accompaniment to in-play events. However, due to some reliance on third party data and the existence of human error Fanatics Sportsbook cannot guarantee the accuracy or timeliness of live scores, time remaining and the status of games displayed within our live betting product. Fanatics Sportsbook accept no liability for the incorrect display of this information

Market Settlement/Re-Settlement .02(3)(e)

- Events will be settled as per the result passed directly from the governing body of the chosen sport or organization or by the official data provider. Results will be considered final 24 hours following their announcement. Fanatics Sportsbook reserves the right to await official confirmation in the event of enquiries/appeals within this 24 hour window following an event. Subsequent disqualifications or amendments to results will not count towards settlement.02(3)(h).



Sports Wagering Division

- If no official result is passed by the usual sources Fanatics Sportsbook will determine a result using independent sources. This will take place within 72 hours of the event reaching a conclusion. If these sources conflict with an official result which is subsequently passed by an official data provider or governing body within 48 hours of bet settlement then Fanatics Sportsbook will resettle the market according to the official source.
- Where no reliable result can be sourced within a 72 hour timeframe of the event reaching a conclusion Fanatics Sportsbook reserves the right to make bets on the affected market(s) void.
- Where cross-event specials are offered on a group of events within a day, period of time or specified game week bets will be settled as void if one or more of the nominated events does not take place. This does not include playoff specials or any other 'best-of' formats where extra games are not needed due to an early victory for one of the participants.
- With regards to player statistic markets offered on a single event, a player will be settled as void if they are not named to an active matchday roster/squad.
- Markets are generally settled shortly after the end of the event in question. Fanatics Sportsbook may settle (or partially settle) markets before the official result is declared purely as a customer service benefit. However, Fanatics Sportsbook reserves the right to amend the settlement of the market if:
 - The official result is different to the result on which Fanatics Sportsbook initially settled the market.
 - The whole market is eventually voided for another reason such as abandonment.
- Fanatics Sportsbook reserves the right to amend the settlement of a market if it is settled in error. This can be caused by, but not limited to:
 - Human error by the Sportsbook itself.
 - Technical error.
 - Data error received from an official source.
- If Fanatics Sportsbook resettles a market this may lead to adjustments being made to a customer's balance. In some instances this may result in the deduction of funds from a customer's Account to reflect changes in market settlement.



Sports Wagering Division

- Fanatics Sportsbook may be required by law to seek approval with the relevant regulatory body before making any amendments to a price, settlement decision or bet status.
- Markets can be offered using 'All Bets are Action' rules. If a market is offered 'All Bets are Action', bets on this market will not be voided where a selection does not participate or is withdrawn early from an event.
- Where a market is not offered using 'All Bets are Action' rules, it will be classified as a 'No Run No Action' market. Under 'No Run No Action' rules stakes will be refunded on a player, team or other competitor that is withdrawn prior to the advertised start time of an event. If you have placed a bet on a sporting event under 'No Run No Action' rules and a player, team or other competitor (on which you did not place your bet) is withdrawn, Fanatics Sportsbook reserve the right to apply a deduction to your winnings based on the odds of the player, team or other competitor that is withdrawn as referenced in the table below.

ODDS	DEDUCTION
-900 or shorter	90%
-899 to -501	85%
-500 to -401	80%
-400 to -301	75%
-300 to -251	70%



Sports Wagering Division

-251 to -181	65%
-180 to -161	60%
-160 to -126	55%
-125 to -101	50%
+100 to +124	45%
+125 to +159	40%
+160 to +179	35%
+180 to +224	30%
+225 to +299	25%
+300 to +449	20%
+450 to +599	15%
+600 to +999	10%
+1000 to +1499	5%



Sports Wagering Division

+1500 or greater	No deduction
------------------	--------------

- If a player, team or other competitor has taken any part in a sporting event once it has officially started and then fails to complete that event for any reason, that selection will be deemed to have been an active runner in the event, and bets on such selections will not be voided as 'no-action'. Specific sport rules determine the definition of a player or team being deemed to have 'taken part' in an event. In the absence of a sport specific rule the following will apply:
 - At a team level, a team is deemed to have taken part if they compete in any organized event affiliated with the offered markets, including qualifying events.
 - In individual participation events (such as stroke play golf, singles tennis etc) a competitor is deemed to have taken part if they took any action related to participating within an event, with examples given below;
 - Playing a golf stroke.
 - Facing a serve.
 - Starting or joining a race.
 - In team events, an individual team member will be considered to have taken part if they entered the field/arena of play at any point during active game time, regardless of whether they completed an action related to the sport or competition involved.

Amendment/Cancellations to Futures Markets

Where a futures market has different rules these will be referred to in the Sport-Specific Rules. In the absence of these rules the following will apply in general to all futures markets.

- If a tournament which has been offered as a futures market is shortened due to unforeseen events such as (but not limited to) strike action, lockdowns due to a pandemic, cancellations due to war/terrorism Fanatics Sportsbook will settle markets according to the official result declared by the organizing body. If no announcement regarding resumption, amendment or cancellation is made by the organizing body within 60 days of the initial announcement regarding the postponement or delay of the competition then bets will be made void. If the



Sports Wagering Division

competition resumption date is announced within this 60 day period and the competition is to be resumed and played out in full at a later date then all bets will stand.

- If a winner (sole or joint) is declared based on current standings then this will be acknowledged and bets on these selections will be settled as winners accordingly. Bets on other selections will be settled as losers.
- If the organizing body declares that the tournament is abandoned and no winner is declared bets will be made void.
- In markets where the full result of all available selections has already been determined settlement will be allowed to stand. For example if a 17 game NFL regular season is cut short after 13 games and a market has been offered on a team to win Over/Under 7.5 games, if that team has already won 8 games then the market will be settled in full. Similarly, if at time of postponement the same team has won a total of 1 game, the market would once again be settled in full, due to the fact that the nominated team could only possibly reach a total of 5 wins.
- In markets where the full result of available selections has not been determined bets will be made void. For example if a 17 game NFL regular season is cut short after 13 games and a market has been offered on a team to win Over/Under 7.5 games, if that team has won 6 games at the time of postponement the market will be made void.
- If changes are made to the remainder of a tournament which alters the structure of a competition resulting in a change to the number of teams able to participate in the post season/playoffs stage of a tournament then all bets placed on markets relating to post season/playoffs that were not previously determined by a definitive result will be made void. For example if before the tournament was shortened there was an expected playoff field of 14 teams and this is reduced to 8 teams, selections within markets such as 'To make the playoffs' which had been previously undetermined will be made void.
- If a bet was placed on a team to meet a certain criteria and this has already been settled as a winner based on original competition rules, Fanatics Sportsbook will honor the original settlement of a market and not seek to re-settle bets based on amended rulings by a governing body. For example, if a team had already clinched a playoff berth and markets such as 'To make the playoffs' had been settled accordingly, these markets



Sports Wagering Division

would remain settled if the playoff field was subsequently reduced and the nominated team were removed from the competition.

Abandoned, Canceled, Postponed or Forfeited Events.02(3)(o).

These rules should be referred to in the absence of a Sport-specific ruling. Where such ruling exists it shall take precedence over the rules laid out in this section of the rulebook.

- In the event that a single fixture within a tournament, a one off event, race or similar meeting is abandoned, canceled, postponed or forfeited, bets will be made void unless the event is scheduled to reach a conclusion within 48 hours of the cancellation. In the case of events which are abandoned, canceled or forfeited after play has commenced, markets that have been determined in full will be settled as per usual rules. For example, If a baseball match is abandoned with the score at 5-4 after 5 innings, bets placed on Over/Under 8.5 runs would be settled in full given the market had already reached a definitive result. Bets placed on Over/Under 9.5 runs would be settled as void given the lack of a definitive result.
- If a competition or tournament consisting of more than a single fixture, or a multi participant tournament (such as a golf event) is abandoned, canceled, postponed or forfeited, bets will be settled according to any result passed by the organizing body, or in the absence of such a result after a period of 48 hours from cancellation bets will be made void. In the case of events which are abandoned, canceled or forfeited after play has commenced, markets that have been determined in full will be settled as per usual rules. For example, if a golf tournament is canceled during the third round of play after the cut has already been made, bets on players to make or miss the cut would be settled in full.
- In circumstances where no definitive winner is named at the end of play due to a tied score or other stalemates (for example a draw in a cricket match due to play ending after 5 days), where no option has been provided to bet on a 'tie', 'draw' or equivalent outcome bets will be settled as follows;
 - In two-way markets both selections will be settled as a void, also referred to as a 'push'.
 - In multi-runner markets where joint winners are declared, any participant who is awarded a share of the victory will be settled as a winner with a



Sports Wagering Division

dead heat reduction based on the number of other winners. Other selections would be settled as losers.

- In multi-runner markets where no winner is declared all selections will be settled as void.
- In markets where no winner was possible no losers will be settled, regardless of whether any of the selections definitively has no chance of winning the event. For example, if a 7 game playoff series is shortened by the governing body to a 5 game series with the current score at 1-1, bets on 4-0 would not be settled as losers, despite the fact they had already lost at the point where market changes were made.

Dead Heat Settlement

- Where a market has concluded and there are more winners than were expected given the market name and terms, where no tie break exists to determine a sole winner, bets will be settled as 'dead heat' with stakes divided by the number of winners.
 - For example, if a customer places a \$10 stake at odds of +1500 (16.0) on the futures market 'Passing Touchdowns Leader' and their chosen selection finishes in a three way tie, the stake would be divided by the number of winners (three in this instance) and settled accordingly. The customer would receive a return of \$53.33 on the bet (\$3.33 at odds of +1500).

Obvious Errors

Fanatics Sportsbook makes every effort to ensure that it does not make any obvious errors when accepting bets. However, if as a result of technical failure or human error, a bet is accepted in obvious error, Fanatics Sportsbook reserves the right to either:

- Correct any obvious errors by settling winning bets at the 'correct price,' as reasonably determined by Fanatics Sportsbook
- Void any bet placed where such errors have occurred.

Fanatics Sportsbook will not cancel or void a wager due to an "obvious error" without prior approval of the Commission.[.02\(3\)\(n\)](#).

Obvious errors include, but are not limited to, the following [.02\(3\)\(c\)](#):



Sports Wagering Division

- Wagers offered or placed on events after the outcome is already known;
- Wagers offered or placed at odds being clearly incorrect given the probability of the event occurring;
- Instances of human error in the placement of the wager;
- Wagers offered or placed at odds that are materially different from those available on the public betting market; or
- Wagers offered or placed on a market where the incorrect teams are listed and/or listed in the incorrect order (i.e. Home Team listed as Away).

Duplicated Events/Selections

Fanatics Sportsbook will endeavor to prevent customers from betting on duplicated versions of the same selection, whether these are housed within one event or across multiple events. For example, if the same selection is offered simultaneously in both the pre-match and in-play section of the product offering, it will normally be placed under a restriction to ensure that these two selections cannot be placed in a parlay together, preventing customers from receiving greater odds for placing the same bet twice at an increased price. Similarly, opposite outcomes from the same event will be placed under the same restriction, preventing customers from placing bets that have no logical chance of winning as selections are in conflict with each other.

- Should any of these events be left open inadvertently, Fanatics Sportsbook reserves the right to cancel any related wagers that combine the duplicated selection. If the wager contains further unduplicated selections then the duplicated selection with the lowest odds will be voided from the bet and the remainder of the bet will be allowed to stand.

Maximum Payouts.02(3)(1)

For all events the maximum payout limits apply on a per day basis. The maximum payout limits refer to the total returns on your bets, excluding your original stake. The maximum payouts shown below are shown in U.S. Dollars. If bets are placed in another currency, the maximum payout will be converted using the applicable exchange rate on the day of settlement of the bets. The maximum payout limit applies on a personal basis, but where Fanatics Sportsbook has reason to believe that a customer has acted



Sports Wagering Division

as a group to circumvent these limits and produce multiple accounts or retail tickets, we reserve the right to limit this customer or group of customers to a single maximum payout.

The maximum payout for all events is currently **\$1,000,000 .02(3)(b)**, provided that this limit will be established through limiting the amount of a sports wager. This policy will not preclude any customer from collecting a payout more than these limits if Fanatics Sportsbook allows the customer to place a valid wager that pays more than the stated maximum amounts. Exceptions will be listed within this section of the rulebook where appropriate.

Odds Boosts

Odds Boosts are offered as a promotional bet on specific selections or markets. Odds Boosts can be offered as a straight up single wager, or a packaged parlay of two or more selections.

Where one or more legs of a parlay that has been offered as an Odds Boost are void/canceled/settled as a push **.02(3)(o)**, the Odds Boost will be settled as a void.

Parlays

A parlay bet consists of two or more legs. A leg is defined as one or more chosen selections in any individual event market.

- Fanatics Sportsbook reserves the right to prevent the placement of certain selections within parlay bets in instances such as (but not restricted to):
 - A belief that the selections contain related contingency. If a bet of such nature is accepted in error Fanatics Sportsbook may take the decision to settle such bets as singles.
 - Where certain special markets are considered to be too complex to offer in multiples due to Fanatics Sportsbook being unable to block related contingency multiples.
 - Where a trading decision is taken by the risk management team that the business does not wish to offer parlay betting on a certain event/market/selection.



Sports Wagering Division

- Where one or more legs of a parlay is void for any reason, the bet will be settled using the remaining selections, which will become a new parlay, or a single wager in the event that only one leg remains. Potential payout will be reduced to reflect the combined odds of the revised wager. This excludes Same Game Parlays, which are subject to market specific rules.

Same Game Parlay.02(3)(m)

A same game parlay bet consists of two or more legs within the same event, allowed only on eligible same game parlay events, or offered as a pre-packaged selection within the event by Fanatics Sportsbook. Same Game Parlay prices reflect the fact that some outcomes within an event are related, and therefore odds offered may be different to the full multiplied odds of all outcomes.

- Each sport has its own specific Same Game Parlay rules which should be referred to when querying the specific rules within a sport or event type.
- Where two or more Same Game Parlays bets are combined into a parlay bet (sometimes referred to as 'Same Game Parlay Plus') the rules refer to each specific Same Game Parlay within the bet. For example, if one of these Same Game Parlays is void due to a player not taking any part in the bet, the remainder of the parlay will be settled according to the general sportsbook Parlay rules.
- If any selection within a Same Game Parlay is void under our Sportsbook House Rules or Sport-Specific Rules, the remaining selections will be used to determine the outcome of the wager.

Teasers

A teaser bet consists of two or more legs offered at predetermined odds, where a spread or total market is moved to an alternate line. A leg is defined as one or more chosen selections in any individual event market.

- If one or both legs in a two leg teaser are voided or settled as a push then the bet will be settled as a void.
- If one or more legs in any other teaser bet are voided or settled as a push, the teaser will be recalculated and settled at the odds that were offered at the reduced number of legs. If the total legs are reduced to one or less the entire bet will be made void.



Sports Wagering Division

Cash Out

Cash Out is a feature which is offered on selected singles and parlays. Cash Out allows you to amend your original bet by settling your bet (or a portion of your bet) early, without having to wait for the event to finish.

- If you make a Cash Out request, you will be notified whether or not your request has been successful. Your request to Cash Out is not guaranteed to be accepted and if requested while the event is in-play is subject to a delay to account for suspension or odds movement in the same way that a new bet is.
- Upon cashing out a message will be shown to acknowledge the successful cash out and your bet (or the relevant portion of your bet) will be settled immediately and any returns added to your account equal to the cash out offer previously accepted. This return includes the original stake (or portion of stake in the case of a partial cash out). For a full Cash Out, the bet is settled and any subsequent events will have no impact on the amount returned to your account; this including the voiding of an abandoned event. For a partial Cash Out, part of your bet is settled and any subsequent events will only impact on the portion of your bet which you have not Cashed Out.
- Cash Out is not currently available on all markets - signposting will be displayed for markets that support Cash Out, although this service cannot be guaranteed in the event that data feeds are lost during in-play events, or a trading decision is made to remove the cash out facility. Fanatics Sportsbook will not be liable for any losses that may arise from the cash out feature being unavailable for any reason.
- Several promotions which require a qualifying bet to be placed are considered disqualified if the subsequent bet is cashed out. Please check individual terms and conditions for a promotion before bet placement for confirmation.
- Cash Out values are reflective of current odds and are therefore bound by the sportsbook rules relating to technical or human error. These can be found in the rulebook section entitled '**Obvious Errors**'. If an incorrect Cash Out offer is presented to a customer and then accepted due to a technical fault, Fanatics Sportsbook reserves the right to resettle the bet using the correct Cash Out offer.

Miscellaneous



Sports Wagering Division

- Fanatics Sportsbook maintain the right to refuse any bet, or to offer a revised stake to a customer.
- If a wager is placed on an offered market that is non-compliant by that states' regulatory body, the wager will be voided and the stake returned, subject to regulatory approval of MGC.[.02\(3\)\(c\)](#).
- If a wager is placed on an offered market that has not already occurred or is in process and that market is subsequently deemed non-compliant by that states' regulatory body or emergency order, the wager will be voided and the stake returned [.02\(3\)\(c\)](#).
- The minimum bet on all sports events is \$0.10 and the maximum bet on all sports events is \$500,000 [.02\(3\)\(b\)](#). Fanatics Sportsbook reserves the right to set a lower or higher maximum bet amount per customer for any offered event and/or wager type. Any bet limitations will be implemented at the time of bet placement.
- All references within the rulebook to times of day will refer to the local time zone where the match is taking place. All start times displayed on the website or retail outlet will be displayed in the time zone chosen by the customer, or a default time zone presented by Fanatics Sportsbook.
- Customers have the ultimate responsibility for placing their bet on the intended selection. For example, if players with the same forename and surname are held on the site simultaneously, the customer should ensure that their chosen player is listed under the correct event and market name. Where Fanatics Sportsbook has failed to reasonably distinguish between players with similar or identical names within the same event, it will be acknowledged that the customer had no way of determining which selection they were betting on, and bet settlement will take this into account. For example, in an NFL game featuring players Tyreek Hill and Taysom Hill, were a selection offered in touchdown scorer markets under the name "T.Hill", Fanatics Sportsbook consider this bet to have action on both of the aforementioned players. A reasonable distinction would be considered as "Tay.Hill" and "Ty.Hill".
- Fanatics Sportsbook may, in its sole and absolute discretion, decide to suspend betting on a market at any time. In the interests of maintaining integrity and fairness in the markets, Fanatics Sportsbook may also void certain bets in a market or void a whole market in its entirety.

Sport-Specific Rules



Sports Wagering Division

As stated in the general rules section, these rules take precedence over the general rules where there is duplication. For example, if a general rule states that results will be considered official after 24 hours, but the Sport-specific rule uses a time period of 48 hours, then the sport-specific rule will be used to adjudicate.

Football

General Football Rules

- All bets include overtime unless otherwise stated.
- Games must start in the same scheduling week of the league for bets to have action.
 - For the NFL, the scheduling week is Thursday-Wednesday.
 - For the NCAA, the scheduling week is Tuesday-Monday.
 - For all other Football leagues the scheduling week will be considered as Monday-Sunday.
- Where a non-playoff game is called early or abandoned with no intention to resume play there must be 2 minutes or less of time remaining on the game clock for bets to have action unless the specific market outcome is already unconditionally determined. In instances such as this, the score at the time the game is halted will be considered to be the final score referred to for all wagers.
- If a non-playoff game is paused before the indicated time has been played, and not completed within 48 hours of the scheduled start date, bets will be void unless the specific market outcome is already determined.
- In the case of a halted playoff game, all bets will remain open until completion of the game as determined by the league's governing body. If either team is awarded the win without resumption of the game, non-playoff games rules will be referred to when determining bet settlement.
- If a game is halted and then replayed in full rather than being resumed, all bets on the original game will be made void.
- If a game venue is changed to a neutral site and the home team remains designated as such, bets will stand.
- If a game venue is changed to the away team's home stadium or a site where the away team are now listed as the home team, bets placed on the original game will be void.
- In 2-way markets, push rules apply unless otherwise stated.



Sports Wagering Division

- Games which are forfeited without play will not count as a game played or completed (or any other similar term) for settlement purposes. Wins or losses accrued from forfeits will count towards criteria in futures markets (such as playoff qualification, futures outright betting etc)
- For markets related to instances of scoring (e.g. Next Scoring Play, Anytime Scorer), extra point and 2 point conversions after touchdowns are not considered, unless otherwise stated.
- In touchdown scorer markets, the player who is considered to possess the ball when the ball is initially on, above, or behind the plane of the opponents' goal line as determined by the on-field officiating crew (and subsequent replay reviews) will be considered the winning selection. For example, if a passing touchdown is scored, the receiver of the ball will be considered the winner, the player completing the pass will not be settled as a winner.
- In Quarter/Half markets the entire relevant period of play must be completed for bets to stand.
- In the absence of a statistical result being provided by the official organizing body for any market that is required for settlement, Fanatics Sportsbook will seek a reputable independent source for bet settlement.

Football Market Rules

Moneyline

Generally a 2-way market based on the outcome of the game. The 2-way Moneyline is inclusive of Overtime and is a bet on the winner of the event.

- Where a 2-way market is offered listing each team as betting options, bets will be settled according to the winner at the end of play, including (where required) any period of overtime. If no winner is determined and the game is considered a tie, bets will be considered a push, and the market will be made void.
- Where a 3-way market is offered listing each team and the 'tie' as betting options, bets will be settled according to the result;
 - At the end of overtime in a regular season game.
 - At the end of regulation time in a postseason game.
- Where the period of play is referred to in the name of the market (For example '60 Minute Moneyline', or 'Regulation Moneyline') the market name will determine at which point the market will be settled.



1st/2nd Half & 1st/2nd/3rd/4th Quarter Moneyline

Generally a 2-way market based on the outcome of a nominated portion of the game. All markets are exclusive of Overtime.

- Where a 2-way market is offered listing each team as betting options, bets will be settled according to the winner at the end of the nominated time period of play. If no winner is determined and the period of play is considered a tie, bets will be considered a push, and the market will be made void.
- Where a 3-way market is offered listing each team and the 'tie' as betting options, bets will be settled according to the result at the end of the nominated period of play.

Point Spread/Handicap (Including 1st/2nd/3rd/4th Quarter & 1st/2nd Half Point Spread/Handicap)

A point spread/handicap bet allows the customer to bet on whether a team with a minus spread will win by more than a specific number of points, or a team with a plus spread will win outright or lose by less than a specific number of points.

A point spread or handicap bet applies the stated spread to the chosen selection and considers this number to be added or subtracted from the final score. Bets on the outcome of the whole game are inclusive of overtime, bets placed on the 2nd half or 4th quarter are exclusive of overtime.

- For 2-way markets where a whole point number is used as the specified spread the outcome will be considered a push and the market voided when the scores finish tied after the spread is applied. For example if a customer was to bet Team A (-3.0) versus Team B and the final score was 24-21 to Team A, then the market would be considered a push.
- Unless otherwise stated all handicaps and spreads are to be calculated based on the result from the start of the listed period to the end of the specified period. For example, a 3rd quarter spread would only reference the points that were scored within the 3rd quarter of play. In this example, if the score is 14-14 at the start of the 3rd quarter and 21-17 at the end of the 3rd quarter, then the scoreline referenced in the 3rd quarter spread bet would be 7-3.



Sports Wagering Division

- In a 3-way spread market, the tie is also offered, giving the customer 3 options to place their bet on. In these markets if the scores would be tied after the spread is applied to either selection then the tie would be considered the winning selection. For example if a market was offered with Team A (-4) versus Team B including the option of a tie and the final score was 28-24 to Team A, then the tie would be considered the winning selection in this market.

Total Points & Total Team Points (Including 1st/2nd/3rd/4th Quarter & 1st/2nd Half Total Points)

A total points bet provides an opportunity to bet on whether the number of points scored in the game or by a team (within a stated time period) will be less than or greater than the number offered. Bets on the outcome of the whole game are inclusive of overtime, bets placed on the 2nd half or 4th quarter are exclusive of overtime.

- For 2-way markets where a whole point number is used as the specified total the outcome will be considered a push and the market voided when the score finishes exactly as the offered total. For example if a customer was to bet on 'Over 45.0 Points' and the final score was 24-21 then the market would be considered a push.
- Unless otherwise stated all total points bets are calculated based on the result from the start of the listed period to the end of the specified period. For example, a 3rd quarter total points bet would only reference the points that were scored within the 3rd quarter of play. In this example, if the score is 14-14 at the start of the 3rd quarter and 21-17 at the end of the 3rd quarter, then the 3rd quarter total points would be 10.
- In a 3-way Total Points market, an option to bet on the exact number of points scored is also offered, giving the customer 3 options to place their bet on. In these markets if the total points finishes on the selection entitled 'Exactly X Points' then this selection would be settled as a winner. For example if a market was offered containing the selections 'Under 49 Points' 'Exactly 49 Points' and 'Over 49 Points' and the final score was 28-21, then the selection 'Exactly 49 Points' would be settled as a winner, with the other selections settled as losers.

Winning Margin



Sports Wagering Division

This market offers the customer the chance to bet on what the margin of victory will be, choosing from a selection of points bands, for example 1-9 points, 10-19 points etc. The market can be offered with either team specific or general game based selections. Overtime will count towards the settlement of this market.

Double Result (Also referred to as Half-Time/Full-Time)

This market offers the customer the chance to bet on what the result of the game will be at Half-Time and the end of Regulation time. Overtime does not count towards the settlement of this market. The tie is offered on both the half-time and full-time element of the bet, meaning all combinations within the regulation period of play are offered.

Correct Score

This market offers the customer the chance to bet on what the exact score of the game will be at the end of play, including overtime where necessary. Selections can be offered without being attributed to a specific team, or with the named teams being allocated one of the two totals each. For example, a selection such as "24-21" would be a winner if either team won by such a scoreline, whereas "Team A 24- 21 Team B" would require the exact score to be achieved by each team.

Will there be overtime

A 2-way market offering the options of 'Yes' or 'No' as to whether the match will result in a tie at the end of regulation, resulting in a period of overtime.

- This market will be settled as 'Yes' if at the end of regular time the match finishes in a tie, regardless of whether the overtime period is played.

Result of Xth/Current/Next Drive

A multi-way market offering the options of how the drive will end for the offensive team at the start of the drive.

- The selection 'Touchdown' is only settled as a winner if an offensive touchdown is scored. A defensive touchdown will be settled as 'Turnover' if turnover is offered in the betting, otherwise will be settled as 'Other'.



Sports Wagering Division

- If a team remains in possession as the clock expires at the end of the 2nd or 4th quarter, or the end of an overtime period then the market will be settled as 'Other'.

Highest Scoring Half

A 2-way market offering the option to bet on which half will contain the most points scored. The market will be deemed a push and settled as void if the scores are equal in each half.

- Points scored in overtime will be counted towards the second half total.

Highest Scoring Quarter

A 4-way market offering the option to bet on which quarter will contain the most points scored. The market will be settled using dead-heat rules if two or more quarters are tied for the highest score.

- Points scored in overtime will be counted towards the 4th quarter total.

Defensive/Special Teams Touchdown Scored

A market offering the option to bet on whether a touchdown will be scored by the Defense or Special Teams unit.

- Touchdowns resulting from fake punts & fake field goal attempts will count as Special Teams Touchdowns. These will be settled according to the official Game Book provided by the organizing body.
- A return by the defense on a Two-Point conversion will not count as a touchdown.

First Offensive-Play

A 2-way market offering the option of whether the first offensive play from scrimmage will be a running or passing play.



Sports Wagering Division

- If the first play from scrimmage is a pre-snap whistled dead due to a penalty such as a false start, the next play from scrimmage will be used to determine the winning selection.
- A sack will be considered a pass play for NFL matches and a rush play for NCAA matches for the settlement of this market. Any other competitions will be settled according to whether the sack is recorded as a running or passing play per the competition rules or game book.

First Turnover Type/First Team to commit a Turnover

A 2-way market offering the option of what the first turnover of the game will be, or which team will commit the turnover.

- The only accepted turnover types that will be listed are Interception and Fumble.
- All other turnovers will not count towards the settlement of this market.

Drive to cross X yard line

A market offering the option to bet on whether a nominated offensive drive will advance past a stated yard line on the field. In the event of time expiring in the 2nd or 4th quarter during the drive any positive scrimmage yards credited for the final play will count towards settlement. For example if the ball is snapped from the opponent 40 yard line with 3 seconds remaining in the 2nd quarter and a pass is completed for 23 yards, the ball will be considered to have advanced to the opponent 17 yard line.

- Positive penalty yards will count towards settlement, even if a subsequent offensive penalty is applied pre-snap ahead of the next play. For example, if a defensive team receives a 15 yard penalty moving the placement of the ball from the 50 yard line to the 35 yard line, but the offensive team then receives a pre-snap false start penalty and is moved back to the 40 yard line, the furthest recorded advance of the ball will be taken as the 35 yard line.

Offensive Score on 1st Drive of the Game

A market offering the option to bet on whether the first offensive possession of the game will result in a touchdown or field goal.



- An opening kickoff return touchdown by the returning team would not count as a winning selection. The market commences when the offensive unit of either team takes the field for their initial possession.

Team To Win/Score in/Lead in Each Quarter/Half

A market offering the option to bet on whether a team will satisfy the stated criteria between the commencement of play and before the expiration of time in each of the given periods of play. These markets are exclusive of overtime. For example, for a team to be considered to have won each quarter, they must outscore their opponent in each independent quarter of play.

1st/Next/Xth Play Total Yards/First Down/Touchdown/Play Attempt Type

A market offering the option to state which of the predetermined criteria the nominated play will satisfy.

- A sack will be considered a pass play for NFL matches and a running play for NCAA matches for the settlement of this market. Any other competitions will be settled according to whether the sack is recorded as a running or passing play per the competition rules or game book.
- If the ball is not snapped to start the play due to time expiring or a penalty with a run-off of the clock then the market will be voided.
- Any accepted penalty that negates the specified criteria that was bet on will result in the market being settled as void.
- For clarity, a touchdown will also be considered as a first down for the purposes of this market.

Opening/Next/Xth Kickoff to be a Touchback

A 2-way market offering the option to bet on whether the nominated kickoff will result in a touchback. Competition specific rules vary for which actions result in a touchback, and customers should refer to these rules before placing a bet in the event of uncertainty.

- If any post-kick penalty is called on the play the market will be voided.



Sports Wagering Division

- An onside kick resulting in a recovery in the field of play by either team will be deemed to be not a touchback and bets placed on 'No' will be settled as winners.

Extra Point to be made/missed

A 2-way market offering the option to bet on whether a nominated kicked extra point will be successful following a touchdown. Alternatively, this market may be offered to provide the option to bet on whether any Extra Point attempt will be missed during the game. For this market to have action at least one Extra Point must be attempted during play.

- If a team opts to attempt a two point conversion the market will be settled as a void.
- If a penalty is called on the play the market will be made void, with the exception of a declined penalty where the result is a successful extra point.

Field Goal to be made/missed

A 2-way market offering the option to bet on whether a nominated Field Goal attempt will be successful. Alternatively, this market may be offered to provide the option to bet on whether any Field Goal attempt will be missed during the game. For this market to have action at least one Field Goal must be attempted during play.

2 Point Conversion to be attempted/successful/unsuccessful

A 2-way market offering the option to bet on whether a nominated 2 Point Conversion attempt will be successful. Alternatively, this market may be offered to provide the option to bet on whether any 2 Point Conversion attempt will be successful (or attempted) during the game. For this market to have action at least one Touchdown must be scored during play.

Will there be a Safety scored?

A 2-way market offering the option to bet on whether a defensive safety will be scored. This market is inclusive of overtime. Any 2 point safety awarded during play will result in the 'Yes' selection being settled as a winner, otherwise 'No' will be settled as a winner.



Sports Wagering Division

- A safety awarded as a result of a penalty such as 'Intentional Grounding' in the endzone will result in the 'Yes' selection being settled as a winner.

Fair Catch

A 2-way market offering the option to bet on whether a nominated kick or punt will result in a fair catch. For the market to be settled as 'Yes' a fair catch must be signaled for and the catch must be completed by the receiving player. All bets are void if a pre or post snap penalty is called on the play and the play negated. If a penalty occurs after the play is completed, all bets stand. All bets are void if there is a fair catch interference penalty.

Football Player Market Rules

General Player Prop Rules

For any player related market, player(s) must play at least one snap (including special teams snaps) for bets to have action. If a player is listed as "inactive" or "did not play" for the relevant game, bets on that player/market will be void.

Player statistic markets will primarily be settled based on the box score statistics when the game reaches the end of regulation, or overtime in the result of a tie. Fanatics Sportsbook may settle (or partially settle) markets prior to their conclusion if that market is unequivocally determined at the time of settlement.

1st/Last/Next/Anytime/Xth Touchdown Scorer & Player to score X+ Touchdowns

A market offering the chance to bet on the chosen player to score a touchdown or multiple touchdowns subject to the criteria specified in the market name.

- In touchdown scorer markets, the player who is considered to possess the ball when the ball is initially on, above, or behind the plane of the opponents' goal line as determined by the on-field officiating crew (and subsequent replay reviews) will be considered the winning selection. For example, if a passing touchdown is scored, the receiver of the ball will be considered the winner, the player completing the pass will not be settled as a winner.



Sports Wagering Division

- Defensive players are not typically named individually, a selection will be offered for “Team X Defense”, “Any Defensive Player” or “Defensive/Special Teams Player”.
 - Where a Special Teams touchdown is scored by an offensive player who is also named in the betting, if the selection “Defensive/Special Teams Player” has been offered then both this selection and the named player selection will be settled as winners.
- Where the option of ‘No Touchdown scorer’ is included in markets, this selection will be the winner if no player satisfies the criteria specified in the market name. If such selection is not included in the market then bets will be made void if no player satisfies the criteria specified in the market name.

Defensive Player Props (Tackles/Assists, Sacks, Interceptions, Forced Fumbles)

A 2-way market offering the chance to bet on the chosen player to record under or over the specified total of defensive actions.

- Markets will be settled according to the official game book, or the official competition stats offered by the organizing body.
- For 2-way markets where a whole point number is used as the specified total the outcome will be considered a push and the market voided when the final stat line finishes exactly as the offered total. For example if a customer was to bet on ‘Player X Over 4.0 Tackles/Assists’ and the player was deemed to have recorded 4 tackles then the market would be considered a push.
- Individual Sacks can be awarded in increments of 0.5 if shared between multiple players. Therefore it is possible for a push to occur even if a half point line was offered. For example if a customer was to bet on ‘Player X Over 1.5 Sacks’ and the player was deemed to have recorded 1.5 Sacks then the market would be considered a push.
- Only tackles made on defense will count towards tackles/assists markets. Special teams tackles will not be counted.

Passing Props (Yards, Completions, Attempts, Interceptions Thrown, Passing Touchdowns)

A 2-way market offering the chance to bet on the chosen player to record under or over the specified total of passing actions.



- Markets will be settled according to the official game book, or the official competition stats offered by the organizing body.

Rushing & Receiving Props (Yards, Completions, Rush Attempts, Receptions, Rushing Touchdowns, Receiving Touchdowns, Scrimmage/Rushing & Receiving Yards)

A 2-way market offering the chance to bet on the chosen player to record under or over the specified total of rushing, receiving or combined actions.

- Markets will be settled according to the official game book, or the official competition stats offered by the organizing body.
- Scrimmage/Rushing & Receiving Yards will be settled by combining the sum of the rushing and receiving yardage of the nominated player. Negative yardage will also be applied here, for example if a player has 76 receiving yards and -2 rushing yards their total Scrimmage/Rushing & Receiving Yards will be settled as 74.
- In NCAA Football sacks are credited to the quarterback as negative rushing yards. These negative yards will count towards player rushing props.

Kicking Props (Combined FG Yardage, Combined Punt Yardage, Kicking Points, Field Goals Made)

A 2-way market offering the chance to bet on the chosen player to record under or over the specified total of kicking actions.

- Markets will be settled according to the official game book, or the official competition stats offered by the organizing body.
- Punt yardage totals will specify whether this is the total kicking distance or the net yardage which includes returns by the receiving team.

Yards on First Pass Completion/Rush Attempt/Reception

A 2-way market offering the chance to bet on the yardage total of the first nominated action by a specified player.



Sports Wagering Division

- If the specified player fails to complete an instance of the nominated action then the market will be settled as a void.

Longest Completion/Rush Attempt/Reception

A 2-way market offering the chance to bet on the longest individual yardage total of a nominated action by a specified player.

- If the specified player fails to complete an instance of the nominated action then the market will be settled as “under” the specified total. For example, if a market on ‘Longest Reception’ is offered at Over/Under 12.5 yards and the nominated player has no receptions during the game, the longest reception achieved would be considered to be zero yards and the “Under 12.5 yards” selection would be considered the winner.

Daily/Weekly Cross Match Player Props/Team Specials

A variety of special markets offered on events to occur across the daily/weekly slate of games within a specified competition. These may include (but are not limited to) player prop parlays across multiple games, or combined totals of points, wins etc by various combinations of named teams and/or players.

- The number of games (or a list of the relevant games) applicable to the Daily specials will be mentioned in the market name or market notes. If this number of games does not take place then any special market which depends on action from all games (e.g ‘Each game to have 40+ points’ or ‘400+ combined points across all games’) will be made void.
- Where markets are offered such as ‘Highest Scoring Game’ or ‘Lowest Scoring Game’ dead heat rules will apply.
- For player specific markets, if any player named in the bet is inactive or does not play the entire selection will be made void.

Season Long Player Props



Sports Wagering Division

A variety of season long props may be offered based on a nominated player (or players) achieving any recorded stat category that is also offered in the standard single game player prop offering.

- Props will apply to the regular season only unless otherwise specified

For any season long prop to have action the following criteria must be met;

- The player must be on their team's active roster when the next scheduled game (not including pre-season) from the bet being placed is played.
- The player's team at the time of the bet being placed must complete their scheduled number of remaining games. If the player is traded to another team at any point after the bet is placed the bet will still have action, and the player's new team must complete their scheduled number of regular season games.
 - The exception to this rule would be if a player had already surpassed the specified total at the point that a team's season was shortened. In this case, bets would be settled in full, with "Over" being the winner and "Under" being the loser.
- For rushing, receiving, kicking or defensive players props the nominated player must play at least one snap during the season.
- For passing props the nominated player must start at least one game at Quarterback during the season.

Season Long Player/Coach Futures Markets

A variety of markets offered on the nominated list of players/coaches to receive a specified award or lead a certain statistical category.

- Bets are settled 'All Bets are Action'. See general rules for more information.
- If an award is canceled or not awarded then bets will be void.
- If an award or statistical category lead is shared then bets will be settled using 'Dead Heat' rules. See general rules for more information.

Player's Next Team

A market offering an opportunity to bet on which team the nominated player will sign his next contract, and subsequently be added to the active roster for.



Sports Wagering Division

- The winning selection is determined by the team the specific player is under contract with, and on the active roster of, for the next game of the regular or postseason from the time that the market is offered (regardless of whether or not they play in that game).

Football Futures Market Rules

General Football Futures Rules

Bets will be settled based on official standings or rulings provided by the organizing body. For bets to stand, the number of games where a result is passed must equal the number of games scheduled when the season begins, unless the outcome has already been determined. Any forfeited game that is considered an official result will count towards season long bets.

Outright/Conference/Division Winner Markets

If a result is passed by the organizing body for any of the above markets it will be deemed final irrespective of whether the season has been amended in any way to achieve this result. If a team is withdrawn, suspended or otherwise removed from the competition they will be deemed a participant if they have started at least one fixture.

- For avoidance of doubt in the NFL conference winner markets, the conference winner is the team that advances to the Super Bowl, not the team that is awarded the number 1 seed in the playoffs.
- Division winner markets follow the tie break rules set out by the organizing body.

Regular Season Wins

A 2-way market which offers the customer the opportunity to bet whether a team will win more or less than the specified total number of wins. In the result of a whole number being offered and that outcome being achieved bets will be settled as a push. For example if a team is offered at Over/Under 8.0 wins and finishes the season with 8 wins the market will be deemed a push and settled as void.



Sports Wagering Division

- For the purposes of regular season win total markets, games that result in ties do not count towards the number of wins, and therefore count equally to a loss.
- Bets will be void if the chosen team or teams do not achieve an official result for all scheduled regular season games (using the schedule produced before Week 1 of the regular season) unless the total has already been passed or can not possibly be achieved in the remaining number of games.
- Any forfeited game that is considered an official result will count towards Regular Season Wins regardless of whether it is a win or a loss.

Number 1 Seed/Team Awarded 1st Draft Pick/Team to Make or Miss Playoffs/Team to be awarded a Wildcard

These markets offer the customer the opportunity to bet on specific seedings/standings that are awarded to teams in the final standings.

- The 'Team Awarded 1st Draft Pick' market is settled based on the team that finishes with the worst record in the NFL in a given season, regardless of whether that pick has already been traded, or is subsequently traded to another team.
- Tie-break rules set by the organizing body will be used to determine winners in each of these markets.
- If the number of playoff teams is changed after creation of the 'Make or Miss Playoffs' market, then Fanatics Sportsbook reserves the right to make the market void.

NFL Draft Market Rules

General Draft Rules

A player's position will be determined by the listing on the NFL draft website. In the absence of such information, the position called out at the time of the pick announcement will be used for settlement. A player given the designation of EDGE will be categorized as a defensive lineman.

Draft Pick Number Props



Sports Wagering Division

A market that offers the customer the opportunity to bet on where the nominated player will be taken in the draft. For example, if a player's draft position is set at 'Over/Under 2.5' they would need to be drafted 1st or 2nd for the 'Under' selection to be a winner. If a player is undrafted then the 'Over' selection is settled as a winner.

Xth Player Drafted (Offered on an Overall, Position, College, NCAA Conference basis)

A market that offers the customer the opportunity to bet on the draft position of a player when pitted against a list of others, based on the criteria specified in the market name.

- Positions are determined by listings on the NFL draft website.
- College is determined by the last college team that the player was a member of before the draft.
- For NCAA conference markets, the conference that the specified school belonged to in the prior NCAA Football season will be used.
 - Notre Dame is considered an independent college for settlement purposes.

Player to be picked in the Xth Round

A market offering the customer the opportunity to select which round the nominated player will be drafted in.

- If no option for 'Player to go undrafted' (or similar language) is given then the market will be void in the instance that the named player is not selected.
- Compensatory and Resolution JC-2A selections added to the end of rounds are counted within that round for settlement purposes and should be referenced via the official NFL draft order on the NFL website.

Football Same Game Parlay Specific Rules

Same Game Parlay bet legs follow the individual rules determined by the market they are selected from. For the avoidance of doubt a Same Game Parlay bet will be considered to be void if:



Sports Wagering Division

- The entire event is voided under Fanatics Sportsbook Abandoned, Canceled, Postponed or Forfeited Events ruling.

Basketball

General Basketball Rules

- All bets include overtime unless otherwise stated.
- Games must start before midnight local time for bets to have action.
- Where a non-playoff game is called early or abandoned with no intention to resume play there must be 2 minutes or less of time remaining on the game clock for bets to have action unless the specific market outcome is already unconditionally determined. In instances such as this, the score at the time the game is halted will be considered to be the final score referred to for all wagers.
- If a non-playoff game is paused before the indicated time has been played, and not completed within 48 hours of the scheduled start date, bets will be void unless the specific market outcome is already determined.
- In the case of a halted playoff game, all bets will remain open until completion of the game as determined by the league's governing body. If either team is awarded the win without resumption of the game, non-playoff games rules will be referred to when determining bet settlement.
- If a game is halted and then replayed in full rather than being resumed, all bets on the original game will be made void.
- If a game venue is changed to a neutral site or switched to the home venue of the designated away team all bets placed before the venue change will be made void.
- Games which are forfeited without play will not count as a game played or completed (or any other similar term) for settlement purposes. Wins or losses accrued from forfeits will count towards criteria in futures markets (such as playoff qualification, futures outright betting etc)
- In Quarter/Half markets the entire relevant period of play must be completed for bets to stand.
- In the absence of a statistical result being provided by the official organizing body for any market that is required for settlement, Fanatics Sportsbook will seek a reputable independent source for bet settlement.



Basketball Market Rules

Moneyline

Generally a 2-way market based on the outcome of the game. The 2-way Moneyline is inclusive of Overtime and is a bet on the winner of the event.

- Where a 2-way market is offered listing each team as betting options, bets will be settled according to the winner at the end of play, including (where required) any period of overtime. If no winner is determined and the game is considered a tie, bets will be considered a push, and the market will be made void.
- Where a 3-way market is offered listing each team and the 'tie' as betting options, bets will be settled according to the result at the end of regulation time.

1st/2nd Half & 1st/2nd/3rd/4th Quarter Moneyline

Generally a 2-way market based on the outcome of a nominated portion of the game. All markets are exclusive of Overtime.

- Where a 2-way market is offered listing each team as betting options, bets will be settled according to the winner at the end of the nominated time period of play. If no winner is determined and the period of play is considered a tie, bets will be considered a push, and the market will be made void.
- Where a 3-way market is offered listing each team and the 'tie' as betting options, bets will be settled according to the result at the end of the nominated period of play.

Point Spread/Handicap (Including 1st/2nd/3rd/4th Quarter & 1st/2nd Half Point Spread/Handicap)

A point spread/handicap bet allows the customer to bet on whether a team with a minus spread will win by more than a specific number of points, or a team with a plus spread will win outright or lose by less than a specific number of points.

A point spread or handicap bet applies the stated spread to the chosen selection and considers this number to be added or subtracted from the final score. Bets on the



Sports Wagering Division

outcome of the whole game are inclusive of overtime, bets placed on the 2nd half or 4th quarter are exclusive of overtime.

- For 2-way markets where a whole point number is used as the specified spread the outcome will be considered a push and the market voided when the scores finish tied after the spread is applied. For example if a customer was to bet Team A (-3.0) versus Team B and the final score was 103-100 to Team A, then the market would be considered a push.
- Unless otherwise stated all handicaps and spreads are to be calculated based on the result from the start of the listed period to the end of the specified period. For example, a 3rd quarter spread would only reference the points that were scored within the 3rd quarter of play. In this example, if the score is 50-50 at the start of the 3rd quarter and 72-69 at the end of the 3rd quarter, then the scoreline referenced in the 3rd quarter spread bet would be 22-19.
- In a 3-way spread market, the tie is also offered, giving the customer 3 options to place their bet on. In these markets if the scores would be tied after the spread is applied to either selection then the tie would be considered the winning selection. For example if a market was offered with Team A (-4) versus Team B including the option of a tie and the final score was 108-104 to Team A, then the tie would be considered the winning selection in this market.

Total Points & Total Team Points (Including 1st/2nd/3rd/4th Quarter & 1st/2nd Half Total Points)

A total points bet provides an opportunity to bet on whether the number of points scored in the game or by a team (within a stated time period) will be less than or greater than the number offered. Bets on the outcome of the whole game are inclusive of overtime, bets placed on the 2nd half or 4th quarter are exclusive of overtime.

- For 2-way markets where a whole point number is used as the specified total the outcome will be considered a push and the market voided when the score finishes exactly as the offered total. For example if a customer was to bet on 'Over 205.0 Points' and the final score was 104-101 then the market would be considered a push.
- Unless otherwise stated all total points bets are calculated based on the result from the start of the listed period to the end of the specified period. For example, a 3rd quarter total points bet would only reference the points that were scored



Sports Wagering Division

within the 3rd quarter of play. In this example, if the score is 50-50 at the start of the 3rd quarter and 73-71 at the end of the 3rd quarter, then the 3rd quarter total points would be 44.

- In a 3-way Total Points market, an option to bet on the exact number of points scored is also offered, giving the customer 3 options to place their bet on. In these markets if the total points finishes on the selection entitled 'Exactly X Points' then this selection would be settled as a winner. For example if a market was offered containing the selections 'Under 209 Points' 'Exactly 209 Points' and 'Over 209 Points' and the final score was 109-100, then the selection 'Exactly 209 Points' would be settled as a winner, with the other selections settled as losers.

Winning Margin

This market offers the customer the chance to bet on what the margin of victory will be, choosing from a selection of points bands, for example 1-9 points, 10-19 points etc. The market can be offered with either team specific or general game based selections. Overtime will count towards the settlement of this market.

Double Result (Also referred to as Half-Time/Full-Time)

This market offers the customer the chance to bet on what the result of the game will be at Half-Time and the end of Regulation time. Overtime counts towards the settlement of this market. The tie is offered on the half-time element of the bet, meaning all combinations following any required additional period of play are offered. In the event that an event is declared a tie markets will be made void.

Highest Scoring Half

A 2-way market offering the option to bet on which half will contain the most points scored. The market will be deemed a push and settled as void if the scores are equal in each half.

- Points scored in overtime will be counted towards the second half total.

Highest Scoring Quarter



Sports Wagering Division

A 4-way market offering the option to bet on which quarter will contain the most points scored. The market will be settled using dead-heat rules if two or more quarters are tied for the highest score.

- Points scored in overtime will be counted towards the 4th quarter total.

Race to X Points (Offered in Match, 1st/2nd Half & 1st/2nd/3rd/4th Quarter)

A 3-way market offering the option to bet on which team will be the first to reach a stated total number of points, with a third option provided for neither team to reach the stated total.

Basketball Player Market Rules

General Player Prop Rules

For any player related market, player(s) must enter the court and receive at least 1 second of playing time for bets to have action. If a player is listed as “inactive” or “did not play” for the relevant game, bets on that player/market will be void.

Player statistic markets will primarily be settled based on the box score statistics when the game reaches the end of regulation, or overtime in the result of a tie. Fanatics Sportsbook may settle (or partially settle) markets prior to their conclusion if that market is unequivocally determined at the time of settlement.

- 4th Quarter & 2nd Half specific player props markets do not include Overtime.
- Free throws do not count as Field Goals.

Total Player Points/Rebounds/Assists/Threes Made/Blocks/Steals (Including markets specific to 1st/2nd Half and 1st/2nd/3rd/4th Quarter)

A 2-way market offering the chance to bet on the chosen player to record under or over the specified total number of the nominated stat category.

- Markets will be settled according to the official game book, or the official competition stats offered by the organizing body.



Sports Wagering Division

- A player must enter the court and receive at least 1 second of playing time in the stated quarter or half for quarter/half specific markets to have action.
- Offensive and Defensive rebounds will count in the case of Total Rebounds
- Fanatics Sportsbook may choose to offer combinations of these markets such as 'Total Player Points + Rebounds'. These markets will be settled based on the sum total of the listed categories.

Player to record a Double-Double/Triple-Double

A market offering the chance to bet on whether the nominated player will record 10 or more instances in two or more (Double-Double) or three or more (Triple-Double) of the five main statistical categories. For avoidance of doubt these statistical categories are;

- Points
 - Rebounds
 - Assists
 - Steals
 - Blocks
-
- Markets will be settled according to the official game book, or the official competition stats offered by the organizing body.
 - A player must enter the court and receive at least 1 second of playing time in the stated quarter or half for quarter/half specific markets to have action.
 - Offensive and Defensive rebounds will count in the case of Total Rebounds

First Field Goal/Rebound/Assist/Three Made (Rules are inclusive of any other Player statistic category not here listed)

A market offering the chance to select from a list of players which one will be the first to achieve the stated statistic.

- Listed players who do not enter the court before a winner is established will be made void.
- If a player who is not named in the list is deemed the winner of the market then bets will be made void.
- Free throws do not count as Field Goals



Sports Wagering Division

Most Points/Rebounds/Assists/Threes Made (Rules are inclusive of any other Player statistic category not here listed)

A market offering the chance to select from a list of players which one will achieve the highest total of the stated statistic.

- Any listed player who plays at least 1 second of game time will be considered to have action.
- If a player who is not named in the list is deemed the winner of the market then bets will be made void.
- Dead Heat rules apply where two or more players are tied for the lead in a statistical category.

Season/Series Long Player Props

A variety of season long props may be offered based on a nominated player (or players) achieving any recorded stat category that is also offered in the standard single game player prop offering.

- Props will apply to the regular season only unless otherwise specified

For any season long prop to have action the following criteria must be met;

- The player must be on their team's active roster when the next scheduled game (not including pre-season) from the bet being placed is played.
- The player's team at the time of the bet being placed must complete their scheduled number of remaining games
 - The exception to this rule would be if a player had already surpassed the specified total at the point that a team's season was shortened. In this case, bets would be settled in full, with "Over" being the winner and "Under" being the loser.
- For bets to have action the nominated player must receive playing time in at least 1 game during the regular season/playoff series dependent on bet type.

Season Long Player/Coach Futures Markets



Sports Wagering Division

A variety of markets offered on the nominated list of players/coaches to receive a specified award or lead a certain statistical category.

- Bets are settled 'All Bets are Action'. See general rules for more information.
- If an award is canceled or not awarded then bets will be void.
- If an award or statistical category lead is shared then bets will be settled using 'Dead Heat' rules. See general rules for more information.

Player's Next Team

A market offering an opportunity to bet on which team the nominated player will sign his next contract, and subsequently be added to the active roster for.

- The winning selection is determined by the team the specific player is under contract with, and on the active roster of, for the next game of the regular or postseason from the time that the market is offered (regardless of whether or not they play in that game).

Daily Cross Match Player Props/Team Specials

A variety of special markets offered on events to occur across the daily slate of games within a specified competition. These may include (but are not limited to) player prop parlays across multiple games, or combined totals of points, wins etc by various combinations of named teams and/or players.

- The number of games (or a list of the relevant games) applicable to the Daily specials will be mentioned in the market name or market notes. If this number of games does not take place then any special market which depends on action from all games (e.g 'Each game to have 200+ points' or '1000+ combined points across all games') will be made void.
- Where markets are offered such as 'Highest Scoring Game' or 'Lowest Scoring Game' dead heat rules will apply.
- For player specific markets, if any player named in the bet does not receive at least 1 second of playing time the entire selection will be made void.

Basketball Futures Market Rules



Sports Wagering Division

General Basketball Futures Rules

Bets will be settled based on official standings or rulings provided by the organizing body. For bets to stand, the number of games where a result is passed must equal the number of games scheduled when the season begins, unless the outcome has already been determined. Any forfeited game that is considered an official result will count towards season long bets.

Outright/Conference/Division Winner Markets

If a result is passed by the organizing body for any of the above markets it will be deemed final irrespective of whether the season has been amended in any way to achieve this result. If a team is withdrawn, suspended or otherwise removed from the competition they will be deemed a participant if they have started at least one fixture.

- For avoidance of doubt in the NBA conference winner markets, the conference winner is the team that advances to the Championship Series, not the team that is awarded the number 1 seed in the playoffs.
- Division winner markets follow the tie break rules set out by the organizing body.

Regular Season Wins/Win %

A 2-way market which offers the customer the opportunity to bet whether a team will win more or less than the specified total number of wins. In the result of a whole number being offered and that outcome being achieved bets will be settled as a push. For example if a team is offered at Over/Under 60.0 wins and finishes the season with 60 wins the market will be deemed a push and settled as void.

- Bets placed on Regular Season Wins will be void if the chosen team or teams do not achieve an official result for all scheduled regular season games (using the schedule produced before Week 1 of the regular season) unless the total has already been passed or cannot possibly be achieved in the remaining number of games.
- In the event of a shortened season or team being disqualified from a competition bets placed on Regular Season Win % will be settled in full if the nominated team plays at least 5 regular season games.



Sports Wagering Division

- Any forfeited game that is considered an official result will count towards Regular Season Wins regardless of whether it is a win or a loss.

Number 1 Seed/Team to Make or Miss Playoffs

These markets offer the customer the opportunity to bet on specific seedings/standings that are awarded to teams in the final standings.

- The NBA Playoff Tournament is determined as the final 8 team (per conference) tournament to decide the finalist from each conference. Teams competing in play-in games or tiebreakers will only be determined to have reached the playoffs if they have achieved this as a result of the play-in tournament.
- Tie-break rules set by the organizing body will be used to determine eventual winners in each of these markets.
- If the number of playoff teams is changed after creation of the 'Make or Miss Playoffs' market, then Fanatics Sportsbook reserves the right to make the market void.

Series Markets

These markets offer the customer the opportunity to bet on the exact outcome of a playoff series of games.

- For bets to have action the playoff series must reach a natural conclusion. This means one of the teams must reach the required number of wins as stated before the series commenced. For example, in a best of 5 series if the series is cut short and one team wins by 2 games to 1 the entire series market will be made void.

NBA Draft Market Rules

General Draft Rules

A player's position, measurables and other stats will be determined by the listing on the NBA draft website. In the absence of such information, the position called out at the time of the pick announcement will be used for settlement.



Sports Wagering Division

Draft Pick Number Props

A market that offers the customer the opportunity to bet on where the nominated player will be taken in the draft. For example, if a player's draft position is set at 'Over/Under 2.5' they would need to be drafted 1st or 2nd for the 'Under' selection to be a winner. If a player is undrafted then the 'Over' selection is settled as a winner.

Xth Player Drafted (Offered on an Overall, Position, College, NCAA Conference basis)

A market that offers the customer the opportunity to bet on the draft position of a player when pitted against a list of others, based on the criteria specified in the market name.

- Positions are determined by listings on the NBA draft website.
- College is determined by the last college team that the player was a member of before the draft.
- For NCAA conference markets, the conference that the specified school belonged to in the prior NCAA Basketball season will be used.

Player to be picked in the Xth Round

A market offering the customer the opportunity to select which round the nominated player will be drafted in.

- If no option for 'Player to go undrafted' (or similar language) is given then the market will be void in the instance that the named player is not selected.

Basketball Same Game Parlay Specific Rules

Same Game Parlay bet legs follow the individual rules determined by the market they are selected from. For the avoidance of doubt a Same Game Parlay bet will be considered to be void if:

- The entire event is voided under Fanatics Sportsbook Abandoned, Canceled, Postponed or Forfeited Events ruling.



Sports Wagering Division

Baseball

General Baseball Rules

- All bets include extra innings played unless otherwise stated.
- Games must start on the same day as originally scheduled (in local time) for bets to have action.
- If a regular season game is halted before it has reached a conclusion and not completed by 11:59pm (local time) of the following day, bets will be made void unless the specific market outcome is already determined.
- In the case of a halted playoff game, all bets will remain open until completion of the game as determined by the league's governing body. If either team is awarded the win without resumption of the game, non-playoff games rules will be referred to when determining bet settlement.
- If a game is halted and then replayed in full rather than being resumed, outstanding bets on the original game will be made void where the market outcome was not already determined.
- Where a non-playoff game is abandoned before completion with no intention to resume play, market specific rules will determine settlement. Where no market specific rule exists, bets will be made void unless a result has been unconditionally determined. For example, if a game is called after 6 innings, bets on 3rd inning total runs would be allowed to stand given that they have been unaffected by the abandonment.
- In competitions where a 'Mercy Rule' is used, the result at the time of the rule enforcement will be referenced as the final score of the game and used for settlement. Any markets where a winning selection cannot be determined (such as innings winners for innings that aren't completed) will be made void.
- If a game venue is changed to a neutral site and the home team remains designated as such, bets will stand.
- If a game venue is changed to the away team's home stadium or a site where the away team are now listed as the home team, bets placed on the original game will be void.
- In 2-way markets, push rules apply unless otherwise stated.
- Games which are forfeited without play will not count as a game played or completed (or any other similar term) for settlement purposes. Wins or losses



Sports Wagering Division

accrued from forfeits will count towards criteria in futures markets (such as playoff qualification, futures outright betting etc)

- In the absence of a statistical result being provided by the official organizing body for any market that is required for settlement, Fanatics Sportsbook will seek a reputable independent source for bet settlement.

Baseball Pitcher Action Rules

Baseball markets can be offered using different naming conventions, which can influence whether the action for the bet is linked to the named pitcher(s).

- Betting opportunities that specify the starting pitchers for both teams or either team are known as a 'Listed Pitchers' bet. The name(s) of the listed pitcher(s) who are associated with the bet will be included in the market name. If one (or both) of the starting pitchers listed do not start, the bet is made void.
- All betting opportunities that do not specify the starting pitchers will have action regardless of which pitchers start the game. These bets will stand unless events during the game such as abandonment give cause for markets to be made void.
- In live betting markets where a pitcher is named the bet will stand only if the listed pitcher remains on the mound until the market reaches a conclusion. If the pitcher is not specified in the market name, then all bets have action regardless of pitcher changes.

Baseball Market Rules

Moneyline

A 2-way market based on the outcome of the game. The 2-way Moneyline is inclusive of Extra Innings and is a bet on the winner of the event.

- Where a 2-way market is offered listing each team as betting options, bets will be settled according to the winner at the end of play, including (where required) any extra innings played. If no winner is determined and the game is called a tie, bets will be considered a push, and the market will be made void.



Sports Wagering Division

- Where a 3-way market is offered listing each team and the 'tie' as betting options, bets will be settled according to the result at the end of the regular number of expected innings as per the rulebook of the organizing body.
- In the result of a game being called early and a result being declared by the officiating crew and/or organizing body the following rules will apply;
 - If less than 4.5 full innings are played then all bets will be made void.
 - If 4.5 full innings or more have been played and the home team is in the lead then bets will be settled in full with the home team settled as the winner.
 - If 5 full innings or more have been played and the away team is in the lead then bets will be settled in full with the away team settled as the winner.
 - If the bottom of the 5th inning is in progress and the away team is in the lead then bets will be made void.
 - If the scores are tied at the time of abandonment bets will be made void.

Total Runs & Total Team Runs (Including Innings Specific Totals)

A total runs bet provides an opportunity to bet on whether the number of runs scored in the game or by a team (within a stated time period) will be less than or greater than the number offered. Bets on the outcome of the whole game are inclusive of extra innings, bets placed on specific innings apply to that inning only and will not include runs scored in any extra period of play.

- For 2-way markets where a whole number is used as the specified total the outcome will be considered a push and the market voided when the score finishes exactly as the offered total. For example if a customer was to bet on 'Over 9.0 Runs' and the final score was 8-1 then the market would be considered a push.
- Unless otherwise stated all total runs bets are calculated based on the result from the start of the listed period to the end of the specified period. For example, a 3rd Innings Total Runs bet would only reference runs that were scored within the 3rd Inning of play. In this example, if the score is 1-0 at the start of the 3rd Inning and 2-2 at the end of the 3rd Inning, then the 3rd inning total runs would be 3.
- In a 3-way Total Runs market, an option to bet on the exact number of runs scored is also offered, giving the customer 3 options to place their bet on. In these markets if the total runs finishes on the selection entitled 'Exactly X Runs'



Sports Wagering Division

then this selection would be settled as a winner. For example if a market was offered containing the selections 'Under 9 Runs' 'Exactly 9 Runs' and 'Over 9 Runs' and the final score was 7-2, then the selection 'Exactly 9 Runs' would be settled as a winner, with the other selections settled as losers.

- The game must go at least 9 full innings (8.5 innings if the home team is ahead resulting in the end of the game), unless the result of the market is already determined, and the game result is declared official.
 - For games that are scheduled over 7 innings the game must go at least 7 full innings (6.5 innings if the home team is ahead resulting in the end of the game), unless the result of the market is already determined, and the game result is declared official.

Run-Line/Spread (Including Innings Specific)

A Run-Line bet provides an opportunity to bet on whether a team with a minus spread will win by more than a specific number of runs, or a team with a plus spread will win outright or lose by less than a specific number of runs.

A Run-Line (or spread) bet applies the stated spread to the chosen selection and considers this number to be added or subtracted from the final score. Bets on the outcome of the whole game are inclusive of extra innings, bets placed on specific innings apply to that inning only and will not include runs scored in any extra period of play

- For 2-way markets where a whole run number is used as the specified spread the outcome will be considered a push and the market voided when the scores finish tied after the spread is applied. For example if a customer was to bet Team A (-3.0) versus Team B and the final score was 5-2 to Team A, then the market would be considered a push.
- Unless otherwise stated all Run-Line/Handicap bets are to be calculated based on the result from the start of the listed period to the end of the specified period. For example, an '8th Inning Run-Line' would only reference the runs that were scored within the 8th Inning of play. In this example, if the score is 5-5 at the start of the 8th Inning and 7-5 at the end of the 8th Inning, then the scoreline referenced in the 8th Innings Run-Line bet would be 2-0.



Sports Wagering Division

- In a 3-way spread market, the tie is also offered, giving the customer 3 options to place their bet on. In these markets if the scores would be tied after the spread is applied to either selection then the tie would be considered the winning selection. For example if a market was offered with Team A (-1) versus Team B including the option of a tie and the final score was 6-5 to Team A, then the tie would be considered the winning selection in this market.
- The game must go at least 9 full innings (8.5 innings if the home team is ahead resulting in the end of the game), unless the result of the market is already determined, and the game result is declared official.
 - For games that are scheduled over 7 innings the game must go at least 7 full innings (6.5 innings if the home team is ahead resulting in the end of the game), unless the result of the market is already determined, and the game result is declared official.

Most Hits/Total Hits/Team Hits (Including Innings Specific)

A market giving the customer the opportunity to bet on action related specifically to the 'Hits' category of the scoring column, which typically appears in the boxscore alongside the runs and errors by each team. Bets are offered on which team will have the most hits, as well as the total number of game or team hits.

- The game must go at least 9 full innings (8.5 innings if the home team is ahead resulting in the end of the game), unless the result of the market is already determined, and the game result is declared official.
 - For games that are scheduled over 7 innings the game must go at least 7 full innings (6.5 innings if the home team is ahead resulting in the end of the game), unless the result of the market is already determined, and the game result is declared official.
- In the case of Inning/Half Inning Specific markets, the stated period must be completed for bets to have action unless the result has already been determined.

Innings Specific & Innings Grouped Moneyline Bets (E.g 2nd Inning Moneyline or 1st 5 Innings Moneyline)

These markets give the customer the opportunity to bet on the winner of a condensed portion of the game, whether that is a specific inning, or a group of innings within the game.



- Where scores are tied in a 2-way market bets will be voided. In a 3-way market bets will be settled in full with the 'Tie' selection being settled as the winner.
- The specified number of full innings must be completed for bets to have action unless the home team is ahead with 0.5 innings remaining.

Odd/Even Total Runs (Including Innings Specific)

These markets give the customer the opportunity to bet on whether the total number of runs scored in the stated time period will be odd or even.

- Any markets where the result is zero will be settled as 'Even'.
- For the entire game Odd/Even market the game must go at least 9 full innings (8.5 innings if the home team is ahead resulting in the end of the game), unless the result of the market is already determined, and the game result is declared official.
 - For games that are scheduled over 7 innings the game must go at least 7 full innings (6.5 innings if the home team is ahead resulting in the end of the game), unless the result of the market is already determined, and the game result is declared official.

1st 5 Innings & Money Line Double Result

This market gives customers the opportunity to bet on which team will be leading at the conclusion of the 5th inning combined with the winning team according to the Money Line market.

- The game must go at least 9 full innings (8.5 innings if the home team is ahead resulting in the end of the game).
 - For games that are scheduled over 7 innings the game must go at least 7 full innings (6.5 innings if the home team is ahead resulting in the end of the game).

Winning Margin

This market offers the customer the chance to bet on what the margin of victory will be, choosing from a selection of run bands, for example 1 run, 2 runs or 3+ runs etc. The



Sports Wagering Division

market can be offered with either team specific or general game based selections. Extra Innings will count towards the settlement of this market.

- The game must go at least 9 full innings (8.5 innings if the home team is ahead resulting in the end of the game), unless the result of the market is already determined, and the game result is declared official.
 - For games that are scheduled over 7 innings the game must go at least 7 full innings (6.5 innings if the home team is ahead resulting in the end of the game), unless the result of the market is already determined, and the game result is declared official.
- In competitions where a tie is possible and this option is not offered within the market, bets will be void if scores finish tied.

First To Score X Runs/Race to X Runs

These markets offer customers the opportunity to bet on which team will be the first to reach a stated total of Runs. Where the option to bet on 'Neither Team' is offered then markets will be settled in full provided the market has reached a conclusion.

- The game must go at least 9 full innings (8.5 innings if the home team is ahead resulting in the end of the game), unless the result of the market is already determined, and the game result is declared official.
 - For games that are scheduled over 7 innings the game must go at least 7 full innings (6.5 innings if the home team is ahead resulting in the end of the game), unless the result of the market is already determined, and the game result is declared official.
- If a tied game is called/suspended early in a competition where a tie is not an accepted result and a winner has not yet been determined for the market, 'Neither Team' will be settled as a winner, with remaining selections made void.

Highest Scoring Inning/Group of Innings

These markets offer customers the opportunity to bet on which Inning (or group of innings) will see the highest total number of runs scored. Dead heat rules apply where there are multiple winners. If the highest scoring inning is an extra inning of play markets will be made void.



Sports Wagering Division

- The game must go at least 9 full innings (8.5 innings if the home team is ahead resulting in the end of the game), unless the result of the market is already determined, and the game result is declared official.
 - For games that are scheduled over 7 innings the game must go at least 7 full innings (6.5 innings if the home team is ahead resulting in the end of the game), unless the result of the market is already determined, and the game result is declared official.

Team with the Highest Scoring Inning

This market offers customers the opportunity to bet on which team will have the highest scoring Half-Inning of the game. If both teams finish tied and the tie is offered as a betting option the market will be settled in full with 'Tie' settled as the winner. If no tie is offered bets will be made void.

- The game must go at least 9 full innings (8.5 innings if the home team is ahead resulting in the end of the game), unless the result of the market is already determined, and the game result is declared official.
 - For games that are scheduled over 7 innings the game must go at least 7 full innings (6.5 innings if the home team is ahead resulting in the end of the game), unless the result of the market is already determined, and the game result is declared official.

Team to win the most Innings

This market offers customers the opportunity to bet on which team will outscore their opponent in the most individual Innings. Settlement is calculated by summing up the winners of each individual inning. If both teams finish tied and the tie is offered as a betting option the market will be settled in full with 'Tie' settled as the winner. If no tie is offered bets will be made void.

- The game must go at least 9 full innings (8.5 innings if the home team is ahead resulting in the end of the game), unless the result of the market is already determined, and the game result is declared official.
 - For games that are scheduled over 7 innings the game must go at least 7 full innings (6.5 innings if the home team is ahead resulting in the end of



Sports Wagering Division

the game), unless the result of the market is already determined, and the game result is declared official.

- If the home team (or team batting at the bottom of the inning in a neutral venue game) is able to outscore their opponent before 3 outs are recorded then they will be deemed to have 'won' that particular inning.
- Extra Innings will count towards the settlement of this market.

Last Team to Score

A 2-way market offering the customer the opportunity to bet on which team will score the last run of the game. Where no run is scored during play bets will be made void.

- The game must go at least 5 full innings (4.5 innings if the home team is ahead resulting in the end of the game), unless the result of the market is already determined, and the game result is declared official.

1st Hit/Home Run/Single/Double/Triple/Error/Stolen Base of the Game

A market offering the customer the opportunity to bet on which team will be the first to complete the stated action during the game. Where a 2-way market is offered and the stated action does not occur, bets will be void. Where a 3-way market is offered and the stated action does not occur, the selection referring to no instances of the stated action (Such as 'No Home Run') will be settled as the winner.

- The game must go at least 9 full innings (8.5 innings if the home team is ahead resulting in the end of the game), unless the result of the market is already determined, and the game result is declared official.
 - For games that are scheduled over 7 innings the game must go at least 7 full innings (6.5 innings if the home team is ahead resulting in the end of the game), unless the result of the market is already determined, and the game result is declared official.
- The official scorer's decision will be used for all statistical categories and is final.

Will there be a Perfect Game/No Hitter/Grand Slam/Cycle/Extra Innings

A 2-way market offering the customer the opportunity to predict whether the stated event will occur during the game.



Sports Wagering Division

- The game must go at least 9 full innings (8.5 innings if the home team is ahead resulting in the end of the game), unless the result of the market is already determined, and the game result is declared official.
 - For games that are scheduled over 7 innings the game must go at least 7 full innings (6.5 innings if the home team is ahead resulting in the end of the game), unless the result of the market is already determined, and the game result is declared official.
- The official scorer's decision will be used for all statistical categories and is final.

Baseball Futures Market Rules

General Baseball Futures Rules

Bets will be settled based on official standings or rulings provided by the organizing body. For bets to stand, the number of games where a result is passed must equal the number of games scheduled when the season begins, unless the outcome has already been determined. Any forfeited game that is considered an official result will count towards season long bets.

Outright/Conference/Division Winner Markets

If a result is passed by the organizing body for any of the above markets it will be deemed final irrespective of whether the season has been amended in any way to achieve this result. If a team is withdrawn, suspended or otherwise removed from the competition they will be deemed a participant if they have started at least one fixture.

- For avoidance of doubt in the MLB conference winner markets, the conference winner is the team that advances to the World Series, not the team that is awarded the number 1 seed in the playoffs.
- Division winner markets follow the tie break rules set out by the organizing body.

Regular Season Wins/Win %

A 2-way market which offers the customer the opportunity to bet whether a team will win more or less than the specified total number of wins. In the result of a whole number being offered and that outcome being achieved bets will be settled as a push. For



Sports Wagering Division

example if a team is offered at Over/Under 60.0 wins and finishes the season with 60 wins the market will be deemed a push and settled as void.

- Bets placed on Regular Season Wins will be void if the chosen team or teams do not achieve an official result for all scheduled regular season games (using the schedule produced before Week 1 of the regular season) unless the total has already been passed or cannot possibly be achieved in the remaining number of games.
- In the event of a shortened season or team being disqualified from a competition bets placed on Regular Season Win % will be settled in full if the nominated team plays at least 5 regular season games.
- Any forfeited game that is considered an official result will count towards Regular Season Wins regardless of whether it is a win or a loss.

Number 1 Seed/Team to Make or Miss Playoffs/Team to be awarded a Wildcard

These markets offer the customer the opportunity to bet on specific seedings/standings that are awarded to teams in the final standings.

- Tie-break rules set by the organizing body will be used to determine winners in each of these markets.
- If the number of playoff teams is changed after creation of the 'Make or Miss Playoffs' market, then Fanatics Sportsbook reserves the right to make the market void.

Series Markets

These markets offer the customer the opportunity to bet on the exact outcome of a playoff series of games.

- For bets to have action the playoff series must reach a natural conclusion. This means one of the teams must reach the required number of wins as stated before the series commenced. For example, in a best of 5 series if the series is cut short and one team wins by 2 games to 1 the entire series market will be made void.

Player Award/Category Leader Markets



A variety of markets offered on the nominated list of players to receive a specified award or lead a certain statistical category.

- Bets are settled 'All Bets are Action'. See general rules for more information.
- If an award is canceled or not awarded then bets will be void.
- If an award or statistical category lead is shared then bets will be settled using 'Dead Heat' rules. See general rules for more information.

Baseball Player Market Rules

General Player Prop Rules

For pre-event player related markets, pitchers must start and throw at least one pitch for bets to have action. Hitters must start and record at least one plate appearance for bets to have action.

For in-play player related markets, pitchers must throw at least one pitch after the time of bet placement for bets to have action. Hitters must record at least one plate appearance after the time of bet placement for bets to have action.

Player statistic markets will primarily be settled based on the official box score statistics when the game reaches its conclusion. Fanatics Sportsbook may settle (or partially settle) markets prior to their conclusion if that market is unequivocally determined at the time of settlement.

- The game must go at least 9 full innings (8.5 innings if the home team is ahead resulting in the end of the game), unless the result of the market is already determined, and the game result is declared official.
 - For games that are scheduled over 7 innings the game must go at least 7 full innings (6.5 innings if the home team is ahead resulting in the end of the game), unless the result of the market is already determined, and the game result is declared official.

For player match bets (such as Pitcher v Pitcher total strikeouts) both players must start the game and throw at least one pitch (or record one plate appearance in the case of hitters) for bets to have action.



Total Bases/Hits/Stolen Bases/RBIs/Runs/Singles/Doubles/Triples/Home Runs

These 2-way prop markets offer the customer the opportunity to bet on whether a hitter will go under or over a stated total of the relevant batting category statistic. All markets will have action if the nominated player is in the starting lineup and has at least 1 plate appearance.

- Total Bases are only awarded for hits and are awarded as follows:
 - Single = 1 Base
 - Double = 2 Bases
 - Triple = 3 Bases
 - Home Run = 4 Bases
- Stolen Bases are not awarded for Defensive indifference and will be settled according to the official scorer's record.
- A player will not be credited for a run scored if he is replaced by a 'Pinch Runner'.

Total Strikeouts/Outs/Runs Allowed/Earned Runs Allowed/Walks Allowed

These 2-way prop markets offer the customer the opportunity to bet on whether a pitcher will go under or over a stated total of the relevant pitching statistic. All markets will have action if the nominated pitcher makes the start and throws at least 1 pitch.

- Runs allowed include earned and unearned runs.
- Walks allowed does not include 'Hit by Pitch' but does include Intentional Walks credited to a pitcher.

First Hit/Home Run/RBI/Run Scored

These player markets will feature a list of players and give customers the option to bet on who will be the first to achieve a certain statistical goal.

- Where a "No Player to X" option is offered (Where X is the chosen achievement offered in the market name), this selection will be settled as the winner in the



Sports Wagering Division

event there are no instances of the stated action. Where this selection is not offered markets will be made void if there are no instances of the stated action.

- Players who are not included in the starting lineup will be made void unless they have made at least one plate appearance before the stated action is achieved. Once a player has been substituted into the game they are deemed a runner in the market.

Pitcher Wins Yes/No

This 2 way prop market offers the customer the opportunity to bet 'Yes' or 'No' on whether a starting pitcher will be awarded the win statistically in the game log. A win will be categorized as follows:

- A starting pitcher will be awarded the win if he is the recorded pitcher when his team takes the lead and does not surrender this lead for the remainder of the game.
- A starting pitcher must complete 5 innings to be awarded a win.

In-Play Batter Plate Appearance Betting

These markets will allow the customer to bet on a specific outcome of a chosen plate appearance for the name player. The market will detail the specific inning and the specific listed pitcher that the batter will face, and both of these conditions must be met in order for the bet to have action. For example, if a player is at the plate and his teammate is caught stealing bringing an end to the current inning, bets will be made void.

Player to hit a Single/Double/Triple/Home Run

The in-play batter markets offer the customer the opportunity to bet on which type of hit the batter will record in their next/current at bat. Markets may be offered in a 2-way format (e.g To Hit Single with 'Yes' and 'No' options) or a multiway format with all listed options.

- In multiway format the customer will be presented with other outcomes which could complete the plate appearance, such as the batter to be out.

Player to record a hit



Sports Wagering Division

A 2-way market offering the customer the opportunity to bet on whether the outcome of the plate appearance will be a hit.

- 'Yes' will be settled as a winner if the batter records a Home Run, Triple, Double or Single.
- 'No' will be settled as a winner if the plate appearance results in any other outcome, other than Intentional Walk, or the conclusion of the inning meaning that the plate appearance is not completed (for example if a runner is caught stealing), in which case selections will be made void

Player to record an in-play out

A 2-way market offering the customer the opportunity to bet on whether the batter will be out via an in-play fielding method.

- 'Yes' will be settled as a winner if the batter is out via the following methods:
 - Batter hits the ball and it is caught without bouncing by a fielder in the field of play or in foul territory
 - Batter hits a fair ball and is out via a force out or 'tagged out' before reaching first base.
- 'No' will be settled as a winner if the plate appearance results in any other outcome, other than Intentional Walk, or the conclusion of the inning meaning that the plate appearance is not completed (for example if a runner is caught stealing) in which case selections will be made void

Batter to record a strikeout

A 2-way market offering the customer the opportunity to bet on whether the batter will be out via strikeout.

- 'Yes' will be settled as a winner if the batter is out via the following methods:
 - With two strikes, the batter swings at a pitched ball and misses.
 - With two strikes, the batter does not swing at a pitch that the umpire judges to be in the strike zone, and the catcher catches the ball.
 - With two strikes, the batter foul tips a pitch directly back into the catcher's mitt, and the catcher catches the ball.



Sports Wagering Division

- With two strikes, the batter bunts a pitch into foul territory.
- On a dropped strike by the catcher where the batter is thrown out running to first base.
- On any third strike if a base runner is on first and there are fewer than two outs.
- 'No' will be settled as a winner if the plate appearance results in any other outcome, other than Intentional Walk, or the conclusion of the inning meaning that the plate appearance is not completed (for example if a runner is caught stealing) in which case selections will be made void

Batter to record a walk

A 2-way market offering the customer the opportunity to bet on whether the batter will reach first base via a walk.

- 'Yes' will be settled as a winner if the batter is awarded first base via a walk or intentional walk.
- 'No' will be settled as a winner if the plate appearance results in any other outcome, other than the conclusion of the inning meaning that the plate appearance is not completed (for example if a runner is caught stealing) in which case selections will be made void.

Next Pitch Result

A market offering the customer to the opportunity to bet on whether the next pitch will be a strike, a ball, a foul ball or 'In-Play' if the batter makes contact with the ball and it remains in-play to result in a fielding out, a hit, or any other 'in-play' outcome.

- A batted ball that is caught in foul territory to record an out will be settled as "In-Play".
- For settlement purposes, "Strike" only includes swinging strikes and called strikes.
- Bets will be made if during the dead-ball time before the next pitch the inning is concluded meaning that the plate appearance is not completed (for example if a runner is caught stealing).

Daily Cross Match Player Props/Team Specials



Sports Wagering Division

A variety of special markets offered on events to occur across the daily slate of games within a specified competition. These may include (but are not limited to) player prop parlays across multiple games, or combined totals of runs, wins etc by various combinations of named teams and/or players.

- The number of games (or a list of the relevant games) applicable to the Daily specials will be mentioned in the market name or market notes. If this number of games does not take place then any special market which depends on action from all games (e.g 'Each game to have 6+ runs' or '50+ combined runs across all games') will be made void.
- Where markets are offered such as 'Highest scoring game' or 'Lowest scoring game' dead heat rules will apply.
- For player specific markets, if any player named in the bet does not start the entire selection will be made void.
- Where markets such as 'Team to score most runs' and 'Highest scoring game' are offered, which are dependent on action from each of the day's games, all scheduled games must be played and go at least 8.5 innings for bets to have action, unless the winning team in the offered special took part in an official shortened game and all other games went at least 8.5 innings. Teams involved in double headers will generally be excluded from these specials, but where offered they will be added to market notes with any specific ruling also noted.
- Where markets are offered asking whether a certain event such as a perfect game, no hitter, player to hit for the cycle etc will occur all scheduled games must be played and go at least 8.5 innings for bets to have action.

Baseball Same Game Parlay Specific Rules

Same Game Parlay bet legs follow the individual rules determined by the market they are selected from. For the avoidance of doubt a Same Game Parlay bet will be considered to be void if:

- The entire event is voided under Fanatics Sportsbook Abandoned, Canceled, Postponed or Forfeited Events ruling.

Ice Hockey



Sports Wagering Division

General Ice Hockey Rules

- All bets include overtime/shootouts unless otherwise stated. Markets that exclude overtime will be listed in the rules or will contain indicative language within the market name such as 'Excluding Overtime', 'Regulation Only' or '60 Mins Only'
- Games must start before midnight local time of the venue for bets to have action.
- Where a non-playoff game is called early or abandoned with no intention to resume play there must be 2 minutes or less of time remaining on the game clock for bets to have action unless the specific market outcome is already unconditionally determined. In instances such as this, the score at the time the game is halted will be considered to be the final score referred to for all wagers.
- If a non-playoff game is paused before the indicated time has been played, and not completed within 48 hours of the scheduled start date, bets will be void unless the specific market outcome is already determined.
- In the case of a halted playoff game, all bets will remain open until completion of the game as determined by the league's governing body. If either team is awarded the win without resumption of the game, non-playoff games rules will be referred to when determining bet settlement.
- If a game is halted and then replayed in full rather than being resumed, all bets on the original game will be made void.
- If a game venue is changed to a neutral site or switched to the home venue of the designated away team all bets placed before the venue change will be made void.
- Games which are forfeited without play will not count as a game played or completed (or any other similar term) for settlement purposes. Wins or losses accrued from forfeits will count towards criteria in futures markets (such as playoff qualification, futures outright betting etc)
- In Period specific markets the entire period of play must be completed for bets to stand.
- Where a game is won by shootout, a goal will be added to the score of the winning team. This will be considered the final score for settlement purposes.
- In the absence of a statistical result being provided by the official organizing body for any market that is required for settlement, Fanatics Sportsbook will seek a reputable independent source for bet settlement.



Ice Hockey Market Rules

Moneyline

Generally a 2-way market based on the outcome of the game. The 2-way Moneyline is inclusive of Overtime and Shootouts and is a bet on the winner of the event.

- Where a 2-way market is offered listing each team as betting options, bets will be settled according to the winner at the end of play, including (where required) any period of overtime. If no winner is determined and the game is considered a tie, bets will be considered a push, and the market will be made void.
- Where a 3-way market is offered listing each team and the 'tie' as betting options, bets will be settled according to the result at the end of regulation time.

1st/2nd/3rd Period Moneyline

Generally a 2-way market based on the outcome of a nominated portion of the game. All markets are exclusive of Overtime. The entire period of play must be concluded for bets to have action.

- Where a 2-way market is offered listing each team as betting options, bets will be settled according to the winner at the end of the nominated time period of play. If no winner is determined and the period of play is considered a tie, bets will be considered a push, and the market will be made void.
- Where a 3-way market is offered listing each team and the 'tie' as betting options, bets will be settled according to the result at the end of the nominated period of play.

Spread/Handicap/Puck Line (Including Period Specific)

A spread bet allows the customer to bet on whether a team with a minus spread will win by more than a specific number of goals, or a team with a plus spread will win outright or lose by less than a specific number of goals.

The bet applies the stated spread to the chosen selection and considers this number to be added or subtracted from the final score. Bets on the outcome of the whole game are inclusive of overtime and shootouts unless stated in the market name, and the winning



Sports Wagering Division

team from the shootout will have a goal added to their score in line with competition rules. Bets placed on the 3rd period spread are exclusive of overtime and shootouts.

- For 2-way markets where a whole goals number is used as the specified spread the outcome will be considered a push and the market voided when the scores finish tied after the spread is applied. For example if a customer was to bet Team A (-2.0) versus Team B and the final score was 3-1 to Team A, then the market would be considered a push.
- Unless otherwise stated all handicaps and spreads are to be calculated based on the result from the start of the listed period to the end of the specified period. For example, a 2nd period spread would only reference the goals that were scored within the 2nd period of play. In this example, if the score is 1-1 at the start of the 2nd period and 3-2 at the end of the 2nd period, then the scoreline referenced in the 2nd period spread bet would be 2-1.
- In a 3-way spread market, the tie is also offered, giving the customer 3 options to place their bet on. In these markets if the scores would be tied after the spread is applied to either selection then the tie would be considered the winning selection. For example if a market was offered with Team A (-2) versus Team B including the option of a tie and the final score was 3-1 to Team A, then the tie would be considered the winning selection in this market.

Total Goals & Total Team Goals (Including 1st/2nd/3rd Period Total Goals)

A total goals bet provides an opportunity to bet on whether the number of points scored in the game or by a team (within a stated time period) will be less than or greater than the number offered. Bets on the outcome of the whole game are inclusive of overtime, bets placed on the 3rd period are exclusive of overtime.

- For 2-way markets where a whole goal number is used as the specified total the outcome will be considered a push and the market voided when the score finishes exactly as the offered total. For example if a customer was to bet on 'Over 5.0 goals' and the final score was 3-2 then the market would be considered a push.
- Unless otherwise stated all total goals bets are calculated based on the result from the start of the listed period to the end of the specified period. For example, a 3rd period total goals bet would only reference the goals that were scored within the 3rd period of play. In this example, if the score is 2-2 at the start of the



Sports Wagering Division

3rd period and 3-3 at the end of the 3rd period, then the 3rd period total goals would be 2.

- In a 3-way Total goals market, an option to bet on the exact number of goals scored is also offered, giving the customer 3 options to place their bet on. In these markets if the total goals finishes on the selection entitled 'Exactly X Goals' then this selection would be settled as a winner. For example if a market was offered containing the selections 'Under 6 Goals' 'Exactly 6 Goals' and 'Over 6 Goals' and the final score was 4-2, then the selection 'Exactly 6 Goals' would be settled as a winner, with the other selections settled as losers.

Total Goals Odd/Even (Including 1st/2nd/3rd Period Specific Markets)

A 2-way market offering customers the chance to bet on whether the final number of goals scored in the game will be odd or even. Goals scored in overtime, or the goal added to the winning team in the shootout will be excluded in this market unless stated in the market name.

- Where a game ends 0-0 after regulation, markets which are exclusive of overtime will be settled with 'Even' as the winning selection as zero is considered an even number for settlement purposes.

Race to X Goals (Including 1st/2nd/3rd Period Specific Markets)

A 3-way market offering the option to bet on which team will be the first to reach a stated total number of goals, with a third option provided for neither team to reach the stated total. This market does not include overtime/shootouts unless stated differently in the market name.

Time of 1st Goal

A 2-way market offering the option to bet on whether the first goal will be scored before or after a stated time period. If regulation time is completed without a goal being scored, bets on the "over" will be the winner.

Highest Scoring Period



Sports Wagering Division

A market offering the option to bet on which of the three regulation periods will contain the most goals. In the event that two or more of the periods are tied as the highest scoring period then bets will be settled as follows:

- Where a betting option for 'Draw' or 'Tie' is offered this will be settled as the winner in this market.
- Where the market only contains options for '1st Period', '2nd Period' and '3rd Period' dead heat rules will apply for settlement.

Winning Margin

This market offers the customer the chance to bet on what the margin of victory will be, choosing from a selection of bands, for example 1 goal, 2 goals or 3+ goals etc . The market can be offered with either team specific or general game based selections. Overtime and Shootouts will not count towards the settlement of this market.

- If regulation time is completed and the score is tied, 'Draw' will be settled as the winner.

Both Teams to Score

This market offers the customer the chance to bet on whether both teams will score a goal during regulation play.

Team to win with a shutout/Team to win to nil

This market offers the customer the chance to bet on whether the nominated team will win without conceding a goal during regulation play.

Correct Score

This market offers the customer the chance to bet on what the exact score of the game will be at the end of play. Selections can be offered without being attributed to a specific team, or with the named teams being allocated one of the two totals each. For example, a selection such as "4-1" would be a winner if either team won by such a scoreline, whereas "Team A 4- 1 Team B" would require the exact score to be achieved by each team.



- By default this market will not include overtime/shootouts unless stated otherwise in the market name.

1st Goal/Xth Goal/Next Goal

This market offers the customer the opportunity to bet on a team to score a nominated goal within the regulation period of play.

- If the market is offered in play on 'Next Goal' and no further goals are scored then 'No Goal' will be settled as the winner.

Ice Hockey Player Market Rules

General Player Prop Rules

For any player related market, player(s) must enter the ice and receive at least 1 second of playing time for bets to have action. If a player is listed as "inactive" or "did not play" for the relevant game, bets on that player/market will be void.

Player statistic markets will primarily be settled based on the box score statistics when the game reaches the end of regulation, or overtime in the result of a tie. Fanatics Sportsbook may settle (or partially settle) markets prior to their conclusion if that market is unequivocally determined at the time of settlement.

For goalie specific player props the nominated goalie must start the game for bets to have action.

- 3rd Period specific player props markets do not include Overtime.
- All stats accrued in Shootouts will not count towards player prop markets unless stated in the market name or notes.

First/Last/Anytime Goalscorer

A market offering the chance to bet on the chosen player to score a goal subject to the criteria specified in the market name.



Sports Wagering Division

- Players must be dressed/active for bets to stand (as per official competition source)
- Own goals do not count for settlement purposes. If the only goals scored are own goals, then 'No Goalscorer' will be settled as the winner.
- Goals scored in shootouts will not count towards settlement of this market.

Player Total Points/Assists/Shots/Goals/Power Play Goals

A 2-way market offering the chance to bet on the chosen player to record under or over the specified total of nominated stat category.

Markets will be settled according to the official box score, or the official competition stats offered by the organizing body.

- A 'Point' is a goal or an assist, so the Player Total Points prop is a sum of the total goals and assists by the nominated player

Goalie Saves

A 2-way market offering the chance to bet on the chosen player to record under or over the specified total of saves during the game.

Markets will be settled according to the official box score, or the official competition stats offered by the organizing body.

Goalie Shutout

A 2-way market offering the chance to bet on whether the nominated goalie will concede a goal during the game.

A goalie must play the entire game without conceding to be deemed a winner in this market. If a goalie is subbed out and does not complete the entire game then bets will be void.

Daily Cross Match Player Props/Team Specials



Sports Wagering Division

A variety of special markets offered on events to occur across the daily slate of games within a specified competition. These may include (but are not limited to) player prop parlays across multiple games, or combined totals of goals, wins etc by various combinations of named teams and/or players.

- The number of games (or a list of the relevant games) applicable to the Daily specials will be mentioned in the market name or market notes. If this number of games does not take place then any special market which depends on action from all games (e.g 'Each game to have 3+ goals' or '2+ combined shutouts across all games') will be made void.
- Where markets are offered such as 'Highest scoring game' or 'Lowest scoring game' dead heat rules will apply.
- For player specific markets, if any player named in the bet does not play the entire selection will be made void.
- Overtime is included for settlement purposes of total goals, player statistics and match result based markets. Shootouts are only included for total goals and match result based markets.

Ice Hockey Futures Market Rules

General Ice Hockey Futures Rules

Bets will be settled based on official standings or rulings provided by the organizing body. For bets to stand, the number of games where a result is passed must equal the number of games scheduled when the season begins, unless the outcome has already been determined. Any forfeited game that is considered an official result will count towards season long bets.

Outright/Conference/Division Winner Markets

If a result is passed by the organizing body for any of the above markets it will be deemed final irrespective of whether the season has been amended in any way to achieve this result. If a team is withdrawn, suspended or otherwise removed from the competition they will be deemed a participant if they have started at least one fixture.



Sports Wagering Division

- For avoidance of doubt in the NHL conference winner markets, the conference winner is the team that advances to the Stanley Cup Finals, not the team that is awarded the number 1 seed in the playoffs.
- Division winner markets follow the tie break rules set out by the organizing body.

Regular Season Wins/Points/Win %

A 2-way market which offers the customer the opportunity to bet whether a team will accrue more or less than the specified total number of wins or points in the final standings. In the result of a whole number being offered and that outcome being achieved bets will be settled as a push. For example if a team is offered at Over/Under 60.0 wins and finishes the season with 60 wins the market will be deemed a push and settled as void.

- Bets placed on Regular Season Wins/Points will be void if the chosen team or teams do not complete at least 95% of all scheduled regular season games (using the schedule produced before Week 1 of the regular season) unless the total has already been passed or can not possibly be achieved in the remaining number of games.
- In the event of a shortened season or team being disqualified from a competition bets placed on Regular Season Win % will be settled in full if the nominated team plays at least 5 regular season games.
- Any forfeited game that is considered an official result will count towards Regular Season Wins regardless of whether it is a win or a loss.

Number 1 Seed/Team to Make or Miss Playoffs/Team to be awarded a Wildcard

These markets offer the customer the opportunity to bet on specific seedings/standings that are awarded to teams in the final standings.

- Tie-break rules set by the organizing body will be used to determine winners in each of these markets.
- If the number of playoff teams is changed after creation of the 'Make or Miss Playoffs' market, then Fanatics Sportsbook reserves the right to make the market void.

Series Markets



These markets offer the customer the opportunity to bet on the exact outcome of a playoff series of games.

- For bets to have action the playoff series must reach a natural conclusion. This means one of the teams must reach the required number of wins as stated before the series commenced. For example, in a best of 5 series if the series is cut short and one team wins by 2 games to 1 the entire series market will be made void.

Player Award/Category Leader Markets

A variety of markets offered on the nominated list of players to receive a specified award or lead a certain statistical category.

- Bets are settled 'All Bets are Action'. See general rules for more information.
- If an award is canceled or not awarded then bets will be void.
- If an award or statistical category lead is shared then bets will be settled using 'Dead Heat' rules. See general rules for more information.

Ice Hockey Same Game Parlay Specific Rules

Same Game Parlay bet legs follow the individual rules determined by the market they are selected from. For the avoidance of doubt a Same Game Parlay bet will be considered to be void if:

- The entire event is voided under Fanatics Sportsbook Abandoned, Canceled, Postponed or Forfeited Events ruling.

Same game parlay player markets include stats accrued in overtime, but not those accrued in shootouts.

Tennis

General Tennis Rules



- All tennis bets (including any specials or statistics-based bets) will be settled in accordance with the official website of each tournament's governing body.
- Some tennis tournaments use differing match formats (shorter format sets, Championship Tie Break etc). It is the customer's responsibility to understand the formatting of a match before placing a bet.
- In any of the following circumstances, all bets on an individual match will have action:
 - A change of venue to another venue with the same playing surface. Playing surfaces will be defined as Clay, Grass and Hard Court. No further distinction will be made.
 - Bets will be made void where the match is moved to a venue with a different playing surface.
 - A change from indoor court to outdoor court or vice versa.
 - A delay in the start of a match.
 - Suspensions carrying play over to the following day as long as the play is resumed, and the match is completed.
- Bets will be void in the event the scheduled minimum number of sets is not completed (e.g. retirement, disqualification or cancellation) or changed, unless the market has already been determined, or unless otherwise stated. Any markets that have already been determined will settle as such.
- In futures markets, selections are made void if the player selected does not start the 1st round of the tournament.

Tennis Market Rules

Moneyline

A 2-way market based on the outcome of the game.

- Where a player retires please refer to the General Tennis Rules for how settlement will be determined.

Set/Games Handicap/Spread (Includes Set Specific Game Handicap such as '2nd Set Handicap')



Sports Wagering Division

A handicap bet allows the customer to bet on whether a player (or doubles pairing) with a minus spread will win by more than a specific number of sets or games (as stipulated in the market name), or a player (or doubles pairing) with a plus spread will win outright or lose by less than a specific number of points.

The bet applies the stated spread to the chosen selection and considers this number to be added or subtracted from the final set score or overall number of games won.

- A super tie break is considered as one game and one set for settlement purposes.
- For 2-way markets where a whole game or set number is used as the specified handicap/spread the outcome will be considered a push and the market voided where the scores finish tied after the spread is applied. For example if a customer was to bet Player A (-1.0) on the game handicap versus Player B and the final score in games was 6-4, 4-6, 7-6 to Player A, then the selection would be considered a push.
- Unless otherwise stated all handicaps and spreads are to be calculated based on the result from the start of the listed period to the end of the specified period. For example, a 2nd set game handicap would only reference the games that were played within the 2nd set. In this example, if the score is 1-0 (7-6) at the start of the 2nd set and 2-0 (7-6, 6-3) at the end of the 2nd set, then the scoreline referenced in the 2nd set handicap bet would be 6-3.
- In a 3-way handicap market, the tie is also offered, giving the customer 3 options to place their bet on. In these markets if the scores would be tied after the spread is applied to either selection then the tie would be considered the winning selection. For example if a game handicap market was offered with Player A (-2) versus Player B including the option of a tie and the final score was 7-6, 7-6 to Player A then the tie would be considered the winning selection in this market.

Total Games/Sets (Includes Set Specific Total Games such as '2nd Set Total Games)

A total bet provides an opportunity to bet on whether the number of games or sets (within a stated time period) will be less than or greater than the number offered.

- A super tie break is considered as one game and one set for settlement purposes.



Sports Wagering Division

- For 2-way markets where a whole point number is used as the specified total the outcome will be considered a push and the market voided when the score finishes exactly as the offered total. For example if a customer was to bet on 'Over 27.0 Games' and the final score was 6-4, 4-6, 6-1 then the market would be considered a push.
- Unless otherwise stated all total games bets are calculated based on the result from the start of the listed period to the end of the specified period. For example, a 2nd set total games bet would only reference the points that were scored within the 2nd set of play. In this example, if the score is 6-4 at the start of the 2nd set and 6-4, 4-6 at the end of the 2nd set, then the 2nd set total games would be 10.
- In a 3-way Total games market, an option to bet on the exact number of games played is also offered, giving the customer 3 options to place their bet on. In these markets if the total games finishes on the selection entitled 'Exactly X Games' then this selection would be settled as a winner. For example if a market was offered containing the selections 'Under 27 Games' 'Exactly 27 Games' and 'Over 27 Games' and the final score was 6-4, 4-6, 6-1 then the selection 'Exactly 27 Games' would be settled as a winner, with the other selections settled as losers.

Set Betting

A multiway market offering the customer the opportunity to bet on the correct score by sets played.

- In the event of a disqualification or retirement all bets will be void.
- If there is a change to the total number of sets to be played bets will be void.

Tie Break in Match/Set

A 2-way market offering the customer the opportunity to bet on whether there will be a tie breaker during the match or set depending on the market name.

- A super tiebreak does not count as a tie break towards the settlement of this market.

Race to X Games/Sets/Points



Sports Wagering Division

A 2-way market offering the option to bet on which player (or doubles pairing) will be the first to reach a stated total number of games, sets or points won.

First Break of Serve

A 2-way market offering the option to bet on which player (or doubles pairing) will be the first to break the serve of the opponent.

- In the instance that there is no break of serve due to sets all being won via tiebreakers then bets will be void.

Total Aces (Includes Player & Set Specific Total Aces)

A 'Total Aces' bet provides an opportunity to bet on whether the number of aces (within a stated time period or by a specific player) will be less than or greater than the number offered. An ace is defined as a serve that successfully lands in the service box and does not touch the receiving player's racquet, resulting in the point being won without the receiving player contacting the ball.

- Where the stated time period of the bet is shortened due to retirement or disqualification the bet will be made void unless it has already been definitively settled as over the stated total.

Total Service Breaks (Includes Player & Set Specific Total Service Breaks)

A 'Total Service Breaks' bet provides an opportunity to bet on whether the number of breaks of serve (within a stated time period or by a specific player) will be less than or greater than the number offered. A service break is defined as a game won by the non-server outside of tiebreaks.

- Where the stated time period of the bet is shortened due to retirement or disqualification the bet will be made void unless it has already been definitively settled as over the stated total.

Point Betting (1st/Current/Next Point Winner)

A 2-way market offering the option to bet on the winner of the stated point.



- Penalty points awarded by umpires will not count, and bets will be voided if this is the outcome of the nominated market.
- If the stated point doesn't take place due to retirement, or the game reaching a natural conclusion before the nominated point is played then bets will be made void.

Tennis Futures Market Rules

General Tennis Futures Rules

Bets will be settled based on official results or rulings provided by the organizing body. For bets to stand. Any forfeited game that is considered an official result will count towards future market settlement.

Outright Winner

A market where the customer can bet on the overall winner of a stated tennis tournament.

- Markets will be made void where a tournament is moved to a venue with a different playing surface.
- Any Tennis events that do not take place within the same calendar year as quoted within the market, e.g. 'French Open 2022' will be made void.
- Any futures bets on tournaments that are abandoned without completion will be made void.

Name The Finalists

A market offering the customer the chance to predict both of the finalists in a stated tennis tournament.

- If either nominated player does not take any part in an event bets on that selection will be void

Final Exacta/Forecast



Sports Wagering Division

A market offering the customer the chance to predict both of the finalists in a stated tennis tournament, as well as the winner of the final match itself.

- If either nominated player does not take any part in an event bets on that selection will be void

Quarter Winner

A market offering the customer the chance to predict the winner of a specific quarter of the draw based on the draw bracket provided by the competition organizer.

- If a named player does not take part in an event bets on that selection will be void.

Winning Quarter

A market offering the customer the opportunity to predict which quarter of the draw will provide the winning player in the tournament. All players taking part in the tournament are divided into 4 brackets (quarters), with one of the top 4 seeds in each quarter. The winners of each quarter meet at the semi finals stage of the tournament.

Golf

General Golf Rules

- If the start of a round is delayed, or if play during a round is suspended, all pending wagers will remain valid for 48 hours. If the postponement lasts more than 48 hours, all pending wagers will be canceled, and stakes refunded.
- For the four 'Majors', namely the US Masters, USPGA, US Open and British Open Championships, pre-tournament futures winner bets will stand so long as the event is completed in the calendar year, otherwise they will be void. All other tournaments will be subject to the 48 hour rule listed above.
- If a tournament is ended early then 36 or more holes must have been completed by every participant that has not already withdrawn for tournament long bets to have action. The only exception here is where a definitive result has already



Sports Wagering Division

taken place, such as if a customer has backed a player to make a hole in one and that player has already achieved such a feat.

- Where a golfer withdraws before the start of a tournament then all bets on that participant will be declared void.
- Tournament based bets have action once the player has teed off the first hole.

Golf Futures Rules

A bet on a golf event will be considered to be a futures bet until Monday (local time) during the week of the event. Bets placed on futures markets will be considered all in run or not and golfers who take no part in the tournament will be settled as losing selections.

Golf Stroke Play Market Rules

Outright Winner (Also applicable to Top Nationality, Top Amateur, Top Debutant, Top Left Handed Player and other equivalent markets)

A multi-runner market offering the customer the opportunity to bet on which golfer(s) will win the tournament.

- Where a playoff is used to decide a winner and a single winner is determined then bets will take the playoff into account and settle on the eventual winner after the playoff holes are completed.
- Where no playoff is used to break a tie between players and the tournament victory is shared, dead heat rules will apply.

Outright Winner Without Nominated Player(s)

A multi-runner market offering the customer the opportunity to bet on which golfer(s) will win the tournament with the nominated players named in the market removed from contention.

- Where a playoff is used to decide a winner and a single winner is determined then bets will take the playoff into account and settle on the eventual winner after the playoff holes are completed.



Sports Wagering Division

- Where no playoff is used to break a tie between players and the tournament victory is shared, dead heat rules will apply.

Outright Double/Triple Chance

A multi-runner market offering the customer the opportunity to bet on a pair or trio of golfers, whereby the selection will be settled as a winner if any of the named players wins the stated tournament.

- Where a playoff is used to decide a winner and a single winner is determined then bets will take the playoff into account and settle on the eventual winner after the playoff holes are completed.
- Where no playoff is used to break a tie between players and the tournament victory is shared, dead heat rules will apply.

Straight/Dual Forecast

A multi-runner market offering the customer the opportunity to bet on two named golfers to finish 1st and 2nd in a given tournament. Straight forecast requires the customers to correctly predict the order of finish, dual forecast offers the combination of both outcomes.

- Where a playoff is used to decide a winner and a single winner is determined then bets will take the playoff into account and settle on the eventual winner after the playoff holes are completed.
- Where no playoff is used to break a tie between players and the tournament victory is shared, dead heat rules will apply.
- Where the player finishing 2nd is tied with others, dead heat rules will apply.

End of 1st/2nd/3rd Round Leader

A multi-runner market offering the customer the opportunity to bet on which golfer(s) will lead the tournament at the stated end of round.

- Where a lead is shared at the end of the round, dead heat rules will apply to all affected players.



Sports Wagering Division

Top X Finish

A multi-runner market offering the customer the opportunity to bet on which golfer(s) will finish within a specified amount of places from the lead.

- Dead heat rules will apply whenever the number of golfers tied for a place exceeds the number of places offered in the market name. For example, in a top 5 finish market, where there is a clear 1st, 2nd, 3rd and 4th place, but three golfers are tied for 5th, a 3-way dead heat would apply to the golfers tied for 5th. Golfers finishing in the top 4 positions would be paid out in full.

2-Ball/3-Ball Matchups

A 2-way or 3-way market offering the customer the opportunity to bet on which of the named golfers will shoot the best score in the next full upcoming round of golf.

- Bets stand once the players have teed off the first hole.
- If a round is abandoned by the organizing body, bets on that round will be void.
- In the event that pairings or groups change, then all bets will be void.
- For tournaments using the Stableford scoring system the highest points scorer during the round is the winner
- For 2 ball betting, where a price is not offered for the tie, bets will be void in the event of a tie and wagers refunded
- In 3 ball betting Dead Heat rules will apply when two or more players are tied.

Hole Winner/Grouped Hole Winner Matchups

A 2-way or 3-way market offering the customer the opportunity to bet on which of the named golfers will shoot the best score on the stated hole.

- Bets stand once all nominated players tee off the designated hole.
- For a player to win the hole, they must score a lower score than every other player on that specified hole.
- In a matchup between two players, where a price is not offered for the tie, bets will be void in the event of a tie and wagers refunded
- In 3 way betting Dead Heat rules will apply when two or more players are tied.



Sports Wagering Division

- If a player withdraws during the hole, bets on the withdrawn player will be settled as losers.
- For hole group betting, bets are settled based on the aggregated score over a specified group of holes. Bets will be void if one of the players does not tee off on the first of the specified holes. If a player withdraws during the specified group of holes, bets on that player will be settled as losers.

Tournament Match Bets

A 2-way or 3-way market offering the customer the opportunity to bet on which of the named golfers will shoot the best score over the entire tournament.

- Bets stand once the players have teed off the first hole.
- If a player withdraws, whichever player completes the most holes is deemed the winner.
 - If both players complete the same number of holes, the player with the lowest score is deemed the winner.
- If the scheduled number of rounds is reduced, bets will be settled so long as there is a deemed tournament winner and a minimum of 36 holes played. The winner will be the player leading after the last completed official round.
- If a player is disqualified or withdraws after starting, either prior to the completion of two rounds or after both players have made the cut, then the other player is deemed the winner. If a player is disqualified during either the 3rd or 4th rounds, when the other player in the match bet has already missed the cut, then the disqualified player is deemed the winner.
- If a 2-way match-up ends in a tie, bets will be void. For match betting where a price for the tie is offered and the match is tied, bets on either player will be settled as losers. If 3 or more golfers are offered then dead heat rules will apply.
- Playoffs are taken into account for settlement purposes.

To Make/Miss The Cut

Generally a 2-way market on each individual golfer to make or miss the cut, which can also be presented as a multi-runner market on all golfers to make or miss the cut. The cut is determined as the point in play (typically at the end of the 2nd round) where golfers who have failed to achieve a certain score within proximity of the leader are eliminated.



Sports Wagering Division

- If more than one cut is made only the first cut will be used for settlement purposes.
- Any player that is withdrawn or disqualified ahead of the first cut will be deemed to have missed the cut for settlement purposes.

Hole in One/Albatross Specials

A series of markets offered around the proposition of whether (and at which hole, stage of tournament etc) a hole in one or albatross will be scored.

- Where a tournament is reduced in duration by more than 18 holes bets on the following markets will be made void
 - Tournament hole in one/albatross
 - Player to make a tournament hole in one/albatross
 - Stated hole to provide a hole in one/albatross

Total Players to score Over/Under X

A 2-way market offering customers the opportunity to bet on whether the overall number of players shooting a stated score over a stated duration will be over or under the total number offered.

- For tournament long bets the 36 hole rule specified in general golf rules will apply.

First Time Winner?

A 2-way market offering the customer the opportunity to bet on whether the tournament will be won by a player who has never previously won the named tournament before.

Winning Score/Margin

A market offering the customer the opportunity to predict how many shots a player will win the tournament by, or what the winning score will be. Markets can be offered as 2-way Over/Under, banded selections or exact numbers.



Sports Wagering Division

- The tournament must be played in full for both of these markets to have action

Wire to Wire Winner

A market offering the customer the opportunity to predict whether the same player will lead the tournament after each scheduled round.

- The tournament must be played in full for this market to have action.
- Shared leads will count as winning legs apart from after the final round, where playoffs will count towards overall settlement.

Highest/Lowest Round Score

A market offering customers the opportunity to predict the best or worst overall score of a stated round or the tournament in its entirety. Markets can be offered as 2-way Over/Under, banded selections or exact numbers.

- For tournament long bets the 36 hole rule specified in general golf rules will apply.

Player Bogey Free Round

A market offering customers the opportunity to predict whether the stated player will complete the full round without scoring over par on any individual hole.

- The player must complete their round in full for bets to stand unless the result has already been determined.

Golf Match Play Market Rules

Outright Winner

A market offering customers the opportunity to predict which golfer or team of golfers will be awarded the victory by winning the greater number of match play matches or advancing to and winning the final during the duration of a match play event. For match play formats please consult the individual tournament rules provided by the organizing body.



Sports Wagering Division

Match Winner

A market offering customers the opportunity to predict which golfer or team of golfers will win a specific matchup within a match play event. Match play formats can vary between different tournaments and match types can differ within the tournament itself. For match play formats please consult the individual tournament rules provided by the organizing body.

Match Winning Margin

A market offering the customer the opportunity to bet on the margin of victory during the match play matchup, usually decided by how many more holes one golfer (or team of golfers) wins compared to the opponent.

- For 18 hole matches, matches often finish before the completion of the stated number of holes, bets will be settled on the official result in instances such as this. Bets will be void if a player withdraws at a point in the match where the result is still to be determined (e.g. The number of holes remaining is greater than or equal to the score at the time of withdrawal).

Match Handicap

A 2-way market offering the customer the opportunity to bet on the margin of victory during the match play matchup, usually decided by how many more holes one golfer (or team of golfers) wins compared to the opponent. A hole handicap is applied to the matchup, with a number of holes won removed or added based on the handicap. For example, if Team/Player A are given a -1.5 handicap they must win the matchup by 2 holes or more to be considered a winner in the handicap market.

- For 18 hole matches, matches often finish before the completion of the stated number of holes, bets will be settled on the official result in instances such as this. Bets will be void if a player withdraws at a point in the match where the result is still to be determined (e.g. The number of holes remaining is greater than or equal to the score at the time of withdrawal).

Soccer



Sports Wagering Division

General Soccer Rules

- All soccer markets are settled based on the result at the end of regular time (including injury/stoppage time). Extra time and penalties are not included unless indicated.
- Where a kick-off time is brought forward bets will stand provided they are not placed after the nominated game has kicked off.
- If a game venue is changed to a neutral site and the home team remains designated as such, bets will stand.
- If a game venue is changed to the away team's home stadium or a site where the away team are now listed as the home team, bets placed on the original game will be void.
- Where a match is abandoned before the completion of the regular time markets will be made void unless the match is rearranged and played within 48 hours of the original kick-off time.
 - The exception to this rule is that bets on any markets that have been unconditionally determined will be settled in full. For example, where a game is 0-0 in the 60th minute and play is abandoned, markets such as 'Half Time Correct Score' will be settled in full.
- All football matches are action based on the periods of play being two halves of 45 minutes plus any additional added time for stoppages.
 - Where a friendly/exhibition match is played over a different structure, such as 3 x 30 minute periods, bets will be made void unless the difference in format is noted in the event name or the event notes.
 - Where 2 x 40 minute halves are played, bets will once again be voided unless this was noted in the event name or event notes prior to the time of bet placement.
- Where a match is forfeited or a team is disqualified after the event has taken place bets will stand on the original result. Where a match is forfeited or a team is disqualified either ahead of kick-off or during play then standard postponement/abandonment rules will apply.
- Any markets which rely on match stat data, such as player tackles, player shots etc will be settled according to the results determined by an official data provider, the name of which will be made available to customers before bet placement. Fanatics Sportsbook does not independently make judgment on the result of



Sports Wagering Division

such markets and will settle according to the decision made by the third party data provider.

Soccer Market Rules

Match Result/1X2/3-Way Moneyline

A 3-way market based on the outcome of the game, offering the options of Team A, Team B and the Draw/Tie.

Draw No Bet/2-Way Moneyline

A 2-way market based on the outcome of the game, offering the options of Team A or Team B. In the event of a Draw/Tie after regulation time the market will be deemed a 'Push' and bets will be made void.

Double Chance

A 3-way market based on the outcome of the game, offering the customer the option to combine two selections, such as 'Team A/Draw', where the selection is deemed a winner if either of the two outcomes occur. When a game reaches its conclusion at the end of regulation time, two of the three options will be settled as winners at full odds with the remaining selection settled as a loser.

Correct Score/Correct Score Groups

A multi-way market offering customers the opportunity to predict the exact correct score at the end of regulation time. Selections may be offered standalone, such as 'Team A 3-1' or in grouped format such as 'Team A 1-0, 2-0 or 2-1'. Where a team is named in the selection name, the nominated team must win by the scoreline(s) specified. Where no team is named, such as 'Correct Score to be 2-1' then the nominated score may be achieved by either team.

- Where the selection 'Any Other Score' is quoted within the market, this will be settled as the sole winner on occasions where the final score was not offered as a standalone selection.



Sports Wagering Division

- Where the selection 'Any Other Score' is not quoted within the market and the market notes stated language such as 'Other Scores Available on Request' then all selections will be settled as losers in the event that the winning score is not listed.
- Where the selection 'Any Other Score' is not quoted within the market and there are no market notes relating to 'Other Scores Available on Request' all selections will be made void in the event that the winning score is not listed.
- 'Extra-Time Correct Score' may be offered on selected matches. In the event that no extra time is played this market will be void.

Team Clean Sheet

A 2-way market offering the customer the opportunity to predict whether or not the nominated team will keep a clean sheet. A clean sheet is defined as the nominated team not conceding a goal during regulation time.

Both teams to score

A 2-way market offering the customer the opportunity to predict whether or not each team will score a goal during regulation time.

Asian Handicap

An Asian Handicap bet allows the customer to bet on whether a team with a minus handicap will win by more than a specific number of goals, or a team with a plus handicap will win outright or lose by less than a specific number of goals.

A handicap bet applies the stated handicap to the chosen selection and considers this number to be added or subtracted from the final score. In Asian handicap betting there are three kinds of lines offered;

- Where a whole goal handicap is used the outcome will be considered a push and the market voided when the scores finish tied after the handicap is applied. For example if a customer was to bet Team A (-3.0) versus Team B and the final score was 3-0 to Team A, then the market would be considered a push.
- Where a half goal handicap is used there will always be a winning outcome and the market will be settled in full with one winner and one loser. For example if a



Sports Wagering Division

customer was to bet Team A (-2.5) versus Team B and the final score was 3-0 to Team A, then Team A would be considered the winning selection.

- Where a quarter goal handicap is used, the customer is effectively placing half of their stake on each of the handicap lines either side of the quarter goal handicap. This can result in a full loss, a full win, a loss/push or a win/push. Examples of each method of settlement are below;
 - If a customer was to bet Team A (-2.75) versus Team B and the final score was 2-0 to Team A, then the bet would be settled as a full loss.
 - If a customer was to bet Team A (-2.75) versus Team B and the final score was 4-0 to Team A, then the bet would be settled as a full win.
 - If a customer was to bet Team A (-2.75) versus Team B and the final score was 3-0 to Team A, then the bet would be settled as a win/push. Half of the stake would be placed on Team A -2.5 (Win) and half of the stake would be placed on Team A -3.0 (Push)
 - If a customer was to bet Team A (-3.25) versus Team B and the final score was 3-0 to Team A, then the bet would be settled as a loss/push. Half of the stake would be placed on Team A -3.5 (Loss) and half of the stake would be placed on Team A -3.0 (Push)

Over/Under X Goals

A 2-way market offering the customer the opportunity to predict whether the number of goals scored in a game will be under or over the nominated total.

Asian Total Goals/Goal Line

An Asian Total/Goal-Line bet allows the customer to bet on whether the number of goals scored in a game will be under or over the nominated total

In Asian Total/Goal-Line betting there are three kinds of lines offered:

- Where a whole goal total is used the outcome will be considered a push and the market voided when the scores finish tied after the handicap is applied. For example if a customer was to bet Over 3.0 Goals and the final score was 3-0 to Team A, then the market would be considered a push.
- Where a half goal handicap is used there will always be a winning outcome and the market will be settled in full with one winner and one loser. For example if a



Sports Wagering Division

customer was to bet Over 2.5 Goals and the final score was 3-0 to Team A, then Team A would be considered the winning selection.

- Where a quarter goal handicap is used, the customer is effectively placing half of their stake on each of the total lines either side of the quarter goal total. This can result in a full loss, a full win, a loss/push or a win/push. Examples of each method of settlement are below:
 - If a customer was to bet Over 2.75 Goals and the final score was 2-0 to Team A, then the bet would be settled as a full loss.
 - If a customer was to bet Over 2.75 Goals and the final score was 4-0 to Team A, then the bet would be settled as a full win.
 - If a customer was to bet Over 2.75 Goals and the final score was 3-0 to Team A, then the bet would be settled as a win/push. Half of the stake would be placed on Over 2.5 (Win) and half of the stake would be placed on Over 3.0 (Push)
 - If a customer was to bet Over 3.25 Goals and the final score was 3-0 to Team A, then the bet would be settled as a loss/push. Half of the stake would be placed on Over 3.5 (Loss) and half of the stake would be placed on Over 3.0 (Push)

Total Corners (Includes 2-Way, 3-Way, Banded, Team Specific Corners, Half Specific Corners)

All corner markets offer the opportunity to predict the number of corners taken based on criteria as stated in the market name. Selections will specify whether the customer is choosing to bet over or under a stated number, within a bracket or on an exact number.

- Corners are added to the total after being taken, not when they are awarded. If a corner is given at the end of a half and the whistle to signal the end of that half is blown, the corner is not added to the total. If a referee stoppage results in a corner being retaken this will not be added to the total, as the original corner is deemed to be a dead ball.

First/Last/Next Corner

A 3-way market offering the opportunity to predict which team will take the nominated corner. If the required corner is never taken then the selection entitled 'No Corner' will



Sports Wagering Division

be settled as the winner. In the event this market is offered as a 2-way market and the required corner is never taken markets will be made void.

- Corners are added to the total after being taken, not when they are awarded. If a corner is given at the end of a half and the whistle to signal the end of that half is blown, this corner will not count towards settlement.

Corner Handicap

A market which offers the customer the opportunity to bet on whether a team with a minus handicap will lead the match corner count by more than a specific number of corners, or a team with a plus handicap will lead the match corner count or lose by less than a specific number of corners.

- In 2-way markets there will be no tie offered. For half-corner lines there will always be a winning selection, for full-corner lines in the result of a tie markets will be considered a 'push' and made void.
- In a 3-way handicap market, the handicap tie is also offered, giving the customer 3 options to place their bet on. In these markets if the scores would be tied after the handicap is applied to either selection then the tie would be considered the winning selection.

Match Stat Totals (Including but not limited to Shots, Shots on Target, Headed Shots on Target, Passes, Tackles, Offsides)

A market offering customers the opportunity to bet on the total number of a stated statistical category. Customers will be presented with the option to bet Over, Under, Exactly, or within a banded selection based on the market format.

- Fanatics will use an official data provider to adjudicate settlement of these markets. This data provider will be independent and their results will be adhered to strictly to ensure the integrity of such markets. The data sources used for



Sports Wagering Division

settlement will be quoted within the market name or market notes, or included in this ruleset where relevant.

Soccer Interval Markets (e.g 1 minute, 5 minute interval betting)

These markets offer the customer the opportunity to predict the amount of a given event (or combination of events) that will take place within a stated time period of the match. Timestamps will be determined as follows:

- Goals will be timed based on when the goal is scored. Time taken for VAR reviews or conversations between Referee and Assistant Referees is not considered, the moment that the ball crosses the goal-line is the official timestamp for goal related markets.
- A corner will be timed based on when it is awarded. Please note this differs from other Match/Team/Half corner markets, which settle based on the corner being taken.
- Penalties will be timed based on when they are awarded, not when they are taken. For avoidance of doubt, the first time the referee signals for a penalty will be deemed the moment that the penalty was awarded. Penalties will only be deemed to have occurred if they are upheld through any review process and taken as part of play.
- Free Kicks, Goal Kicks and Throw-Ins will be timed based on when they are awarded, not when they are taken.

Markets at the end of the half are inclusive of injury time. Time intervals are determined as follows in the examples below;

- Example - Goal scored in the first 5 minutes. This market would cover the time period of 00:00 to 04:59 on the match clock.
- Example - Goal Kick to be awarded in the 58th minute. This market would cover the time period of 57:00 to 57:59 on the match clock.
- Example - Goal scored between 85:00 - FT - This market would cover the time period of 85:00 until the full time whistle is blown.

Extra Time/Penalty Shootout Betting



Sports Wagering Division

These markets may be offered on games where Extra Time and Penalty Shootouts are a possibility. They can be offered 'pre-live' before the game kicks off, or 'in-play' during the game either before the Extra Time/Penalty Shootout period starts or during the action. These markets include (but are not limited to)

- Extra Time Result
 - Extra Time Correct Score
 - Extra Time Total Goals/Corners
 - Extra Time 1st Team to Score
 - Extra Time Both Teams to Score
 - 1st/Last/Xth Penalty Scored/Missed
 - Player to Score/Miss a Penalty
 - Number of Penalties taken/missed/scored in shootout
 - Penalty Shootout Result
 - Penalty Shootout Correct Score
-
- Where the period of Extra Time and/or Penalty Shootout does not go ahead bets will be made void with the following exception:
 - 'Method of Victory' or 'How will the tie be decided?' markets offer the customer the opportunity to predict at which stage the game will end. These markets are settled in full regardless of whether a period of extra time is played unless the match is abandoned in which case markets will be made void.

Soccer Player Market Rules

General Soccer Player Market Rules

For any player related market, player(s) must enter the pitch and receive at least 1 second of playing time for bets to have action. If a player is an unused substitute or not included in the matchday squad bets on that player/market will be void. For markets such as 'First Goalscorer' the player must be on the pitch or have previously been on the pitch for at least 1 second before the nominated goal is scored for bets to have action.

Player statistic markets will primarily be settled based on the data provided by the organizing body or the official competition data provider when the game reaches a



Sports Wagering Division

conclusion. Fanatics Sportsbook may settle (or partially settle) markets prior to their conclusion if that market is unequivocally determined at the time of settlement.

- All markets include regulation time only unless otherwise stated
- Own goals do not count towards settlement. Where an own goal is scored in a First/Next/Last market it will not be acknowledged and the previous/next goal will be used as the result for settlement. Where the match consists of only own goals, the game will be treated as though it finished with no scorers.

First/Next/Last/Xth Goalscorer

A multi-way market offering the opportunity to choose which player will score a nominated goal. "No Goalscorer" will be settled as the winner when the nominated goal is not scored.

- Where the selection 'Any Other Scorer' is quoted within the market, this will be settled as the sole winner on occasions where the goal scorer was not offered as a standalone selection. This excludes own goals which still do not count for settlement purposes.
- Where the selection 'Any Other Scorer' is not quoted within the market and the market notes stated language such as 'Other Scorers Available on Request' then all selections will be settled as losers in the event that the goal scorer was not offered as a standalone selection. This excludes own goals which still do not count for settlement purposes.
- Where the selection 'Any Other Scorer' is not quoted within the market and there are no market notes relating to 'Other Scorers Available on Request' all selections will be made void in the event that the goal scorer was not offered as a standalone selection. This excludes own goals which still do not count for settlement purposes.

Anytime Goalscorer/To Score 2+ (Brace)/To Score 3+ (Hat-Trick)/To Score X+ Goals

A multi-way market offering the opportunity to choose from a list which player(s) will score the nominated amount of goals.



Sports Wagering Division

- Markets may be offered as full player lists with only the 'Yes' outcomes offered or with the option to bet Yes/No on specific players within a list.
 - Where a full player list is offered and none of the listed players score, all selections will be settled as losers, once voids have been settled using the general soccer player market rules.
 - Where Yes/No is offered each individual player will be treated as a 2-way market, with Yes or No being settled as the winner where a selection was deemed to be action. Players who are considered void according to the general soccer player market rules will have their 'Yes' and 'No' selections settled as void.

Scorecast

A combination bet where the customer chooses the First Goalscorer and combines this with the exact correct score of the match. Both selections must be correct in order for the bet to be settled as a winner.

- If the First Goalscorer element of the bet is void as per First Goalscorer rules, the bet becomes a straight wager on the Correct Score market odds at the time the game kicked off.
- Own goals are not counted for First to Score. If the 1st goal is an own goal, the next goal scored which is not an own goal will be counted for settlement purposes.
 - If only own goals are scored, the bet becomes a straight wager on the Correct Score market odds at the time the game kicked off.
- If a match is abandoned after the first goal is scored, bets will be settled as a straight wager on the First Goalscorer market odds at the time the game kicked off.
- If the game finishes 0-0 bets will be void, unless the "0-0 Draw/Tie" selection was offered, in which case this selection will be settled as the winner.

Player Match Stat Totals (Including but not limited to Shots, Assists, Shots on Target, Headed Shots on Target, Passes, Tackles, Offsides)



Sports Wagering Division

A market offering customers the opportunity to bet on the total number of a stated statistical category by a nominated player. Customers will be presented with the option to bet Over, Under, Exactly, or within a banded selection based on the market format.

- Fanatics will use an official data provider to adjudicate settlement of these markets. This data provider will be independent and their results will be adhered to strictly to ensure the integrity of such markets. The data sources used for settlement will be quoted within the market name or market notes, or included in this ruleset where relevant.

Soccer Futures Market Rules

General Soccer Futures Rules

Bets will be settled based on official standings or rulings provided by the organizing body. For bets to stand, the number of games where a result is passed must equal the number of games scheduled when the season begins, unless the outcome has already been determined. Any forfeited game that is considered an official result will count towards season long bets.

Outright/Conference/Division Winner Markets

If a result is passed by the organizing body for any of the above markets it will be deemed final irrespective of whether the season has been amended in any way to achieve this result. If a team is withdrawn, suspended or otherwise removed from the competition they will be deemed a participant if they have started at least one fixture.

- Division winner markets follow the tie break rules set out by the organizing body
- In Leagues/Competitions where the overall champion is determined by a playoff, the winner of the post-season playoffs will be settled as the winner of the main outright market, not the team that finishes the season as league leader.

Regular Season Points

A 2-way market which offers the customer the opportunity to bet whether a team will achieve more or less than the specified total number of points. In the result of a whole number being offered and that outcome being achieved bets will be settled as a push.



Sports Wagering Division

For example if a team is offered at Over/Under 45.0 points and finishes the season with 45 points the market will be deemed a push and settled as void.

- Bets will be void if the chosen team or teams do not achieve an official result for all scheduled regular season games (using the schedule produced before Week 1 of the regular season) unless the total has already been passed or can not possibly be achieved in the remaining number of games.
- Any forfeited game that is considered an official result will count towards Regular Season Points regardless of whether it is a win or a loss.

Season/Tournament Match Bet

These markets offer the customer the opportunity to bet on which of two given teams will outperform the other over the course of a season/tournament

- In League play, the team with the overall highest league finishing position will be settled as the winner
- In Tournament/Playoff play, the team that advances furthest will be settled as the winner. If both teams are eliminated at the same stage then dead heat rules will apply.

Name The Finalists

A market offering the customer the chance to predict both of the finalists in a stated soccer tournament.

- If either nominated team does not take any part in an event bets on that selection will be void.

Final Exacta/Forecast

A market offering the customer the chance to predict both of the finalists in a stated soccer tournament, as well as the winner of the final match itself.

- If either nominated team does not take any part in an event bets on that selection will be void.



Sports Wagering Division

Stage of Elimination

A market offering the customer the chance to predict at which stage a team will be eliminated from a stated soccer tournament.

- If the nominated team does not take any part in an event bets on that selection will be void.

Top Goalscorer/Top Team Goalscorer/Golden Boot

A market offering the customer the chance to predict which player will lead the goalscoring in a competition, either on an overall basis or for their specific team.

- Where the market is referred to as 'Golden Boot' any tiebreakers used in the award will also be used to determine settlement.
- Where the market is referred to as 'Top Goalscorer' dead heat rules will apply.
- In case a player is transferred to a different club within the same league, goals scored prior to the move will be counted. If a player is transferred to a club in another league, goals scored prior to the transfer cannot be brought over to their new league, but goals within the existing league will stand.
- Market will be settled using 'All Bets are Action' rules.
- Own Goals do not count.
- Only goals scored in the nominated competitions will count.
- Goals scored in postseason playoffs will not be counted unless stated.

To Qualify

A market offering the customer the chance to bet on a team to qualify in a knockout tie or from a group of teams to advance to the next stage of a competition.

- All qualification matches must take place for the bet to have action. If a team is disqualified resulting in a bye or forfeit then bets will be void. If a group is reduced in number due to a team being withdrawn then all bets will be void unless the results were already known in full.

Relegation/To Avoid Relegation/Promotion/Bottom X Finish/Top X Finish



Sports Wagering Division

These multi-way markets offer the customer the opportunity to bet on a team to finish in a specific or banded league position, or to achieve a specified achievement such as winning promotion, be that automatically through league position or via a playoff system.

- Bets are settled on the final league position, after playoffs (if played), unless otherwise stated.
- If a team is removed from the league before the season has started, then all bets on that team will be void.
- Points deduction penalties for things such as fielding ineligible players, entering financial difficulty, breaking transfer rules etc will be counted towards these markets.

Player Transfers/Next Manager of Club

These prop markets offer the customer the opportunity to bet on a player to transfer clubs, or to predict the next manager of a specific club or team.

- An interim manager is deemed to be permanent after completing 10 fixtures in all competitions with a team. If a manager is announced as the permanent manager when hired they will be settled immediately.
- In transfer betting loan deals count towards settlement. The market will be settled based on the player's registered club on the date specified in the market name.
- Bets placed after official press conferences, club press releases or club social media statements will be deemed to have been placed after a result was known and Fanatics Sportsbook reserves the right to make such wagers void.

Soccer Same Game Parlay Specific Rules

Same Game Parlay bet legs follow the individual rules determined by the market they are selected from. For the avoidance of doubt a Same Game Parlay bet will be considered to be void if:

- The entire event is voided under Fanatics Sportsbook Abandoned, Canceled, Postponed or Forfeited Events ruling.



Sports Wagering Division

Boxing

General Boxing Rules

- Where a fight does not take place on the originally advertised card bets will be made void. Boxing specific bout start times are provided as estimates, and can change at short notice, but the following rules apply to all boxing:
 - More than 72 hours from the start of the card, times and dates should be considered to be estimates and used for informational purposes only and will not be used to determine settlement.
 - Within 72 hours of the scheduled start of the card, the date will be considered final, and if the card, or any number of fights from a card, are moved from this date, affected fights on the card will be made void. A card must start before midnight local time, and will be considered to have finished after all scheduled fights have taken place, regardless of whether this runs past midnight local time.
- All bets will be settled on the official result announced at the end of the fight. Subsequent appeals/amendments do not affect settlement. If an announcer is found to have misread or announced scores incorrectly then this will be acknowledged and events will be resettled.
- The opening bell is considered to be the start of the fight and the start of each new round will also be considered to have commenced upon the timekeeper's bell. Where a fighter refuses to emerge from their corner, or retires in between rounds in their corner, the round that has just taken place will be considered to be when the fight ended.
- In declaration of a "No Contest" or "Technical Draw," all bets will be void and wagers will be refunded, with the exception of markets where the outcome has already been determined.
- Where there is a change to the scheduled number of rounds within a fight after a customer has placed their wager and there is no specific ruling listed within the market rules bets will be made void.

Boxing Market Rules

Match Result/Fight Winner/Moneyline



Sports Wagering Division

A market offering the customer the opportunity to bet on which fighter will win the fight. Where the draw is also offered as a selection this will be settled as the winner in the event of a declared draw after the conclusion of scheduled rounds.

- If there is a change to the number of scheduled rounds after a customer has placed their wager bets will be settled as follows;
 - In 2-way markets bets will stand
 - In 3-way markets where the draw was offered bets will be made void and a new market offered where time allows.

Method of Victory/Exact Method of Victory

A multi-way market offering the customer the opportunity to bet on the specific outcome of the fight. The market can be offered at a basic level offering the choice between a stoppage or a decision, or can be offered in a more detailed manner giving the choice of different types of decision or stoppage. Unless offered as a selection within the market, Method of Victory bets on a fight that finishes in a Technical Draw will be void.

Definitions of differing methods of victory are as follows below, with detailed descriptions of the 'Exact Method of Victory' selections contained within each section. Fanatics Sportsbook will use the decision details provided by the event organizer and/or sanctioning body when determining settlement of these markets.

- **Draw** - A draw according to the scorecards of the ringside judges.
 - **Unanimous Draw** - A draw decision reached when the fight was a draw according to the scorecards of all three judges.
 - **Majority Draw** - A draw decision reached when the fight was a draw according to the scorecards of two of the three judges.
 - **Split Draw** - A draw decision reached when each fighter was seen as the winner by one judge, with the third scoring the fight a draw.
- **Technical Draw** - A draw announced when the fight is ended early with a fighter unable to continue, usually due to an accidental injury. From the 5th round onwards the decision will generally go to the judges scorecards, but may still be deemed a draw based on the current scoring.
 - A Technical Draw can also occur when an accidental injury occurs within the first 4 rounds of the fight. This can also be deemed a **No-Contest**.



Sports Wagering Division

- **Decision** - A result coming via the judges scorecards following the conclusion of the scheduled number of rounds where one of the fighters is awarded the win.
 - **Unanimous Decision** - A decision reached when one fighter is awarded the win on all three judges scorecards.
 - **Majority Decision** - A decision reached when two of the three judges award the win to one fighter and the other judges the fight to be a draw.
 - **Split Decision** - A decision reached when two of the three judges award the win to one fighter and the other judge awards the win to the opponent.
- **Technical Decision** - A decision announced when the fight is ended early with a fighter unable to continue, usually due to an accidental injury.
- **Disqualification** - When an injury sustained during competition as a result of an intentional foul is severe enough to end the fight, where multiple fouls have been assessed, and/or there is disregard for the rules and/or referee's commands from one or more fighters.
- **Knockout/TKO/Stoppage** - The fight ends inside the scheduled number of rounds with one fighter deemed unable to continue after being beaten in a fair fashion, meaning the victory is awarded to their opponent.
 - **Knockout** - A fighter is knocked down and is either unconscious or is unable to rise to their feet before the referee reaches the end of their count.
 - **Technical Knockout/TKO/Referee Stoppage** - The fight is ended early due to the referee or ringside physician determining that one fighter is unsafe to continue for any reason. This can be due to sustained punishment, the fighter not recovering fully from knockdown(s) or the fighter becoming unable to properly defend themselves.
 - If a towel/sponge is thrown into the ring during the round by the corner of one fighter to signify that they wish to concede, it is at the discretion of the referee whether to stop the fight. Therefore a stoppage after a towel being thrown will be settled as a Technical Knockout/TKO/Referee Stoppage rather than a retirement.
 - **Retirement/Corner Stoppage** - The fight is awarded to the opponent when a fighter or their corner refuse to continue following the break in between rounds.

Total Rounds



Sports Wagering Division

A 2-way market offering the customer the opportunity to bet on whether the fight will fall short of or continue past a stated number of rounds.

- Where increments of 0.5 are used in selection names then the halfway point of the stated round will signal the division between an Over/Under selection.
 - For example, in a fight with eight rounds of three minutes in length, a selection of 'Under 6.5 Rounds' would require the fight to end before the 90th second of the seventh round to be settled as a winner.
- Where selections are written in the format 'Xth Round or Earlier and Xth Round or Later' then the opening bell for each round will signal the division between an Over/Under selection.
 - For example, in a fight with eight rounds of three minutes in length, a selection of '6th Round or Earlier' would require the fight to end within the first six rounds, or in a retirement before the opening bell of the seventh round to be settled as a winner.

Round Betting (Includes Grouped Round Betting/Either Fighter Round Betting/Either Fighter Grouped Round Betting)

A multi-way market offering the customer the opportunity to bet on which round the fight will end in, and where relevant which fighter will win the fight.

- Where a fight is decided by Technical Decision round betting will be settled with two winning selections, the round where the fight ended, as well as the relevant decision selection will both be settled as winners.
- For a round or group of rounds to be settled as the winner the fight must be decided by Knockout, Technical Knockout, Retirement or Disqualification.
- Where a fighter refuses to emerge from their corner, or retires in between rounds in their corner, the round that has just taken place will be considered to be when the fight ended.
- Where the option of 'Draw' is offered this will be settled as the winner in the event of a Draw. Where no such option is offered Round Betting will be made void in the event of a draw.

Will the fight go the distance?



Sports Wagering Division

A 2-way market offering options of 'Yes' and 'No' offering the customer the opportunity to predict whether the fight will reach the end of the scheduled rounds without a winner being declared or a technical draw/no contest being declared.

- Where a fight goes to the judges scorecards for a Decision, 'Yes' will be settled as the winner.
- Where a fighter wins by any of the following methods 'No' will be settled as the winner;
 - Knockout, Technical Knockout, Retirement, Disqualification
- Where the fight ends early and is declared a Technical Draw or No Contest 'No' will be settled as the winner.

Knockdown Betting (Includes round Knockdown, Will fighter be Knocked down?, Both fighters to be Knocked down, Total Knockdowns)

A series of markets offering the customer the opportunity to bet on whether criteria relating to knockdowns will be met during the match. As soon as the opening bell sounds bets will have action, regardless of whether the fight is stopped early for any reason.

- A knockdown is defined as a fighter being knocked out, or receiving a count after being knocked down. If a referee adjudges a fighter to have slipped he will make this clear by signaling as such, and this will not count.

Punch Statistic Markets (Includes Punches Thrown, Punches Landed, Round Punches)

A series of 2-way markets offering Over/Under propositions on the number of punches that meet a specific criteria. These markets will be settled using a specific data provider which will be called out in the market notes. As soon as the opening bell sounds bets will have action, regardless of whether the fight is stopped early for any reason.

MMA

General MMA Rules



Sports Wagering Division

- Where a fight does not take place on the originally advertised card bets will be made void. MMA specific bout start times are provided as estimates, and can change at short notice, but the following rules apply to all boxing:
 - More than 72 hours from the start of the card, times and dates should be considered to be estimates and used for informational purposes only and will not be used to determine settlement.
 - Within 72 hours of the scheduled start of the card, the date will be considered final, and if the card, or any number of fights from a card, are moved from this date, affected fights on the card will be made void. A card must start before midnight local time, and will be considered to have finished after all scheduled fights have taken place, regardless of whether this runs past midnight local time.
- All bets will be settled on the official result announced at the end of the fight. Subsequent appeals/amendments do not affect settlement. If an announcer is found to have misread or announced scores incorrectly then this will be acknowledged and events will be resettled.
- The opening bell, horn or referee signal is considered to be the start of the fight and the start of each new round will also be considered to have commenced upon the equivalent signal. Where a fighter refuses to emerge from their corner, or retires in between rounds in their corner, the round that has just taken place will be considered to be when the fight ended.
- In declaration of a “No Contest” all bets will be void and wagers will be refunded, with the exception of markets where the outcome has already been determined.
- Where there is a change to the scheduled number of rounds within a fight after a customer has placed their wager and there is no specific ruling listed within the market rules, bets will be made void.

MMA Market Rules

Match Result/Fight Winner/Moneyline

A market offering the customer the opportunity to bet on which fighter will win the fight. Where the draw is also offered as a selection this will be settled as the winner in the event of a declared draw after the conclusion of scheduled rounds.

- If there is a change to the number of scheduled rounds after a customer has placed their wager bets will be settled as follows:



Sports Wagering Division

- In 2-way markets bets will stand
- In 3-way markets where the draw was offered bets will be made void and a new market offered where time allows.

Method of Victory/Exact Method of Victory

A multi-way market offering the customer the opportunity to bet on the specific outcome of the fight. The market can be offered at a basic level offering the choice between a stoppage or a decision, or can be offered in a more detailed manner giving the choice of different types of decision or stoppage. Unless offered as a selection within the market, Method of Victory bets on a fight that finishes in a Technical Draw will be void.

Definitions of differing methods of victory are as follows below, with detailed descriptions of the 'Exact Method of Victory' selections contained within each section. Fanatics Sportsbook will use the decision details provided by the event organizer and/or sanctioning body when determining settlement of these markets.

- **Draw** - A draw according to the scorecards of the ringside judges.
 - **Unanimous Draw** - A draw decision reached when the fight was a draw according to the scorecards of all three judges.
 - **Majority Draw** - A draw decision reached when the fight was a draw according to the scorecards of two of the three judges.
 - **Split Draw** - A draw decision reached when each fighter was seen as the winner by one judge, with the third scoring the fight a draw.
 - **Technical Draw** - A draw decision announced when a bout is ended between the halfway point of the fight and the end of the fight due to injury sustained due to a foul, where the injured fighter was either even or behind on the judges scorecards.
 - **No Contest** - A bout is prematurely stopped due to accidental injury and a sufficient amount of time has not been completed to render a decision via the score cards. This occurs when the stoppage happens at any time before the halfway point of the fight.
- **Decision** - A result coming via the judges scorecards following the conclusion of the scheduled number of rounds where one of the fighters is awarded the win.
 - **Unanimous Decision** - A decision reached when one fighter is awarded the win on all three judges scorecards.



Sports Wagering Division

- **Majority Decision** - A decision reached when two of the three judges award the win to one fighter and the other judges the fight to be a draw.
- **Split Decision** - A decision reached when two of the three judges award the win to one fighter and the other judge awards the win to the opponent.
- **Technical Decision** - A draw decision announced when a bout is ended between the halfway point of the fight and the end of the fight due to injury sustained due to a foul, where the injured fighter was ahead on the judges scorecards.
- **Disqualification** - When an injury sustained during competition as a result of an intentional foul is severe enough to end the fight, where multiple fouls have been assessed, and/or there is disregard for the rules and/or referee's commands from one or more fighters.
- **Stoppages** - The fight ends inside the scheduled number of rounds with one fighter deemed unable to continue after being beaten in a fair fashion, meaning the victory is awarded to their opponent.
 - **Knockout** - A fighter is knocked down and it is deemed that they cannot intelligently defend themselves by the referee.
 - **Technical Knockout** - The fight ends early due to the referee, physicians or fighter's corner determining that one fighter is failing to intelligently defend themselves or is physically unable to continue. In MMA, where a fighter or their corner refuses to continue following the break in between rounds this will be deemed a Technical Knockout.
 - **Submission** - A fight can be ended by submission where a fighter declares to the referee either by tapping out or instructing verbally that they are in too much pain or discomfort to continue. A technical submission occurs when a fighter loses consciousness or suffers a serious injury during a submission hold, resulting in the referee intervening on the fighter's behalf.

Total Rounds

A 2-way market offering the customer the opportunity to bet on whether the fight will fall short of or continue past a stated number of rounds.

- Where increments of 0.5 are used in selection names then the halfway point of the stated round will signal the division between an Over/Under selection.



Sports Wagering Division

- For example, in a fight with five rounds of five minutes in length, a selection of 'Under 3.5 Rounds' would require the fight to end in the 149th second or earlier of the fourth round to be settled as a winner.
- Where selections are written in the format 'Xth Round or Earlier and Xth Round or Later' then the opening bell for each round will signal the division between an Over/Under selection.
 - For example, in a fight with five rounds of five minutes in length, a selection of '3rd Round or Earlier' would require the fight to end within the first three rounds, or in a retirement before the opening of the fourth round to be settled as a winner.

Round Betting (Includes Grouped Round Betting/Either Fighter Round Betting/Either Fighter Grouped Round Betting)

A multi-way market offering the customer the opportunity to bet on which round the fight will end in, and where relevant which fighter will win the fight.

- Where a fight is decided by Technical Decision round betting will be settled with two winning selections, the round where the fight ended, as well as the relevant decision selection will both be settled as winners.
- Where a fight is settled as a No-Contest, bets will be made void.
- For a round or group of rounds to be settled as the winner the fight must be decided by Knockout, Technical Knockout, Retirement or Disqualification.
- Where a fighter refuses to emerge from their corner, or retires in between rounds in their corner, the round that has just taken place will be considered to be when the fight ended.
- Where the option of 'Draw' is offered this will be settled as the winner in the event of a Draw. Where no such option is offered Round Betting will be made void in the event of a draw.

Will the fight go the distance?

A 2-way market offering options of 'Yes' and 'No' offering the customer the opportunity to predict whether the fight will reach the end of the scheduled rounds without a winner being declared or a technical draw/no contest being declared.



Sports Wagering Division

- Where a fight goes to the judges scorecards for a Decision, 'Yes' will be settled as the winner.
- Where a fighter wins by any of the following methods 'No' will be settled as the winner;
 - Knockout, Technical Knockout, Submission, Disqualification
- Where the fight ends early and is declared a Technical Draw, Technical Decision or No Contest 'No' will be settled as the winner.

Statistic Markets (Includes Punches Thrown, Punches Landed, Takedowns)

A series of 2-way markets offering Over/Under propositions on the number of punches that meet a specific criteria. These markets will be settled using a specific data provider which will be called out in the market notes. As soon as the opening bell sounds bets will have action regardless of whether the fight is stopped early for any reason.

Motor Sports

General Motor Sport Rules (which may include, amongst others, NASCAR, Indy Car, Formula One, Superbikes and Speedway)

- Unless otherwise stated in the market rules, the result at the time of the podium presentation is considered valid for settlement purposes.
- The race must be completed within one week of the scheduled start time for bets to have action.
- If a race is abandoned/suspended before an official result is declared by the league's governing body and not completed within one week of the official start time, all bets on that race will be void except bets on any markets which have been determined.
- If a race is abandoned/suspended after an official result is declared by the league's governing body, that official result will be recognized to grade wagers.
- If the scheduled venue is changed after a bet is placed, the wager will be void.

Motor Sport Market Rules

Match-ups



Sports Wagering Division

Both drivers must start the race for bets to have action. Markets will be considered void if one of the drivers retires in or before the formation lap.

If a driver fails to complete the race, the other driver in the match-up wager will be declared the winner. If both drivers fail to complete the race, the number of full laps completed will determine the winner. If both drivers fail to complete on the same lap, the market will be voided.

Group Betting

All listed drivers in the group must start the race for bets to have action.

Race Props (lap markets, caution markets, etc.)

For NASCAR, the entire race must be completed for bets to have action unless the result is already determined. For other motor racing leagues, all bets will stand.

Stage Winner/Stage Props

The entire race or stage must be completed for bets to have action unless the result is already determined.

Race Winner/Top X Finish

All bets are action unless the driver who was wagered on does not start the race.

Fastest lap

The driver who achieved the fastest lap in the specified lap, cluster of laps or race is considered as the winner. The lap time in milliseconds is valid for settlement purposes.

Motor Sport Settlement Rules



Sports Wagering Division

NASCAR - All markets will be initially settled based on the unofficial results sent out by NASCAR. If, after post-race inspections are completed, there is any change in the official race result, all previous winners will stand and new winners will also be settled as won. Any subsequent inquiries/disqualifications after the official post-race inspection will not affect settlement.

Other Motorsports – All markets will be settled by the official results from the website of the league's relevant governing body at the time of the podium presentation. Any subsequent inquiries/disqualifications after the podium presentation will not affect settlement. In the absence of a statistic/result required for settlement of a specific market from the official website of the league's governing body, another reputable statistical source will be used to support bet settlement.

Table Tennis

General Table Tennis Rules

- All Table Tennis bets (including any specials or statistics-based bets) will be settled in accordance with the official website of each tournament's governing body.
- In the event of a match starting but not being completed, all bets will be void, unless the specific market outcome is already determined, or unless there is no conceivable way the game and/or match could be played to its natural conclusion without unconditionally determining the result of a specific market.
- Bets are declared void in the event of a stated player being replaced.
- In-Play Point Betting - Bets are offered for a player to win the nominated point. In the event of the point not being played, due to the game or match ending, all bets on that point will be void. Specifically for the World Championships of Ping Pong, all points gained from a 'Double Point' ball, count towards settlement.
- Game Betting - Bets are void if the statutory number of games are not completed, or are changed.
- Correct Score after X Games - Bets are void if the statutory number of games are not completed, or are changed; unless the outcome is already determined.

Darts



Sports Wagering Division

General Darts Rules

- All Darts bets (including any specials or statistics-based bets) will be settled in accordance with the official website of each tournament's governing body.
- All games must start on the scheduled date for bets to have action. The exception is if we advertise an incorrect start time.
- All bets on games which start, but not completed, will be void unless rearranged and played on the same date (local time) or unless it is otherwise stated in the rules.
- Bets are declared void in the event of a stated player being replaced.
- Bets on any match market abandoned before the full completion of the statutory number of legs/sets will be void unless settlement is already determined.

Darts Market Rules

- Daily Specials – All scheduled games must be played on the specified day for bets to have action unless settlement has already been determined.
- In the event the statutory number of sets/legs is changed or differs from those offered for betting purposes, then all bets are void, unless settlement is already determined or unless otherwise stated.
- If a match is not completed for any reason then bets on 'any correct score' or 'next leg/game/set' market will be void
- Checkout Markets - The Bull counts as red. The leg must be completed for bets to stand.

Volleyball

General Volleyball Rules

- All Volleyball bets (including any specials or statistics-based bets) will be settled in accordance with the official website of each tournament's governing body.
- All bets on games which start, but not completed, will be void unless rearranged and played on the same date (local time) or unless it is otherwise stated in the rules.



Sports Wagering Division

- All games must start on the scheduled date for bets to have action. The exception is if we advertise an incorrect start time.
- Bets are declared void in the event of a stated player being replaced.
- For competitions where two legged ties have a Golden Set to decide which team progresses (in the event of the tie being tied in matches won), then for settlement purposes the Golden Set does not count.
- If a match does not adhere to the generally accepted format (e.g., unusual period length, counting procedure, format of a match etc.), Fanatics Sportsbook reserves the right to void bets.

Volleyball Market Rules

- Winner - Predict the winner of the game. A best-of-five sets format is used. Golden Set is not counted for settling purposes.
- To Qualify will be settled on the team progressing to the next round of the specified competition, and includes the outcome of a Golden Set if played.
- If a match does not adhere to the generally accepted format (e.g., unusual period length, counting procedure, format of a match etc.), Fanatics Sportsbook reserves the right to void bets.
- Set Score - Predict the set scores at the end of the match. Bets are void if the statutory number of sets is not completed or changed.

Winter Sports

General Winter Sport Rules

- All Winter Sport bets (including any specials or statistics-based bets) will be settled in accordance with the official website of each tournament/Sports governing body.
- Bets on any participant who takes part in qualifying for a specified event, but then fails to qualify for the main round(s), will be settled as losers.
- Bets are declared void in the event of a stated player being replaced.
- If a match does not adhere to the generally accepted format (e.g., unusual period length, counting procedure, format of a match etc.), Fanatics Sportsbook reserves the right to void bets.



Sports Wagering Division

Winter Sport Market Rules

- Futures - Predict the winner of the stage/race (it will be specified in the name of the futures). If the participant does not start the official event, bets will be void.
- Match Betting/Head to Head - Unless otherwise stated in the Special Rules for the specific sport: At least one competitor must finish the event, or all bets are considered void. If one or more competitor(s) fail to start all bets are considered void. If all competitors are disqualified or otherwise excluded all bets are considered void. If both competitors in a head-to-head achieve the same result and no draw odds are offered, then all bets are considered void.
- Podium Position - Predict if a participant will finish on the podium (1st, 2nd, or 3rd place). If the participant does not start the official event, bets will be void.

Athletics

General Athletics Rules

- If there is no presentation ceremony, outcomes will be determined in accordance with the official result of the relevant governing body, regardless of any subsequent disqualification or amendment to the result. Unless the amendment is announced within 24 hours of the initial settlement of the relevant market in order to correct an error in reporting the result.
- Bets on any participant who takes part in qualifying for a specified event, but then fails to qualify for the main round(s), will be settled as losers.
- Bets are declared void in the event of a stated player being replaced.
- If a specific event is postponed or abandoned, then bets remain valid provided that the event is completed within 72 hours.

Cycling

General Cycling Rules

- If there is no presentation ceremony, outcomes will be determined in accordance with the official result of the relevant governing body, regardless of any



Sports Wagering Division

subsequent disqualification or amendment to the result. Unless the amendment is announced within 24 hours of the initial settlement of the relevant market in order to correct an error in reporting the result.

- Where a match is abandoned before the completion of the regular time markets will be made void unless the match is rearranged and played within 48 hours of the original start time.
- Bets on any participant who takes part in qualifying for a specified event, but then fails to qualify for the main round(s), will be settled as losers.

Cycling Market Rules

- Match Betting/Head to Head - Unless otherwise stated in the Special Rules for the specific sport: At least one competitor must finish the event, or all bets are considered void. If one or more competitor(s) fail to start all bets are considered void. If all competitors are disqualified or otherwise excluded all bets are considered void. If both competitors in a head-to-head achieve the same result and no draw odds are offered, then all bets are considered void.
- For 'To Win A Stage' markets, if the named rider fails to start the race all bets on that rider will be void. If the named rider is involved in a dead heat for first place in any stage, this will count as a stage win.
- Cyclist Number of Stage Wins - in the event a cyclist not starting the specified event, bets will be deemed void.
- Cyclist To Finish in Top 3 - in the event a cyclist not starting the specified event, bets will be deemed void.

Rugby Union

General Rugby Union Rules

- Matches must start on the scheduled date for bets to stand.
- All bets on a match which starts but is subsequently abandoned or postponed will be void unless the match is resumed and completed on the same day (local time) or settlement has already been determined.
- If a venue is changed from the one advertised then all bets on that match will be void.



Sports Wagering Division

- Markets will be settled based on the result at the end of regulation time unless otherwise specified.
- Rugby 7s match bets are settled on the specific tournament regulation play and exclude extra time (overtime) if played.

Rugby Union Market Rules

Match Result/Moneyline

A market offering the customer the opportunity to bet on which team will win the match.

- Where the draw is also offered as a selection this will be settled as the winner in the event of a draw in regulation time.
- Where no draw selection is offered bets will be settled as the winner of the event after any extra time is played. If the official result of the match is a draw bets will be settled as void.

Handicap/Point Spread

A point spread/handicap bet allows the customer to bet on whether a team with a minus handicap will win by more than a specific number of points, or a team with a plus handicap will win outright or lose by less than a specific number of points.

A point spread or handicap bet applies the stated handicap to the chosen selection and considers this number to be added or subtracted from the final score.

1st/2nd Half Winner

A market offering the customer the opportunity to bet on which team will win a specific period of play.

- Bets on a specific half will be void if the match is abandoned before the end of that half.
- 2nd half bets will not include any period of extra time played in the result of scores being tied at the end of regulation time.



Sports Wagering Division

1st/2nd Half Handicap

A point spread/handicap bet allows the customer to bet on whether a team with a minus handicap will win by more than a specific number of points, or a team with a plus handicap will win outright or lose by less than a specific number of points.

A point spread or handicap bet applies the stated handicap to the chosen selection and considers this number to be added or subtracted from the points scored in the specific half.

- Bets on a specific half will be void if the match is abandoned before the end of that half.
- 2nd half bets will not include any period of extra time played in the result of scores being tied at the end of regulation time.

First/Xth Team to score/ First/Xth Team to score a Try/ First/Xth Team to score a Penalty/ First/Xth Team to score a Drop Goal

A market offering the customer the opportunity to bet on which of the two teams will score using the method specified where relevant.

Where a 'no team to score' option is offered this will be settled as the winner in the event that no scoring play satisfies the criteria in the market name. Where no such option is available bets will be made void.

Total Match/Half Points/Tries

A 2-way market offering the customer the opportunity to predict whether the total number of overall points (or tries where relevant) will be greater or less than a specific total.

- Bets on a specific half will be void if the match is abandoned before the end of that half.
- 2nd half bets will not include any period of extra time played in the result of scores being tied at the end of regulation time.
- Any whole number totals will be settled as a void in the result of a 'push' where the actual total matches the number quoted.



Total Team Match/Half Points/Tries

A 2-way market offering the customer the opportunity to predict whether the total number of points (or tries where relevant) scored by a nominated team will be greater or less than a specific total.

- Bets on a specific half will be void if the match is abandoned before the end of that half.
- 2nd half bets will not include any period of extra time played in the result of scores being tied at the end of regulation time.
- Any whole number totals will be settled as a void in the result of a 'push' where the actual total matches the number quoted.

Winning Margin

This market offers the customer the chance to bet on what the margin of victory will be, choosing from a selection of points bands, for example 1-9 points, 10-19 points etc. The market can be offered with either team specific or general game based selections.

Double Result (Also referred to as Half-Time/Full-Time)

This market offers the customer the chance to bet on what the result of the game will be at Half-Time and the end of Regulation time. Extra Time does not count towards the settlement of this market. The tie is offered on both the half-time and full-time element of the bet, meaning all combinations within the regulation period of play are offered.

First Scoring Play

A market offering the customer the opportunity to predict the first scoring play of the game. This market will be offered either as a 3-way or 6-way market, depending on whether teams are split into individual selections. The types of scoring play will be offered as follows:

- Try (Penalty try will count as Try)
- Penalty Kick
- Drop Goal



Sports Wagering Division

Race to X Points (Offered in Match & 1st/2nd Half)

A 3-way market offering the option to bet on which team will be the first to reach a stated total number of points within the nominated time frame, with a third option provided for neither team to reach the stated total.

First/Last/Anytime Tryscorer

A market offering the chance to bet on the chosen player to score a try, subject to the criteria specified in the market name.

- Penalty Tries do not count in this market and will not be attributed to any named player for settlement purposes.
- For First Tryscorer if the selected player is named in the starting 15 for the game then bets will stand for that player. If the player is not selected in the starting 15 then bets will be voided unless the player has already entered the field of play at the time the first try is scored.
- For Last and Anytime Tryscorer if the selected player participates in the match at any point then bets will stand for that player. If they do not participate and remain on the bench then bets will be voided.

Rugby Union Futures Market Rules

General Rugby Union Futures Rules

Bets will be settled based on official standings or rulings provided by the organizing body. For bets to stand, the number of games where a result is passed must equal the number of games scheduled when the season begins, unless the outcome has already been determined. Any forfeited game that is considered an official result will count towards season long bets.

Outright/Group Winner Markets

If a result is passed by the organizing body for any of the above markets it will be deemed final irrespective of whether the season has been amended in any way to



Sports Wagering Division

achieve this result. If a team is withdrawn, suspended or otherwise removed from the competition they will be deemed a participant if they have started at least one fixture.

- Division winner markets follow the tie break rules set out by the organizing body
- In Leagues/Competitions where the overall champion is determined by a playoff, the winner of the post-season playoffs will be settled as the winner of the main outright market, not the team that finishes the season as league leader.

Regular Season Points

A 2-way market which offers the customer the opportunity to bet whether a team will achieve more or less than the specified total number of points. In the result of a whole number being offered and that outcome being achieved bets will be settled as a push. For example if a team is offered at Over/Under 45.0 points and finishes the season with 45 points the market will be deemed a push and settled as void.

- Bets will be void if the chosen team or teams do not achieve an official result for all scheduled regular season games (using the schedule produced before Week 1 of the regular season) unless the total has already been passed or can not possibly be achieved in the remaining number of games.
- Any forfeited game that is considered an official result will count towards Regular Season Points regardless of whether it is a win or a loss.

Season/Tournament Match Bet

These markets offer the customer the opportunity to bet on which of two given teams will outperform the other over the course of a season/tournament

- In League play, the team with the overall highest league finishing position will be settled as the winner
- In Tournament/Playoff play, the team that advances furthest will be settled as the winner. If both teams are eliminated at the same stage then dead heat rules will apply.

Name The Finalists



Sports Wagering Division

A market offering the customer the chance to predict both of the finalists in a stated soccer tournament.

- If either nominated team does not take any part in an event bets on that selection will be void.

Final Exacta/Forecast

A market offering the customer the chance to predict both of the finalists in a stated soccer tournament, as well as the winner of the final match itself.

- If either nominated team does not take any part in an event bets on that selection will be void.

Stage of Elimination

A market offering the customer the chance to predict at which stage a team will be eliminated from a stated soccer tournament.

- If the nominated team does not take any part in an event bets on that selection will be void.

To Qualify

A market offering the customer the chance to bet on a team to qualify in a knockout tie or from a group of teams to advance to the next stage of a competition.

- All qualification matches must take place for the bet to have action. If a team is disqualified resulting in a bye or forfeit then bets will be void. If a group is reduced in number due to a team being withdrawn then all bets will be void unless the results were already known in full.

Relegation/To Avoid Relegation/Promotion/Bottom X Finish/Top X Finish

These multi-way markets offer the customer the opportunity to bet on a team to finish in a specific or banded league position, or to achieve a specified achievement such as



Sports Wagering Division

winning promotion, be that automatically through league position or via a playoff system.

- Bets are settled on the final league position, after playoffs (if played), unless otherwise stated.
- If a team is removed from the league before the season has started, then all bets on that team will be void.
- Points deduction penalties for things such as fielding ineligible players, entering financial difficulty, breaking transfer rules etc will be counted towards these markets.

Snooker/Pool

General Snooker/Pool Rules

- Matches must start on the scheduled date for bets to stand.
- All bets on a match which starts but is subsequently abandoned or postponed will be void unless the match is resumed and completed on the same day (local time) or settlement has already been determined.
- If a venue is changed from the one advertised then all bets on that match will stand.
- If the statutory number of frames/racks in a match are not completed or are changed or differ from those offered for betting purposes, bets will be void, unless otherwise stated or unless settlement has already been determined.
- In the event of a disqualification or retirement in a game, all bets will be void, unless otherwise stated.
- For futures markets, if a player does not play, bets on that participant will be void - with the exception of bets placed on any player who takes part in a given tournament's qualifying but fails to qualify for the main tournament. Such bets will be deemed losers for settlement purposes.

Snooker/Pool Market Rules

Match Result/Moneyline



Sports Wagering Division

A 2-way market giving customers the opportunity to bet on which player/team will win the overall match by winning the required number of frames/racks.

- If a match is played in a format where the tie is possible and no option to bet on the tie is offered in the betting market, bets will be void where the match finishes as a tie.

Xth Frame/Rack Winner

A 2-way market giving customers the opportunity to bet on which player/team will win the current frame/rack.

- If a frame/rack is restarted bets will be settled after a definitive result has been achieved.

First/Last Pot/Color Potted/Number Potted

A market giving customers the opportunity to bet on which player will make the first/last pot, or which type of ball will be potted. Where a frame is restarted/abandoned bets will be void unless a result has already been definitively determined.

Total Frames/Racks

A 2-way market giving customers the opportunity to bet on how many frames/racks will be required to determine a winner.

- Where a whole number is offered and this is the result that is achieved bets will be considered to have 'pushed' and selections will be made void.

Frame/Session Total Points

A 2-way market offered in snooker giving customers the opportunity to bet on how many points will be scored in a given frame or nominated session of play.

- The full amount of frames must be played in a session for bets to have action unless an overall winner is determined during that specific session of play.



Sports Wagering Division

- If a frame/rack is restarted bets will be settled after a definitive result has been achieved using only the points from the officially resulted frame.

Correct Score

A multi way market offering customers the opportunity to select the exact correct score of the overall matchup.

- In the event of a walkover, retirement or disqualification bets will be made void.

Cricket

General Cricket Rules

- If a match is cancelled before any play has taken place, then all bets will be void, unless the match is replayed within 48 hours of its advertised start time (in which case the bets will stand).
- If a match venue is changed then bets already placed will stand providing the home team is still designated as such. If the home and away team for a listed match are reversed then bets placed based on the original listing will be void.
- All tournament and match markets will be settled on the basis of the official tournament results/match scorecards which are included on the ICC's official website. If there is no result available, then the website www.cricinfo.com will be used for settlement purposes.
- A batsman that retires from an innings will not be considered as a wicket for settlement purposes.
- The term "innings reaching its natural conclusion" refers to an innings which has not been closed due to external factors such as rain or bad light. A team being bowled out or declaring is considered to constitute the natural conclusion of an innings.
- If the concussion rule is activated while a player is batting, all markets relating to that player will be settled based on that player being 'retired hurt'. If the concussion rule is activated prior to that player batting or bowling, they will be void from relevant markets.
- Limited Overs Matches
 - Match bets will be settled according to the winner as determined by official competition rules (including where matches are shortened due to adverse



Sports Wagering Division

weather conditions or are decided by a bowl off) unless the winner is determined by the toss of a coin or the drawing of lots (in which case all match bets will be void).

- If a match is tied and the official competition rules do not determine a winner, bets on the outright result will be void unless the outcome is settled by a bowl off or super over (in which case the result of the bowl off or super over will stand for match betting). If the competition rules determine the winner by the toss of a coin, drawing of lots or higher seeding resulting from a previous round then bets will be void.
- Test Matches
 - If a match is abandoned due to weather before a ball has been bowled then all bets will be void.
 - If a match is tied or abandoned for any reason other than weather then bets on the outright result will be void.
 - If a match for which we did not offer a price for the draw ends in a draw then bets on the match result will be void.
 - If either side forfeits their first innings then all bets specifically relating to the first innings will be void.
- Series Betting
 - When the full number of scheduled matches is not played then we reserve the right to void any specialty markets which relate to the series as a whole.
 - If a series for which we did not offer a price for the draw ends in a draw then bets on the series result will be void.

Cricket Market Rules

Team Total Runs

- If the Duckworth-Lewis-Stern (“DLS”) method is called into play and the runs for one of the teams are reduced – markets will be valid for settlement. In the event of a re-calculated target for the side batting second due to DLS, only the runs scored by the side batting first will be used for settlement. Additional runs awarded to the side batting first for loss of overs due to the intervention of rain or any other delay will not be counted towards this market. All bets will be void if, after the bets were placed, the number of overs or balls is reduced for the



Sports Wagering Division

innings by more than the values stated below for the applicable format unless settlement has already been determined.

- Test Matches: 50 overs
- County Championship: 50 overs
- 50 over match: 25 overs
- 40 over match: 20 overs
- 20 over match: 10 overs

Top Team batsman / Runscorer (Series)

- All in play or not (i.e. if a player does not take part in the series, bets placed on that player will stand).
- If two or more players score the same number of runs then dead heat rules will apply.

Top Team batsman / Runscorer (Match)

- In a 2-innings match (test match or county championship), this market applies to the first innings only, unless otherwise stated.
- Depending on the type of match, unless stated otherwise, the following minimum number of overs must be bowled in the applicable team's innings for bets to stand:
 - Test Matches: 50 overs
 - County Championship: 50 overs
 - 50 over match: 25 overs
 - 40 over match: 20 overs
 - 20 over match: 10 overs
- In all cases, however, bets will stand if the innings reaches its natural conclusion in less than the above requirement. Bets placed on any player not named in the starting eleven are void.
- Players named in the starting eleven that do not bat are deemed to have taken part and bets on any such players will be settled as losing bets.
- If two or more players score the same number of runs then dead heat rules will apply.



Sports Wagering Division

- For limited overs matches, should the winner already be unequivocally decided even if the innings were to be played out to its natural conclusion, the market will be settled as normal despite any reduction.

Top Team Bowler / Wicket Taker (Series/Tournament)

- All in play or not (i.e. if a player does not take part in the series/tournament, bets placed on that player will stand).
- If two or more players take the same number of wickets, dead heat rules will apply.
- players take the same number of wickets, dead heat rules will apply. If no wickets are taken then the market will be voided.

Top Team Bowler / Wicket Taker (Match)

- In a 2-innings match (test match or county championship), this market applies to the first innings only, unless otherwise stated.
- Depending on the type of match, unless stated otherwise, the following minimum number of overs must be bowled in the applicable team's innings for bets to stand:
 - Test Matches: 50 overs
 - County Championship: 50 overs
 - 50 over match: 25 overs
 - 40 over match: 20 overs
 - 20 over match: 10 overs
- In all cases, however, bets will stand if the innings reaches its natural conclusion in less than the above requirement. Bets placed on any player not named in the starting eleven are void.
- Players named in the starting eleven that do not bowl are deemed to have taken part and bets on any such players will be settled as losing bets.
- If two or more players take the same number of wickets, dead heat rules will apply. If no wickets are taken then the market will be voided.

Batsman Match Bets



Sports Wagering Division

- Unless otherwise stated, these markets will be settled on the number of runs scored in the first innings of a match only.
- If any of the players named in the market do not bat then the market will be void.
- Dead heat rules will apply if two or more of the named batsmen score the same number of runs (such number of runs being higher than the number of runs scored by each other batsman named in the market).

Bowler Match Bets / Trios / Threesomes

- Unless otherwise stated, these markets will be settled based on the number of wickets taken in the first innings of a match only.
- In the event of players taking the same number of wickets where there was no draw price offered, dead heat rules will apply.
- All participants in the match bet must bowl at least one ball for bets to stand.

Player Runs / Player Alternate Runs / Player Fours / Player Sixes / Player to score 50/100

- If the batsman finishes the innings not out as a result of a declaration, the team reaching the end of its allotted overs or the team reaching its target, the player's "not out" score will count for settlement purposes.
- If a batsman does not bat, bets on that batsman will be void.
- If a batsman is not in the starting 11, bets on that batsman will be void.
- If a batsman retires hurt but returns later, the total runs scored by that batsman in the innings will count for settlement purposes. If the batsman does not return later, bets on the market will be void.
- Market to be settled on the players final score, regardless of any reduction in overs.

Number of Runs in a Session



Sports Wagering Division

- The result of this market is determined by the total number of runs scored in the course of the session regardless of which team(s) has/have scored the runs (i.e. if there is a change of innings during the session then the result will be determined by the combined number of runs scored, during the session, in both innings).
- There are three sessions per day in test cricket. The first session is from the start of play in the morning until lunch is called. The second session is from lunch until tea is called. The third session is from tea until the close of play. If fewer than 20 overs are bowled in any particular session then bets on the number of runs scored in that session will be void.
- Day/Night Test Matches also have three distinct sessions. The first session starts in the afternoon until tea is called. The second session is from tea until dinner is called, while the third session is from dinner until the end of play is called.
- Extras (wides, no-balls, byes and leg byes) do count towards the number of runs scored.

Number of Wickets in a Session

- This market will be settled based on the total number of wickets lost in the session (regardless of which team loses them). If fewer than 20 overs are bowled in the session then all bets on the market will be void. Players retiring (e.g. because they are hurt) do not count as wickets.

Runs in a Specified Number of Overs (e.g. 1st 15 Overs)

- The full number of specified overs must be played for bets to stand (unless the innings has reached its natural conclusion or further play could not, were it to occur, affect the result).
- Any change in fielding restrictions due to a reduction in scheduled overs will not affect the settlement of this market.

Highest Score First 5/10/15 Overs



Sports Wagering Division

- If either team's innings in a limited overs match is reduced due to external factors then bets on this market will be void unless the result was already unequivocally determined before any reduction in overs was announced.
- Bets will stand if the innings is shortened due to it reaching its natural conclusion. In a two-innings match this market only applies to the first innings unless stated otherwise. In the event of a tie where we did not offer a "tie" or "draw" selection, all bets will be settled as a dead heat.

Highest Opening Partnership

- For Limited Overs Matches, bets on this market will stand regardless of any reduction in overs providing at least one over is completed in each innings
- In a four-innings match, this market only applies to the first innings unless stated otherwise. In the event of a tie then the tie selection is the winner and all other bets are losers. If we do not offer a "tie" or "draw" selection then all bets will be settled as a dead heat. In the event of a batsman retiring hurt (or otherwise voluntarily for any other reason), this market will be settled according to the score when the first wicket falls.

Next Man Out

- Should no further wickets be taken in the innings then bets on this market will be void.
- If either of the batsmen retires hurt/retires out then bets on this market will be void and a new market will be made.

Team to hit the most sixes

- If either team's innings in a limited overs match is reduced by more than 20% of the original allocation of overs then all bets on this market will be void regardless of how many sixes are hit prior to, or after, any announced reduction in overs.
- Bets will stand if either innings is shortened due to it reaching its natural conclusion.



Sports Wagering Division

Super Over/Any additional overs above the allotted amount

- In a limited overs competition which employs a super over (or other such similar initiative) to determine the winner of a match in the event of a tie, runs scored and wickets taken in the super over are not included in the settlement of any runscorer or wicket taker markets (e.g. Batsmen Total Runs, Team Total Runs, Top Team Runscorer, Batsmen match bets, Top Team Bowler).
- In addition, any sixes hit in a super over will not be included in the settlement of “Team to score most sixes” and “Total number of sixes” markets.

Next Over: Over/Under Runs/Run Margins

- This market will be settled based on the total number of runs achieved in the over (including any extras awarded).
- In the event of an over not being completed, all bets on that particular index shall be void. This does not apply if the innings reaches its natural conclusion.

Four/Six in x Over

- Bets in this market will be settled where a boundary (four or six) is hit in the named over. The runs must come off the bat. Players running four/six and/or extras do not count for this market.

Over/Under Total Match Sixes/Fours

- If either team’s innings in a limited overs match is reduced by more than 20% of the original allocation of overs then all bets on this market shall be void regardless of how many sixes/fours are hit prior to, or after, any announced reduction in overs. However, bets will stand if either innings is shortened due to it reaching its natural conclusion.



Sports Wagering Division

First Over: Over/Under Total Runs

- Bets will be settled on the total number of runs scored in the first over of the first innings of the match. This will include any extras or penalty runs.
- The over must be completed for bets to stand unless the result is already unequivocally decided.
- All bets shall be void if the first over is not fully completed due to external factors, unless the result is already unequivocally determined at such time as the reduction in overs takes place.
- For Limited Overs Matches, First Over Runs will be settled on the score at the end of the first over regardless of any reductions in overs.

First Ball of the Match

- This market will be settled on the outcome of the first completed delivery, excluding any deliveries declared as dead ball.
- In limited overs cricket, this market will be resulted on the first ball of the match regardless of any reductions in overs providing it is bowled.
- If two events take place on the first delivery (eg. A No Ball and 1 Run), then dead heat rules will apply between the two selections. For avoidance of doubt, if a 'No Ball' is bowled and no runs/byes are scored, 'No Ball' will be the winner, and dot ball will be a loser.

Team of Top Match Runscorer

- For test matches and county championship matches, this market will be settled based on the overall top score achieved in the first innings of either side.
- Should either side face less than their allocated number of overs in their innings for any reason (other than the innings reaching its natural conclusion) then all bets on this market will be void. However, the market will be settled should the result already be determined before any reduction in overs.
- For limited overs matches, all bets shall be void should there be any reduction to either side's innings before or after the commencement of play.



Sports Wagering Division

Team leading after First innings

- If the team batting second faces less than 20 overs in their innings for any reason (other than the innings reaching its natural conclusion) then all bets on this market will be void.
- In the event of a tie, bets will be void.

Total Match Runouts

- If either team's innings in a limited overs match is reduced by more than 20% of the original allocation of overs then all bets on this market will be void.
- Bets will stand if either innings is shortened due to it reaching its natural conclusion.

Fall of Next Team Wicket (i.e. the score on which it will fall)

- If the batting team reaches the end of its allotted overs, reaches its target or declares before the specified wicket falls, the next team wicket will be deemed to have fallen for the total score achieved by the batting side.
- For settlement purposes, a batsman retiring hurt/retiring out does not count as a wicket.

Team Wickets Lost

- In a limited overs match, this market will be settled based on the number of wickets lost by the team in their innings.
- Should the innings be shortened for any reason (other than it reaching its natural conclusion) then all unequivocally decided bets will be settled while all others shall be void.
- In a test match, this market refers to the total number of wickets lost by the team in its second innings only.



Highest Score After First Over

- For Limited Overs Matches, bets will be settled regardless of any reductions in overs providing the first over of each innings is completed.

Team Total Match Sixes/Fours

- This market shall be void should there be any reduction in overs of the innings of the team in question unless the market has been unequivocally decided prior to any reduction in overs being announced.

Century(100)/half-century (50) in Match/1st Innings

- These markets are offered on a single player (rather than an entire team) to score a century or a 50 in the match or first innings (as applicable).
- Market void should there be any reduction in overs due to external factors unless the market has been unequivocally decided prior to any reduction in overs being announced.

Most Run Outs

- This market will be settled provided neither side loses more than 20% of their initial allocation of overs due to external factors (unless the market has been unequivocally decided prior to any reduction in overs being announced).

Bowler Match Wickets

- This market will be settled for any bowler named in the starting eleven regardless of the number of overs he bowls. However, if the overs of the batting side are reduced by more than 10% of their initial allocation, this market will be voided



Sports Wagering Division

(save where the outcome has been unequivocally decided prior to any reduction in overs being announced).

Innings Extras

- This market shall be void should the innings in question be reduced by more than 10%.

Highest Series Single Innings Score

- This market will be settled based on which team scores the highest score in a single innings of the applicable test series.
- In the event of a tie, dead heat rules will apply to this market.

Player Performance Markets

- Points will be awarded to players in the following manner:
 - 1 point per run scored with the bat
 - 10 points per catch taken in the field
 - 20 points per wicket taken with the ball
 - 25 points per stumping carried out by a wicket keeper
- A ball must be bowled in the third innings of the match for bets to stand.
- For limited overs matches, all bets will be void should there be any reduction to either side's innings before or after the commencement of play (unless the reduction is due to the innings reaching its natural conclusion).

1st Innings Margin

- This market will be settled based on the difference in the total runs scored by each team in the first innings of the match.
- If a team's innings in a test match or county championship match lasts less than sixty overs due to external factors then bets on this market will be void. For the avoidance of doubt, this does not apply if the innings have reached their natural conclusion.



Sports Wagering Division

1st/2nd Innings Bowled Out

- This market will be settled as “yes” if the team in question loses all its wickets inside the allotted overs. The market will be settled as “no” if they are not out at the conclusion of the innings. If there is any reduction in overs, except where the innings reaching its natural conclusion, then all bets on the market will be void.

Margin Betting

- If the match is tied and goes to a super over, this market will be settled as a tie. If either team’s innings in a limited overs match is reduced by more than 10% due to external factors then bets on this market will be void.

Six and Out

- This market will be settled if, during a match, a player hits a “six” and also takes a wicket. Players named in the starting eleven that do not bat/bowl are deemed to have taken part and bets on any such players will be settled as losing bets.
- Bets placed on any player who is not named in the starting eleven will be void.
- Should the innings be shortened for any reason other than it reaching its natural conclusion then all unequivocally decided bets will be settled while all others shall be void.
- In the case of a game going to a super over, any sixes or wickets hit/taken during this period do not count for the purpose of settlement.

First/Second Innings Highest 5 Over period

- If either team’s innings in a limited overs match is reduced due to external factors then bets on this market will be void.
- For Limited overs matches, should the winner already be unequivocally decided even if the innings were to be played out to its natural conclusion, the market will be settled as normal despite any reduction.



Sports Wagering Division

Runs Scored at loss of 4 wickets

- This market will be settled based on the total number of runs scored at the fall of the fourth wicket.
- If the fourth wicket doesn't fall, the market will be settled based on whatever score the team has achieved at the end of the innings.

To win the Match/Top Team Runscorer Double

- In a 2-innings match (i.e. test match or county championship), the top team runscorer part of this market applies to the first innings only (unless otherwise stated).
- Depending on the type of match, the following minimum overs must be bowled in the winning team's innings for bets to stand:
 - Test Matches: 50 overs
 - County Championship: 50 overs
 - 50 over match: 25 overs
 - 40 over match: 20 overs
 - 20 over match: 10 overs
- However, in all cases, bets will stand if the innings reaches its natural conclusion in fewer overs than the above requirement. Bets placed on any player not named in the starting eleven will be void.
- Players named in the starting eleven that do not bat are deemed to have taken part and bets on any such players will be settled as losing bets.
- If two or more players score the same number of runs then dead heat rules will apply.
- For Limited overs matches - Should the winner already be unequivocally decided even if the innings were to be played out to its natural conclusion, the market will be settled as normal despite any reduction.

Top Team A/B Runscorer double/Top Team Runscorer/Top Team Wicket Taker Double

- In a 2-innings match (i.e. test match or county championship), this market applies to the first innings only (unless otherwise stated).



Sports Wagering Division

- Depending on the type of match, the following minimum overs must be bowled in the applicable team's innings for bets to stand:
 - Test Matches: 50 overs
 - County Championship: 50 overs
 - 50 over match: 25 overs
 - 40 over match: 20 overs
 - 20 over match: 10 overs
- However, in all cases, bets will stand if the innings reaches its natural conclusion in fewer overs than the above requirement. Bets placed on any player not named in the starting eleven will be void.
- Players named in the starting eleven that do not bat are deemed to have taken part and bets on any such players will be settled as losing bets.
- If two or more players score the same number of runs then dead heat rules will apply.

Player of the Match

- This market will be settled on the official "Player of the Match" award which is awarded at the post match presentation. Should more than one player be awarded "Player of the Match" then dead heat rules will apply to this market.
- Bets placed on players who are not included in his or her team's starting eleven will be void.

Team to hit the most Fours / Team to hit the most fours and win the match

- If either team's innings in a limited overs match is reduced by more than 20% of the original allocation of overs then all bets on this market shall be void regardless of how many sixes/fours are hit prior to, or after, any announced reduction in overs.
- Bets will stand if either innings is shortened due to it reaching its natural conclusion.

Race to Ten Runs



Sports Wagering Division

- Bets on this market will stand unless either of the listed players do not open the batting (in which case all bets on this market will be void).
- Bets will stand regardless of which of the listed players faces the first ball.
- If neither player reaches 10 runs then the option "Neither" will be the winning selection.
- However, in weather-affected matches, if neither of the batsmen reaches 10 runs and either is not out then bets on this market will be void. Bets will stand regardless of which of the listed players faces the first ball.

Top Tournament Wicket taker

- All in play or not (i.e. if a player does not take part in the tournament, bets placed on that player will stand).
- If two or more players take the same number of wickets, dead heat rules will apply.

Top Tournament Runscorer

- All in play or not (i.e. if a player does not take part in the tournament, bets placed on that player will stand).
- If two or more players score the same number of runs then dead heat rules will apply.

Direction of first boundary

- This market will be settled on the direction of the first boundary that comes off the bat (given as runs to the batsman).
- This market includes both fours and sixes.

Wickets lost after "x" overs.

- This market is settled based on how many wickets have been lost at the conclusion of the number of overs stated in the index. If the innings reaches a



Sports Wagering Division

natural conclusion without reaching the number of overs named in the index then all bets will be settled based on the number of wickets lost at the end of play.

Lacrosse

General Lacrosse Rules

- If 60 minutes is not completed then all bets will be void, except those that have been unconditionally determined. If an official result is declared by the relevant governing body, all bets will stand.
- Should a match be abandoned all markets will be void unless the outcome of that market has been unequivocally decided.

Australian Rules Football

General Australian Rules Rules

- All Australian Rules bets shall be settled including overtime if played, unless otherwise stated. In the event that extra time is played, all head to head betting will be settled inclusive of extra time. If a match is abandoned before the end of normal time, all bets on the match are void, except for those markets which have been unconditionally determined.
- If a match is postponed and rescheduled to take place within 48 hours of the original start time, all bets on the match will stand.
- If a match is no longer being played at the venue advertised, all bets will stand unless the venue has been changed to the opponent's home ground, in which case all bets will be void.
- For the purposes of determining futures markets such as Make the Grand Final/Minor Premiership/Premiership/Top 4/ Top 8, all deductions of points by the AFL due to breaches of regulations shall stand.

Australian Rules Market Rules



Sports Wagering Division

- For match winners and goal kicking options, statistics used by the AFL website (www.afl.com.au) will be the statistics used for payout purposes. For 1st Goal Scorer (Game/1st Quarter only), if the selected player is not in the starting 22 all bets on that selection will be refunded. For bets on first goalscorer of the match, goal doesn't need to be scored in 1st quarter. For quarter first goal scorer markets, if no goal in that quarter then bets will be void.

Handball

General Handball Rules

- Settled on 60 minutes play unless stated otherwise. Extra time does not count.
- If 60 minutes is not completed then all bets will be void, except those that have been unconditionally determined. If an official result is declared all bets will stand.
- In case of a match being postponed it will be voided unless it takes place within 48 hours of the initial scheduled start time.
- All bets referring to aggregated Tournament Totals will be settled based on official statistics by the governing association. Unless otherwise stated, cumulative amounts of such bets will include eventual prolongations but not Penalty Shoot Outs.
- Settlement of player related bets in a specific match will be based on the result after the end of the 2nd half, unless otherwise stated. Extra time does not count.



Sports Wagering Division

TO: Chair Cathy Judd-Stein
Commissioner Bradford R. Hill
Commissioner Jordan Maynard
Commissioner Eileen O'Brien
Commissioner Nakisha Skinner

FROM: Bruce E. Band Director, Sports Wagering

CC: Karen Wells – Executive Director

DATE: April 20.2023

RE: Category3 Requests for a Sports Wagering Operation Certificate

“Before a Sports Wagering Operator may conduct Sports Wagering, [] a Sports Wagering Operator must request and obtain from the Commission an Operation Certificate. 205 CMR 251.01(1). , The following applicants have submitted such requests:

- BETR

In accordance with 205 CMR 251.01(3), as applicable to category 3 operators, “[a]n Operation Certificate shall not issue unless the Sports Wagering Operator has demonstrated to the Commission that it has complied with all requirements of M.G.L. c. 23N, 205 CMR, and all applicable laws. Such compliance includes, but is not limited to:

- (a) Approval of its system of internal controls including implementation of all approved policies and procedures required;
- (b) Provision of a current list of all Sports Wagering employees, Sports wagering Vendors, and Non-Sports Wagering Vendors;

- (f) Compliance with any other condition imposed by the Commission to secure the

objectives of M.G.L. c. 23N and 205 CMR.

There are number of other requirements in this section that only apply to category 1 and category 2 operators. I note that the internal control process includes approval of the house rules (205 CMR 238.02(7)(k)) and responsible gaming plan (205 CMR 238.19) including voluntary self-exclusion protocols (205 CMR 233.06(6)).

“Prior to the issuance of an Operation Certificate, a Sports Wagering Operator shall successfully complete an evaluation and test period in accordance with such terms and conditions as are reasonably calculated by the Commission to allow the Commission to assess whether the licensee is in compliance with G.L. c. 23N and this 205 CMR 251.” 205 CMR 251.02(1). This process was conducted by GLI and included a review of geofencing capabilities. “Upon the successful completion of the test period in accordance with 205 CMR 251.02 the Commission shall establish the effective date of the Operation Certificate and the scope of the Sports Wagering Operator's authority to conduct Sports Wagering.” 205 CMR 251.03(1). “Each certificate, once issued, shall remain in effect throughout the term of the Sports Wagering Operator License under such terms and conditions as the Commission may impose, but may be revoked, suspended, limited, or otherwise altered by the Commission.” 205 CMR 251.03(2). “Each Sports Wagering licensee to which an Operation Certificate is issued shall conduct Sports Wagering strictly in accordance with the terms of its original Operation Certificate and shall not change any of the items to which the Operation Certificate applies except as otherwise approved by the Commission.” 205 CMR 251.03(3).

Listed below are the results of each applicant:

BETR

- **Internal Controls** – Passed No major findings in their submission.
- **Staffing – Vendors – Non SW Vendors** – Passed
- **Compliance with any other condition imposed by the Commission to secure the objectives of M.G.L. c. 23N and 205 CMR.** - Conditional upon BETR’s Sportsbook, completing Operational Audits of Wagering Procedures and Practices and Technical Security Controls as required by the Commission’s technical standards governing sports wagering within 90 days of the commencement of sports wagering operations.
- **Geofencing capabilities** – Passed
- **Player Management System** – Passed – GLI tested

Responsible gaming plan (205 CMR 238.19) including voluntary self-exclusion protocols (205 CMR 233.06(6)). - As required by statute sport wagering operators are required to *annually submit a problem gaming plan for approval by the commission, in consultation with the department of public health. Each category 3 sports wagering operator has submitted their problem gambling/responsible gaming plan and it’s been delivered to the Department of Public Health for feedback. Each operator includes the basic elements of the desired plan that aligns with the MGC Responsible Gaming Framework. Each operator included information on their role in administering the MA sports wagering voluntary self-exclusion program.*

- **Approval of the house rules (205 CMR 238.02(7)(k))**- Passed



**REPORT ON THE ASSESSMENT OF THE INTERNAL
CONTROLS MATRIX OF BETR FOR
MOBILE SPORTS WAGERING**

CONDUCTED FOR
MASSACHUSETTS GAMING COMMISSION
DURING
FEBRUARY 7 – MARCH 7, 2023

Gaming Laboratories International, LLC
World Headquarters
600 Airport Road
Lakewood, NJ 08701
Phone: 732.942.3999
Fax: 732.942.0043

Final Evaluation Report	
Document Reference:	CS-000-MHG-23-13
Revision Date:	March 7, 2023

DOCUMENT DETAILS	
Title	Report on the assessment of the Internal Controls Matrix of Betr for Sports Wagering
Project Leader	Mark DeWolfe
Report Author	Yousef Harfi
Quality Review By	Ryan Jacobson
Classification	Confidential

DISTRIBUTION LIST
Ms. Karen Wells – Executive Director, Massachusetts Gaming Commission

© 2023 Gaming Laboratories International, LLC

All rights reserved. No part of this document may be reprinted, reproduced, stored in a retrieval system or transmitted, in any form or by any means, without prior permission in writing from Gaming Laboratories International, LLC other than for the internal business use of the Massachusetts Gaming Commission (MGC).

Initially published and distributed on March 7, 2023.

TABLE OF CONTENTS

1. GENERAL INFORMATION	4
1.1 Project Details.....	4
1.1.1 Purpose	4
1.1.2 Referenced Standards	4
1.1.3 Key Dates.....	5
1.1.4 Assessment Team	5
2. EXECUTIVE SUMMARY.....	6
2.1 Background.....	6
2.2 Scope.....	6
2.3 Approach and Methodology.....	6
3. CONCLUSION	7
4. FINDINGS	7
4.1 Summary of Findings.....	7
4.2 Compliance Results.....	8
5. APPENDICES	9
5.1 Appendix 1 – Documents Reviewed	9
5.2 Appendix 2 – Controls Reviewed.....	10
5.3 Appendix 3 – Scoring The Risks With ISO/IEC 31010:2009 Risk Management - Assessment Techniques.....	13
6. TERMS AND CONDITIONS	16
6.1 Warranties	16

1. GENERAL INFORMATION

Client Information

Organization:	Massachusetts Gaming Commission
Address:	101 Federal Street, 12 th Floor, Boston, Massachusetts, 02110.
Phone:	617-979-8400
Website:	www.massgaming.com
Contacts:	Bruce Band, Sports Wagering Division Director
E-mail:	Bruce.Band@massgaming.gov
Authorized by:	Ms. Karen Wells – Executive Director

1.1 Project Details

1.1.1 Purpose

In order to assist in achieving compliance with Massachusetts Gaming Commission (MGC) regulations relating to sports wagering for entities seeking to be approved as providers of sports wagering in the state of Massachusetts, MGC engaged Gaming Laboratories International (GLI) to provide consulting services for the review of sports wagering candidates' documented internal controls.

The purpose of this assessment was for GLI to perform a review of the sports wagering internal controls of Betr for compliance with the MGC regulations.

1.1.2 Referenced Standards

The assessment was based on the following standards:

- Massachusetts Gaming Commission Regulations Related to Sports Wagering (see Appendix 2 for the controls reviewed).

1.1.3 Key Dates

On-site visit Date:	No on-site visit was performed
Draft Report Issue Date:	March 7, 2023
Final Report Issue Date:	March 7, 2023

1.1.4 Assessment Team

Mr. Mark DeWolfe	Project Leader, Director, Software QA & Testing Practice
Mr. Yousef Harfi	Assessor, Management Consultant, Software QA & Testing Practice

2. EXECUTIVE SUMMARY

2.1 Background

Sports wagering was recently approved in Massachusetts. The MGC has engaged GLI to provide consulting services to the MGC, for the review of internal control documentation presented by entities applying for a sports wagering license in that state.

This report details GLI's conclusions and findings, arising from the review of Betr Internal Control Standard (ICS) framework and controls for compliance with MGC regulations related to sports wagering.

2.2 Scope

The purpose of this engagement was for GLI to conduct a review of Betr documented ICS for its compliance to the MGC regulations related to sports wagering.

This included the review of each control standard, to evaluate if the Betr control design is adequate to meet the control objectives of the MGC regulations related to sports wagering.

As part of the scope, the Betr ICS framework and controls were assessed for compatibility with MGC audit requirements and workflow.

2.3 Approach and Methodology

GLI was provided with the documented internal controls for Betr. These control standards were reviewed to confirm that the control objectives of the MGC regulations related to sports wagering were satisfied by the controls' design.

Documents originating from Betr were provided. It should be noted that most Betr documents reviewed were draft (red-lined) versions.

In addition to reviewing the controls themselves, the framework of Betr internal controls was evaluated for compatibility with MGC's audit requirements and workflow.

This work was carried out according to the requirements detailed in the Massachusetts Standard Contract form for "Gaming Laboratories International to provide consulting services to the Commission relating to the Internal Control Standards (ICS) review by entities applying for a sports wagering license in accordance with Addendum A", (MMARS ID: 2023GAMINGLAB0000ICS), dated November 11th 2022, which details the scope and deliverables and applicable terms and conditions.

Consistent with the engagement agreed upon with the client, this assessment was conducted remotely, being carried out solely through the review of documentation and information provided by Betr. No sampling or on-site assessment were made to confirm if controls are actually implemented, or if they are effective.

3. CONCLUSION

At the conclusion of the assessment of Betr Internal Controls against the MGC regulations related to sports wagering, GLI identified the exceptions detailed in the following Compliance Results section.

GLI identified no Major non-conformities (high risk), no Minor non-conformities (medium risk) and no Observations (low risk).

The findings in this report are conditional upon Betr, completing Operational Audits of Wagering Procedures and Practices and Technical Security Controls as required by the MGC's technical standards governing sports wagering within 90 days of the commencement of sports wagering operations.

4. FINDINGS

4.1 Summary of Findings

No non-conformities were identified during the review.

Major non-conformities, (which are considered to be high risk), identified during the assessment include:

- No major non-conformities were identified during the review.

Minor non-conformities, (which are considered to be medium risk), identified during the assessment include:

- No minor non-conformities were identified during the review.

Observations, (which are considered to be low risk), identified during the assessment include:

For requirements:

- No observations were identified during the review.

Although control activities reference meet requirements as stated in the current review matrix, Betr should update its documentation as per the updated requirement on the MGC website.

4.2 Compliance Results

The following table details the compliance status of assessed controls. See Appendix 2 – Controls Reviewed for the comprehensive list of controls evaluated in each group.

Control Area	Affected Control	Determination	Comments
Massachusetts Internal Controls			
201 CMR 17	N/A	Pass	No findings or observations found.
205 CMR 133	N/A	Pass	No findings or observations found.
205 CMR 138	N/A	Pass	No findings or observations found.
205 CMR 152	N/A	Pass	No findings or observations found.
205 CMR 233	N/A	Pass	No findings or observations found.
205 CMR 238	N/A	Pass	No findings or observations found.
205 CMR 243	N/A	Pass	No findings or observations found.
205 CMR 244	N/A	Pass	No findings or observations found.
205 CMR 248	N/A	Pass	No findings or observations found.
205 CMR 250	N/A	Pass	No findings or observations found.
205 CMR 252	N/A	Pass	No findings or observations found.
205 CMR 254	N/A	Pass	No findings or observations found.
206 CMR 243	N/A	Pass	No findings or observations found.
M.G.L. c. 23N	N/A	Pass	No findings or observations found.
A.2.1 - A.2.4	N/A	Pass	No findings or observations found.
A.3.1 - A.3.9	N/A	Pass	No findings or observations found.
A.4.1 - A.4.5	N/A	Pass	No findings or observations found.
A.5.1 - A.5.4	N/A	Pass	No findings or observations found.
A.6.1 - A.6.8	N/A	Pass	No findings or observations found.
A.7.1 - A.7.4	N/A	Pass	No findings or observations found.
A.8.1 - A.8.3	N/A	Pass	No findings or observations found.

5. APPENDICES

5.1 Appendix 1 – Documents Reviewed

The following table details the documents reviewed by GLI to perform the Internal Controls Matrix assessment.

#	Document/Evidence	Document Type
1	GLI-33 Event Wagering Systems Checkoff FM-TC-1400	Report
2	GeoComply Fraud Reports (2)	Report
3	FansUnite-Chameleon-Platform-Overview-1.5 (2)	Platform Overview
4	Bulletproof Cybersecurity Assessment SOW - Betr Holdings, Inc. 01.19.2023	SOW
5	Betr Massachusetts Internal Controls V0.1 (PDF)	Internal Controls
6	Betr Massachusetts Internal Controls V0.1 (Word)	Internal Controls
7	Betr - Information Security Policy	Policy
8	Betr - Information Security Policy (2-1-23)	Policy
9	682SY-629-BHI-22-01-682_LetterGen	Report

5.2 Appendix 2 – Controls Reviewed

GLI performed the Internal Controls Matrix assessment with reference to the MGC regulations listed in this table (see working papers for evaluated subsections).

Massachusetts Regulations Related to Sports Wagering Assessed		
201 CMR 17.03(1-2)	205 CMR 238.15(1-2)	205 CMR 238.43 M.G.L. c. 23N, § 12(a)(viii) M.G.L. c. 23N, § 12(a)(ix)
201 CMR 17.04	205 CMR 238.16(1-3)	205 CMR 238.44(1,2)(M.G.L. c. 23N, § 11(a)(v)),3(a-b)
205 CMR 133.06(3-5,9)	205 CMR 238.17	205 CMR 238.45(1-2)
205 CMR 138.04(1-2,4(a-b),5,7)	205 CMR 238.18(1,2)(M.G.L. c. 23N, § 11(e) M.G.L. c. 23N, § 12(a)(i) M.G.L. c. 23N, § 12(a)(ii)),3(M.G.L. c. 23N, § 11(f)),4-6,7(M.G.L. c. 23N, § 11(i) M.G.L. c. 23N, § 11(j)),8(M.G.L. c. 23N, § 11(h)),9)	205 CMR 238.46
205 CMR 138.05(1-2)	205 CMR 238.19(1,2)	205 CMR 238.47(1-4)
205 CMR 138.06(1-3)	205 CMR 238.20	205 CMR 238.48(1-6)
205 CMR 138.09(1(a-d))	205 CMR 238.22(1-8)	205 CMR 238.49
205 CMR 138.10(1-7)	205 CMR 238.23(1-2)	205 CMR 238.50
205 CMR 138.13(2-4)	205 CMR 238.24	205 CMR 243.01(1)(aa) B.7.6
205 CMR 138.65(1)	205 CMR 238.25(1-11)	205 CMR 243.01(1)(bb) B.9.5
205 CMR 138.72(1-6)	205 CMR 238.26(1-3)	205 CMR 243.01(1)(s) A.1.2(a-g)
205 CMR 138.73(1-8)	205 CMR 238.27(1-3) M.G.L. c. 23N, § 4(d)(2)(viii)	205 CMR 243.01(1)(t) A.2.1
205 CMR 152.06(5)	205 CMR 238.28	205 CMR 243.01(1)(x) B.1.2(a-e)
205 CMR 233.06(1-7)	205 CMR 238.29	205 CMR 243.01(1)(y) B.2.2
205 CMR 238.02(7-8,14)	205 CMR 238.30	205 CMR 243.01(1)(z) B.4.5
205 CMR 238.03	205 CMR 238.31	205 CMR 244.03(2(a-c))
205 CMR 238.04(1-7)	205 CMR 238.32(1)(M.G.L. c. 23N, § 11(a)(i) M.G.L. c. 23N, § 13(f)),2(M.G.L. c. 23N, § 11(a)(iii)),3(M.G.L. c. 23N, § 11(a)(ii)),4(M.G.L. c. 23N, § 11(a)(iv)))	205 CMR 248.03(4)
205 CMR 238.05(1-2)	205 CMR 238.33(1-4)	205 CMR 250.01(1)(M.G.L. c. 23N, § 12(a)(x) M.G.L. c. 23N, § 13(d)(i)),2-3,5-6)
205 CMR 238.06(1-3)	205 CMR 238.34 (1)(M.G.L. c. 23N, § 13(c)),2-3)	205 CMR 250.04
205 CMR 238.07(1-7)	205 CMR 238.35(1-10)	205 CMR 252.06(2-3)
205 CMR 238.08(1-2)	205 CMR 238.36(1)	205 CMR 252.08(1)
205 CMR 238.09(1,2(a-b),3-6)	205 CMR 238.37 M.G.L. c. 23N, § 12(a)(v)	205 CMR 254.02(1-6)
205 CMR 238.10	205 CMR 238.38	205 CMR 254.03(1)
205 CMR 238.11(1-3)	205 CMR 238.39	205 CMR 254.04

205 CMR 238.12(1(M.G.L. c. 23N, § 12(a)(vii)),2-5)	205 CMR 238.40	206 CMR 243.01(1)(x) B.1.2(a)
205 CMR 238.13	205 CMR 238.41	M.G.L. c. 23N, § (4(c,d(2(i-ii,v,vii))),13(h))
205 CMR 238.14(1-3)	205 CMR 238.42	
201 CMR 17.03(1-2)	205 CMR 238.15(1-2)	205 CMR 238.43 M.G.L. c. 23N, § 12(a)(viii) M.G.L. c. 23N, § 12(a)(ix)
201 CMR 17.04	205 CMR 238.16(1-3)	205 CMR 238.44(1,2(M.G.L. c. 23N, § 11(a)(v)),3(a-b))
205 CMR 133.06(3-5,9)	205 CMR 238.17	205 CMR 238.45(1-2)
205 CMR 138.04(1-2,4(a-b),5,7)	205 CMR 238.18(1,2(M.G.L. c. 23N, § 11(e) M.G.L. c. 23N, § 12(a)(i) M.G.L. c. 23N, § 12(a)(ii)),3(M.G.L. c. 23N, § 11(f)),4-6,7(M.G.L. c. 23N, § 11(i) M.G.L. c. 23N, § 11(j)),8(M.G.L. c. 23N, § 11(h)),9)	205 CMR 238.46
205 CMR 138.05(1-2)	205 CMR 238.19(1,2)	205 CMR 238.47(1-4)
205 CMR 138.06(1-3)	205 CMR 238.20	205 CMR 238.48(1-6)
205 CMR 138.09(1(a-d))	205 CMR 238.22(1-8)	205 CMR 238.49
205 CMR 138.10(1-7)	205 CMR 238.23(1-2)	205 CMR 238.50
205 CMR 138.13(2-4)	205 CMR 238.24	205 CMR 243.01(1)(aa) B.7.6
205 CMR 138.65(1)	205 CMR 238.25(1-11)	205 CMR 243.01(1)(bb) B.9.5
205 CMR 138.72(1-6)	205 CMR 238.26(1-3)	205 CMR 243.01(1)(s) A.1.2(a-g)
205 CMR 138.73(1-8)	205 CMR 238.27(1-3) M.G.L. c. 23N, § 4(d)(2)(viii)	205 CMR 243.01(1)(t) A.2.1
205 CMR 152.06(5)	205 CMR 238.28	205 CMR 243.01(1)(x) B.1.2(a-e)
205 CMR 233.06(1-7)	205 CMR 238.29	205 CMR 243.01(1)(y) B.2.2
205 CMR 238.02(7-8,14)	205 CMR 238.30	205 CMR 243.01(1)(z) B.4.5
205 CMR 238.03	205 CMR 238.31	205 CMR 244.03(2(a-c))
205 CMR 238.04(1-7)	205 CMR 238.32(1(M.G.L. c. 23N, § 11(a)(i) M.G.L. c. 23N, § 13(f)),2(M.G.L. c. 23N, § 11(a)(iii)),3(M.G.L. c. 23N, § 11(a)(ii)),4(M.G.L. c. 23N, § 11(a)(iv)))	205 CMR 248.03(4)
205 CMR 238.05(1-2)	205 CMR 238.33(1-4)	205 CMR 250.01(1(M.G.L. c. 23N, § 12(a)(x) M.G.L. c. 23N, § 13(d)(i)),2-3,5-6)
205 CMR 238.06(1-3)	205 CMR 238.34 (1(M.G.L. c. 23N, § 13(c)),2-3)	205 CMR 250.04
205 CMR 238.07(1-7)	205 CMR 238.35(1-10)	205 CMR 252.06(2-3)
205 CMR 238.08(1-2)	205 CMR 238.36(1)	205 CMR 252.08(1)
205 CMR 238.09(1,2(a-b),3-6)	205 CMR 238.37 M.G.L. c. 23N, § 12(a)(v)	205 CMR 254.02(1-6)
205 CMR 238.10	205 CMR 238.38	205 CMR 254.03(1)
205 CMR 238.11(1-3)	205 CMR 238.39	205 CMR 254.04

205 CMR 238.12(1(M.G.L. c. 23N, § 12(a)(vii)),2-5)	205 CMR 238.40	206 CMR 243.01(1)(x) B.1.2(a)
205 CMR 238.13	205 CMR 238.41	M.G.L. c. 23N, § (4(c,d(2(i-ii,v,vii))),13(h))
205 CMR 238.14(1-3)	205 CMR 238.42	

5.3 Appendix 3 – Scoring The Risks With ISO/IEC 31010:2009 Risk Management - Assessment Techniques

ISO/IEC 31010:2009 Risk Management – Risk assessment techniques is an industry standard for assessing the severity of security threats. It attempts to establish a measure of how much concern a threat warrants, so efforts can be prioritized. The score is based on a series of measurements (called metrics) based on expert assessment.




Base Metrics: for qualities intrinsic to vulnerability. There are six Base Metrics, which represent the most fundamental, immutable qualities of vulnerability:

- Access Vector: measures how remote an attacker can be to attack a target;
- Access Complexity: measures the complexity of attack required to exploit the vulnerability, once an attacker has gained access to the target system;
- Authentication: measures the number of times an attacker must authenticate to the target system in order to exploit the vulnerability;
- Confidentiality Impact: measures the impact on confidentiality of a successful exploit of the vulnerability on the target system;
- Integrity Impact: measures the impact on integrity of a successful exploit of the vulnerability on the target system; and
- Availability Impact: measures the impact on the availability of a successful exploit of the vulnerability on the target system.




Temporal Metrics: for characteristics that evolve over the lifetime of vulnerability. There are three Temporal Metrics, which represent the time-dependent qualities of vulnerability:

- Exploitability: measures how complex the process is to exploit the vulnerability in the target system;
- Remediation Level: measures the level of an available solution; and
- Report Confidence: measures the degree of confidence in the existence of the threats and the credibility of its report.

Severity Rankings

Severity	Score	Action Required
 High	Major Non-Conformity	High to Critical threat that needs immediate resolution.
 Medium	Minor Non-Conformity	Moderate risk that needs to be investigated.
 Low	Observation	Issue that needs to be reviewed to ensure good practices.

Risk Impact Ranking

Risk	Impact	Example
 High	Technical Impact	
	Loss of confidentiality	All data disclosed (9) Extensive critical data disclosed (7)
	Loss of integrity	All data totally corrupted (9) Extensive seriously corrupted data (7)
	Loss of availability	All services completely lost (9) extensive primary services interrupted (7)
	Loss of accountability	Completely anonymous (9)
	Business Impact	
	Financial damage	Bankruptcy (9)
	Reputation damage	Brand damage (9)
	Non-compliance	High profile violation (7)
	Privacy violation	Millions of people (9) Thousands of people (7)
 Medium	Technical Impact	
	Loss of confidentiality	Minimal critical data disclosed (6) extensive non-sensitive data disclosed (6)
	Loss of integrity	Extensive slightly corrupted data (5)
	Loss of availability	Minimal primary services interrupted (5) extensive secondary services interrupted (5)
	Loss of accountability	Possibly traceable (6)
	Business Impact	
	Financial damage	Significant effect on annual profit (6)
	Reputation damage	Loss of goodwill (5) Loss of major accounts (4)
	Non-compliance	Clear violation (5)
	Privacy violation	Hundreds of people (5)
 Low	Technical Impact	
	Loss of confidentiality	Minimal non-sensitive data disclosed (2)
	Loss of integrity	Minimal seriously corrupted data (3) Minimal slightly corrupted data (1)

	Loss of availability	Minimal secondary services interrupted (1)
	Loss of accountability	Fully traceable (1)
	Business Impact	
	Financial damage	Minor effect on annual profit (3) Less than the cost to fix the vulnerability (1)
	Reputation damage	Minimal damage (1)
	Non-compliance	Minor violation (2)
	Privacy violation	One individual (3)

6. TERMS AND CONDITIONS

6.1 Warranties

GLI represents and warrants that it is not restricted or prohibited, contractually or otherwise, from entering into and performing this Agreement, and that its execution and performance of this Agreement is not a violation or breach of any other agreement between GLI and any other person or entity.

GLI represents and warrants to Client that (i) subject only to the rights granted herein to Client, GLI is the sole owner of all rights to the Work, other than any material provided by Client, (ii) GLI has not previously granted any rights in the Work to any third party which are inconsistent with the rights granted to Client herein and (iii) the Work, other than any material provided by Client, will not infringe any patent, copyright, trademark, trade secret or other intellectual property rights of any third party.

Client's sole remedy for GLI's failure to produce the Work or failure to deliver the Work or any other alleged claim is to terminate this Agreement.

This Report of Findings is issued solely for the benefit of the Client for use only for and limited to the specific jurisdiction or standards referenced in the report. This Report may not be relied upon for any reason by any person or entity other than the Recipient including, but not necessarily limited to, the manufacturer or developer of the items, a non-GLI laboratory, or a regulator not named in the report ("a Third Party"). This Report produced by GLI is proprietary to GLI and the Client, because it contains confidential information of commercial value, the exposure of which to third parties could adversely affect both GLI and the Client. Accordingly, such confidential information is supplied in confidence, on the strict condition that no part of it will be reprinted or reproduced or transmitted to any parties external to the original contract without the prior written approval of the Parties. In particular, it will not be exposed to any person or organization which may be in competition with any of the Parties without the prior written approval of that Party. The testing performed by GLI is proprietary to GLI and/or various regulators. No third party may use, rely or refer to a GLI evaluation report, test report, certification document or test results without written permission of GLI and the respective regulator. Notwithstanding the above, the Parties may disclose confidential information if required to do so by regulatory agencies, pursuant to the laws and regulations of an applicable jurisdiction or by an order of a properly designated Court of Law in a relevant jurisdiction. However, in either case the Parties agree to immediately notify the other party of such a request.

THE WARRANTIES SET FORTH IN THIS AGREEMENT ARE THE ONLY WARRANTIES GRANTED BY GLI. GLI DISCLAIMS ALL OTHER WARRANTIES EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. PERFORMANCE OF WORK IS NO GUARANTEE THAT CLIENT'S SYSTEMS ARE SECURE OR CANNOT BE HACKED. IN NO EVENT SHALL GLI'S AGGREGATE LIABILITY TO CLIENT FOR ALL DAMAGES, LOSSES AND CAUSES OF ACTION ARISING OUT OF THIS AGREEMENT EXCEED THE AMOUNT GLI HAS RECEIVED FROM CLIENT UNDER THIS AGREEMENT.

For full terms and conditions please consult the GLI website:
<https://gaminglabs.com/images/pdfs/TermsandConditions.pdf>

Authentication of Gaming Laboratories International, LLC's Final Report on the assessment of the Internal Controls Matrix of Betr for Sports Wagering:

A handwritten signature in black ink, appearing to read 'CMG', is positioned above the printed name and title.

Christine M. Gallo
Senior Vice President,
Quality Assurance and Technical Compliance

251.03 Operation Certificate: Effective Date: Duration

- (1) Upon the successful completion of the test period in accordance with 205 CMR 251.02 the Commission shall establish the effective date of the Operation Certificate and the scope of the Sports Wagering Operator's authority to conduct Sports Wagering.
- (2) Each certificate, once issued, shall remain in effect throughout the term of the Sports Wagering Operator License under such terms and conditions as the Commission may impose, but may be revoked, suspended, limited, or otherwise altered by the Commission.
- (3) Each Sports Wagering licensee to which an Operation Certificate is issued shall conduct Sports Wagering strictly in accordance with the terms of its original Operation Certificate and shall not change any of the items to which the Operation Certificate applies except as otherwise approved by the Commission.



TO: Chair Judd-Stein
Commissioner O'Brien
Commissioner Hill
Commissioner Skinner
Commissioner Maynard

FROM: Trupti Banda, Human Resources Manager

DATE: April 10, 2023

Re: Executive Director Compensation

Commissioners,

Below is comparative information regarding Executive Director Compensation in Massachusetts and other gaming jurisdictions.

MGC Executive Director Salary: \$207,400

POST Commission, Executive Director Salary: \$198,550

Cannabis Control Commission, Executive Director Salary: \$201,880

In December of 2022, the MGC provided employees with a pay increase of 3% retroactive to the start of the fiscal year. Executive Director Wells did not receive the 3% pay increase.

The Commissioners could consider an increase in salary, whether that be the 3% cost of living increase that was previously awarded to MGC staff or another salary increase. Commissioners could also consider awarding a merit bonus in addition to or in place of a salary increase. When considering a merit increase only, it should be noted that it could impact Executive Director Wells' pension.

NOTE: Bonuses have been awarded to staff, including the Executive Director, in the past.

Below please find Executive Director Salaries from a sampling of other Gaming Jurisdictions and Sports Wagering:

CA	\$217,176 (2021) - Gaming
IN	\$137,145 (2021) - Gaming and Sports Wagering
ME	\$91,242 (2021) - Gaming and Sports Wagering
MI	\$151,284 (2020) - Gaming and Sports Wagering
MD	\$137,000 (2020) - Gaming and Sports Wagering
MO	\$113,000 (2021) - Gaming
MS	\$120,539 (2020) - Gaming and Sports Wagering
NV	\$274,000+ (2020 – ED left in November NEW ED started on 11/18/20) - Gaming and Sports Wagering

NY \$197,040 (2021) -Gaming and Sports Wagering
OH \$162,471 (2020) - Gaming and Sports Wagering
PA \$237,576 (2023) - Gaming and Sports Wagering



Legal Division

TO: Cathy Judd-Stein, Chair
Eileen O'Brien, Commissioner
Brad Hill, Commissioner
Nakisha Skinner, Commissioner
Jordan Maynard, Commissioner

FROM: Caitlin Monahan, Deputy General Counsel
Mina Makarious, Anderson & Kreiger
Paul Kominers, Anderson & Kreiger

DATE: April 19, 2023

RE: Amended 205 CMR 138, 238, 247, and 248

Enclosed for the Commission's review are proposed amended versions of the above-referenced regulations. The revisions to each regulation are summarized generally as follows:

1. 205 CMR 138: *Uniform Standards of Accounting Procedures and Internal Controls*: This regulation sets the standards for internal controls for both gaming and sports wagering operators. The amendments to this regulation include a few small formatting edits. Section 138.73 is also updated to refer to Confidential Information and Personally Identifiable Information in anticipation of a forthcoming regulation on data privacy.
2. 205 CMR 238, *Uniform Standards of Accounting Procedures and Internal Controls for Sports Wagering*: this regulation sets the internal standards and procedures to which Sports Wagering Operators are required to adhere to in their operation of Sports Wagering in the Commonwealth.
 - a. Section 238.02(7)(d) is updated to address internal controls unique to Category 2 Sports Wagering Facilities.
 - b. Section 237.07(l) and (m) are added to require internal controls regarding data privacy and security and describing Operator's use of computerized algorithms at the suggestion of the Attorney General's Office.



Massachusetts Gaming Commission

- c. 205 CMR 238.07 is similarly updated to refer applicable legal required regarding data privacy and security, including the forthcoming data privacy regulations.
 - d. 205 CMR 238.13 is edited to reflect the fact that the submission of monthly reports to patrons regarding promotional offers is required by G.L. c. 23, but not G.L. c. 23N and has been deemed less useful in the sports wagering context.
 - e. 205 CMR 238.18(3)(b) is amended to clarify the Commission's intent not to abrogate or otherwise limit any disclosure required in an agreement between a Sports Governing Body and a Players' Association, including, for instance, to protect player safety.
 - f. 205 MR 238.35 is amended to make clear that bets may only be cancelled without Commission approval due to an objective error, not based on the judgment of the Operator.
 - g. 205 CMR 238.45 is amended to require that Operator's use of patron data be subject to prior consent by the patron.
 - h. Revisions are made throughout the regulation to reflect the forthcoming data privacy regulation.
3. 205 CMR 247, *Uniform Standards of Sports Wagering*: this regulation sets out standards and procedures for the Commission to permit or prohibit wagering on certain events or categories of events; for operators to accept wagers on events or in tournaments, contests, or pools; for operators to run promotions; and for related matters. It is being revised as follows:
- a. 247.02(3)(n) and 247.07(10) are revised to match the revised 204 CMR 238.35 regarding cancellation of wagers.
 - b. 247.03(5) is revised to clarify that Players' Associations may request that certain events not be the subject of wagers. This was done at the request of Players' Associations as a means to address potential threats to athletes. 247.04(d) is also slightly revised for the same reason.
 - c. 247.03(11) is revised to clarify that an Operator may adopt house rules that permit cancelation of one leg of a parlay without cancelling the entire wager.
 - d. 247.09 is revised to add a requirement that an Operator maintain a record of promotional offers; clarify the requirement for full disclosure of promotional offers; prohibit offers based on patron referrals; and to remind Operators that promotional offers may be subject to other legal requirements, including the Attorney General's consumer protection regulations.

4. 205 CMR 248, *Sports Wagering Account Management*: this regulation instructs operators on how to establish and maintain individual accounts for sports wagering patrons. It is being revised as follows:
 - a. 248.03 and 248.04 include additional measures suggested by the Attorney General's Office to protect patron accounts and to ensure only patrons are using their accounts.
 - b. 248.12(6) reduces the scope of the liability exemption for Operators with respect to unauthorized account withdrawals slightly by continuing to hold Operator responsible for negligence or misconduct, rather than negligence or *intentional* misconduct.
 - c. 248.16 requires conspicuous disclosure of account limit mechanisms.
 - d. Revisions are made throughout the regulation to reflect the forthcoming data privacy regulation.

205 CMR: MASSACHUSETTS GAMING COMMISSION

205 CMR 138.00: UNIFORM STANDARDS OF ACCOUNTING PROCEDURES AND
INTERNAL CONTROLS

Section

- 138.01: Definitions
- 138.02: Licensee's System of Internal Controls
- 138.03: Records Regarding Company Ownership
- 138.04: Gaming Licensee's Organization
- 138.05: System for Ensuring Employees Are Properly Licensed or Registered
- 138.06: System for Business Dealings with Vendors
- 138.07: Floor Plans
- 138.08: Accounting Records
- 138.09: Retention, Storage and Destruction Records
- 138.10: Jobs Compendium Submission
- 138.11: Personnel Assigned to the Operation and Conduct of Gaming
- 138.12: Alcoholic Beverage Control
- 138.13: Complimentary Services or Items and Promotional Gaming Credits
- 138.14: Internal Control Procedures for Security Department
- 138.15: Internal Control Procedures for Access Badge System and Issuance of Temporary License Credentials, and Restricted Areas
- 138.16: Access to Public and Restricted Areas
- 138.17: Searches of Employees and the Workplace by the Gaming Licensee
- 138.18: Vendor Access Badges
- 138.19: Count Rooms; Physical Characteristics; Count Protocols
- 138.20: Possession of Firearms
- 138.21: Protection of Minors and Underage Youth
- 138.22: Critical Incident Preparedness Plan
- 138.23: Drop Boxes for Table Games; Gaming Table Slot Cash Storage Boxes
- 138.24: Cashiers' Cage; Satellite Cages; Master Coin Bank; Coin Vaults
- 138.25: Simulcast Counter
- 138.26: Keys for Dual Locks; Gaming Licensee-controlled Keys and Locks; Notice to the IEB and Surveillance Department upon Malfunction and Repair, Maintenance or Replacement
- 138.27: Internal Controls B: (Reserved)
- 138.28: Gaming Day
- 138.29: Accounting Controls for the Cashiers' Cage, Satellite Cages, Master Coin Bank and Coin Vaults
- 138.30: Accounting Controls Within the Simulcast Counter: (Reserved)
- 138.31: Procedure for Accepting Cash and Coupons at Gaming Tables
- 138.32: Table Game Drop Boxes, Transport to and from Gaming Tables; Storage Boxes
- 138.33: Removal of Slot Drop Containers; Unsecured Funds; Recording of Meter Readings for Slot Machine Drop
- 138.34: Procedures for Acceptance of Tips or Gratuities from Patrons
- 138.35: Table Inventory; Table Inventory Container; Chip Reserve Compartment: (Reserved)
- 138.36: Procedures for Counting Table Inventory, Opening Tables for Gaming, Shift Changes at Gaming Tables, and Closing Gaming Tables: (Reserved)
- 138.37: Procedure for Distributing and Removing Gaming Chips, Coins and Plaques to Gaming Tables
- 138.38: Administrative Action
- 138.39: Internal Controls D: (Reserved)
- 138.40: Procedure for Acceptance of Checks, Cash Equivalents, Wire Transfers, and Credit/Debit Cards; Issuance of Counter Checks
- 138.41: Replacement Checks and the Redemption of Counter Checks
- 138.42: Acceptance of Payments Toward Outstanding Patron Checks
- 138.43: Procedures for Establishing Patron Credit Accounts, and Recording Checks Exchanged, Redeemed or Consolidated
- 138.44: Patron Request for Suspension of Credit Privileges
- 138.45: Procedure for Depositing Checks Received from Gaming Patrons
- 138.46: Procedure for Collecting and Recording Checks Returned to the Gaming Licensee after Deposit

205 CMR: MASSACHUSETTS GAMING COMMISSION

- 138.47: Automatic Teller Machines (ATM)
- 138.48: Procedure for Opening, Counting and Recording Contents of Table Drop Boxes and Slot Cash Storage Boxes
- 138.49: Procedure for Opening, Counting and Recording the Contents of Bill Validator Boxes, ~~Kiosks~~Gaming Voucher Redemption Machines~~Kiosks~~, Determination of Gross Revenue Deduction
- 138.50: Internal Controls E: (Reserved)
- 138.51: Accounting Controls for Gaming Voucher Redemption Machines
- 138.52: Slot Machines and Bill Changers; Coin and Token Containers; Slot Cash Storage Boxes; Entry Authorization Logs
- 138.53: Progressive Slot Machines
- 138.54: Linked Slot Machines Interconnected in More than One Gaming Establishment; Slot System Operator; Computer Monitor
- 138.55: Inspection of Slot Machine Jackpots
- 138.56: Attendant Paid Jackpots and Credit Meter Payouts
- 138.57: Slot Machine Tournaments and Promotional Events within the Gaming Area
- 138.58: Alternate Forms of Jackpot Payments
- 138.59: Procedure for Filling Payout Reserve Containers of Slot Machines and Hopper Storage Areas
- 138.60: Procedure Governing the Removal of Coin, Slot Tokens and Slugs from a Slot Machine Hopper
- 138.61: Slot Accounting Requirements; Electronic Table Games Which Accept Gaming Vouchers or coupons Redeemed by Gaming Voucher System
- 138.62: Payment of Table Game Progressive Payout Wagers; Supplemental Wagers Not Paid from the Table Inventory
- 138.63: Slot Machines and Other Electronic Gaming Devices; Authorized Locations; Movements
- 138.64: Accounting Controls for Chippersons and Chips: (Reserved)
- 138.65: Cashless Wagering Systems: (Reserved)
- 138.66: Master Lists of Approved Table Games, Movements of Gaming Equipment; Amendments of Operation Certificates upon Filing Updated Master List
- 138.67: Employee Signatures
- 138.68: Expiration of Gaming-related Obligations Owed to Patrons; Payment to the Gaming Revenue Fund
- 138.69: Entertainment, Filming or Photography within the Gaming Area
- 138.70: Technical Standards for Count Room Equipment
- 138.71: Table Game Tournaments and Promotional Events within the Gaming Area
- 138.72: Policies and Procedures for Ensuring a Workplace Free from Unlawful Discrimination, Harassment and Retaliation
- 138.73: Personally Identifiable Information Security

138.01: Definitions

As used in 205 CMR 138.00, the following words and phrases shall have the following meanings, unless the context clearly indicates otherwise:

Annuity Jackpot means any slot machine payout offered by a gaming licensee, where a patron is entitled to receive cash payments at specified intervals in the future.

Asset Number means a unique number permanently assigned to a slot machine and a slot cash storage box for purposes of tracking that machine and storage box while owned by a gaming licensee.

Bank is defined in M.G.L. c. 167B, § 1.

Cage Supervisor means any person who supervises personnel and functions within the cashiers' cage.

Cash means currency or coin.

Cash Equivalent means a certified check, cashier's check, treasurer's check, personal checks, travelers' check, money order, or other instrument deemed a cash equivalent by the commission.

Check is defined in M.G.L. c. 106, §§ 3 through 104.

205 CMR: MASSACHUSETTS GAMING COMMISSION

Chief Gaming Executive means the individual employed by a gaming establishment who is responsible for the daily conduct of a gaming licensee's gaming business. Unless the chief gaming executive also serves as the chief executive officer of the gaming licensee, the chief gaming executive shall report directly to the chief executive officer of the gaming licensee.

Closer means the original of the Table Inventory Slip upon which each table inventory is recorded at the end of each shift.

Debit Card Cash Transaction means a transaction in which a patron obtains cash, chips, plaques, or slot tokens from a cashier by presenting a recognized debit card.

Derogatory Information means issues that have a negative bearing on one's casino credit including such things as a patron credit account being partially or completely uncollectible, checks returned unpaid by the patron's bank, settlements, liens, judgments, other credit problems of the patron, or any other information provided by a gaming licensee's security or surveillance department.

Electronic Fund Transfer is defined in M.G.L. c. 167B, § 1.

Handle means the total value of coins, slot tokens, including foreign slot tokens, currency, coupons, gaming vouchers, and electronic credits invested by a patron to activate the play of a slot machine or other electronic gaming device.

Identification Credential means government issued photo identification which contains the person's signature.

Imprest means the basis on which cashiers' cage and slot booth funds are replenished from time to time in exactly the value of the net of expenditures made from the funds and value received.

Incompatible function means a function that places any person or department in a position to both perpetrate and conceal errors or irregularities in the normal course of their duties. For example, anyone recording transactions and having access to assets ordinarily would be considered to be in a position to perpetrate errors or irregularities. Persons may have incompatible functions if such persons are members of departments which have supervisors not independent of each other.

Master Game Report means a record of the computation of the win or loss or, for the game of poker, the poker revenue, for each gaming table, each game, and each gaming day.

Multi-state State Jackpot means any progressive slot machine jackpot offered by one or more gaming licensees in conjunction with a licensee from another jurisdiction pursuant to a multi-state progressive slot system agreement.

Opener means the duplicate copy of the table inventory slip upon which each table inventory is recorded at the end of each shift and serves as the record of each table inventory at the beginning of the next succeeding shift.

Outstanding Patron Check means any Counter Check or replacement check that is not due for deposit or presentation pursuant to 205 CMR 138.45 and has not in fact been deposited or presented for payment or redeemed by the drawer.

Patron Check means a Counter Check or a replacement check.

Patron Deposit means the total value of cash, cash equivalents, complimentary cash gifts, slot tokens, prize tokens, gaming chips or plaques deposited with a gaming licensee by a patron for his or her subsequent use pursuant to 205 CMR 138.40.

Poker Revenue means the total value of rake charged to patrons at all poker tables pursuant to 205 CMR.

205 CMR: MASSACHUSETTS GAMING COMMISSION

Replacement Check means a counter check which replaces one or more previously issued counter checks.

Slot Drop Container shall include slot drop buckets, slot drop boxes and slot cash storage boxes.

Slot Machine Drop means the total value of coins, slot tokens, and foreign slot tokens in a slot drop bucket or a slot drop box, the total value of currency, gaming vouchers and coupons in a slot cash storage box, and the total value of electronic credits withdrawn from patron accounts, if applicable.

Slot Machine Win means the value of the drop less any jackpots paid less any change to the hopper inventory.

Supervisor means a key gaming employee or gaming employee employed in the operation of a gaming establishment in a supervisory capacity or empowered to make discretionary decisions which regulate gaming operations, including but not limited to, boxpersons, floorpersons, pit bosses, poker shift supervisors, table games shift managers, the gaming manager, and the assistant gaming manager.

Suspicious Gaming Voucher means any gaming voucher that appears to have been counterfeited, tampered with or altered in any way that would affect its integrity, suitability, validity or value.

Table Game Drop means the sum of the total value of currency, coin, or coupons deposited in the drop box at a gaming table.

Table Game win or loss means the amount of table game drop minus the change in the tables chip inventory, including chips issued during fills and chips removed during credits for tables other than poker tables.

Third Party Check means a check endorsed by its payee to another party who becomes the holder in due course.

Unscanned Gaming Voucher means any gaming voucher that a gaming licensee elects to redeem when its gaming voucher system or any component thereof is inoperable and, as a result, the system is unable to determine the validity of the voucher.

Unsecured Currency, Unsecured Gaming Voucher, Unsecured Ticket, and Unsecured Coupon means currency, a voucher, ticket, or coupon found inside a bill changer but outside a bill validator box.

Unverified Gaming Voucher means any gaming voucher, other than a suspicious gaming voucher, that the gaming voucher system fails to verify and electronically cancel in the system when it is presented for redemption and scanned.

Wire Transfer means a transfer of funds through Fedwire Funds Service as governed by 12 CFR Part 210, Subpart B - *Funds Transfers Through Fedwire*.

138.02: Licensee's System of Internal Controls

- (1) At least 60 days prior to commencing operations a gaming licensee shall submit to the commission its proposed minimum system of internal procedures and administrative and accounting controls (internal controls) in accordance with 205 CMR 138.02(4). An Operations Certificate shall not be issued to a gaming licensee for the commencement of gaming operations in accordance with 205 CMR until the submission is approved in accordance with 205 CMR 138.02(2). The commission or its designee may perform any inspection necessary in order to determine conformance with the approved internal controls.
- (2) The commission shall refer the proposal submitted in accordance with 205 CMR

205 CMR: MASSACHUSETTS GAMING COMMISSION

138.02(1) to the Executive Director who shall review the submission for compliance with M.G.L. c.23K, 205 CMR 138.00 and other applicable sections of 205 CMR. Upon completion of review the Executive Director shall either approve the submission or advise the gaming licensee in writing of any deficiency, and may include any other recommendations and/or required changes intended to ensure that a robust system of internal controls is implemented. The gaming licensee may either accept a recommendation or required change in writing or advise the Executive Director in writing as to the reason for its disagreement. The gaming licensee may dispute any determination or recommendation made by the Executive Director to the commission which shall resolve the issue.

The commission or the Executive Director may revisit any provision of the internal controls at any time and direct adjustment if necessary, and provide for a reasonable implementation period, to ensure that a robust system of internal controls is in effect. Upon approval by the Executive Director the gaming licensee shall be issued a writing evidencing the approval of its internal controls including any associated conditions.

(3) At least 15 business days prior to changing any provision of the approved internal controls a gaming licensee shall submit the proposed change, including an explanation therefor, and new certifications from its chief legal and financial officers consistent with 205 CMR 138.02(4)(i) and (j), to the commission. The commission shall refer the proposed change to the Executive Director who shall review the proposal to determine whether it complies with 205 CMR 138.00. Changes to the system of internal controls will generally be permitted if the proposed change does not lessen the applicable administrative, accounting, or physical control. Upon completion of review the Executive Director shall either approve the proposed change or advise the gaming licensee in writing as to why the proposal does not comply with 205 CMR 138.00. The gaming licensee may appeal the Executive Director's determination to the commission which shall resolve the issue. Approved changes shall be maintained as part of the approved internal controls.

Modifications to internal controls may not be implemented until approved by the Executive Director or the commission. Provided, however, if the Executive Director does not object or otherwise respond to the submission in writing within 15 business days of receipt of the submission, the gaming licensee may make the proposed change subject to further direction by the Executive Director in accordance with 205 CMR 138.02(3).

(4) The internal controls shall include the following:

- (a) Administrative controls which include, as their primary objective, policies and procedures designed to assure that all activities and transactions of the gaming licensee are instituted and completed in accordance with the applicable policy and/or procedure.
- (b) Accounting controls, as detailed in 205 CMR, which include, as their primary objective, procedures to assure that all activities and transactions of the gaming licensee are accurately reported and recorded in accordance with generally accepted accounting principles.
- (c) Reporting controls which shall include policies and procedures for the timely reporting of economic and social impact reports, and standard financial and statistical reports and information in accordance with 205 CMR.
- (d) Surveillance controls as detailed in 205 CMR 141.00: *Surveillance of the Gaming Establishment*.
- (e) Physical controls which include, as their primary objective, the safeguarding of company assets to include safeguards in the form of organizational safeguards, such as segregation of duties between incompatible functions, and physical safeguards such as restricted access to assets and routine security devices such as cameras and locking doors.
- (f) A network security plan as described in 205 CMR 143.12: *Network Security*.
- (g) A plan to ensure compliance with 205 CMR 140.00: *Gross Gaming Revenue and Tax Remittance and Reporting*.
- (h) All applicable policies and procedures required pursuant to 205 CMR 138.04

205 CMR: MASSACHUSETTS GAMING COMMISSION
through 138.70.

- (i) A certification by the gaming licensee's chief legal officer that the submitted procedures conform to M.G.L. c. 23K, 205 CMR 138.00, and any applicable regulations referenced therein; and
- (j) A certification by the gaming licensee's chief financial officer that the submitted procedures provide adequate and effective controls, establish a consistent overall system of internal procedures and administrative and accounting controls, and conform to generally accepted accounting principles and 205 CMR.
- (5) Nothing in 205 CMR 138.00 shall be interpreted so as to limit a gaming licensee's use of technology, provided that, if the gaming licensee intends to utilize any new technology not identified in its initial proposal, it shall submit the changes to its system of internal controls to incorporate the use of any such new technology to the commission which shall refer the proposed change to the Executive Director who shall review the proposal in accordance with 205 CMR 138.02(3).
- (6) (a) If a gaming licensee desires to incorporate a provision in its internal controls that is not in conformance with 205 CMR 138.00, or to exclude a provision required by 205 CMR 138.00, it may petition to do so by including its proposal in its internal controls filing, or petition to change a provision of the internal controls in accordance with 138.02(3), along with a citation to the applicable provision of 205 CMR 138.00 and a written explanation as to why the variance is being requested. The Executive Director may allow the variance upon a finding that the proposal is at least equivalent to the relevant provision contained in 205 CMR 138.00 and/or that the proposal is likely to achieve the same outcome as if the provision contained in 205 CMR 138.00 were incorporated. Such variance shall be identified in the written approval issued in accordance with 205 CMR 138.02(2) and a report filed with the commission that identifies the provision of 205 CMR 138.00 that a variance was granted from and provides the general reason the variance was granted. Provided, however, that a gaming licensee may not seek a variance from any of the provisions of 205 CMR 138.40 through 138.47.
- (b) In the event that a gaming licensee will be temporarily unable to abide by a provision of its system of internal controls, the Director of the IEB, or his or her designee, may upon request by the gaming licensee grant a limited temporary variance from a provision of the gaming licensee's system of internal controls, provided that such variance shall be for a set period of time not to exceed 48 hours, that the provision at issue shall relate to the gaming operation of the gaming establishment, and that it be based on good cause shown such that the health, safety or welfare of the public or the integrity of gaming will not be adversely impacted. Provided, that a gaming licensee may not seek a limited temporary variance from any of the provisions of 205 CMR 138.40 through 138.47. Where the circumstances warrant, such a variance may be renewed by the Director of the IEB, or his or her designee, for one additional 48-hour period. All such requests and determinations shall be documented and submitted to the Executive Director for review as promptly as possible.
- (7) Upon approval in accordance with 205 CMR 138.02(2) and (3), the gaming licensee shall implement and abide by its system of internal controls within a period spanning no more than 30 days. The commission and the IEB may take any steps necessary to determine whether the internal controls are being followed and to enforce compliance. The gaming licensee shall periodically compare its approved system of internal controls, as written, to the system actually in place and operating for the purpose of identifying areas of non-compliance, if any, so as to take immediate corrective action. The periodic comparison shall be performed by either independent auditors or internal auditors.
- (8) The gaming licensee shall maintain in its records and at all times a complete set of its system of internal controls in effect at that time.
- (9) When possible, all filings and records required to be submitted to the commission in accordance with 205 CMR 138.00 shall be done electronically unless otherwise directed by the commission.

205 CMR: MASSACHUSETTS GAMING COMMISSION

(10) To the extent a third-party is involved in or provides any of the internal controls required in 205 CMR 138.00, the gaming licensee's controls must document the roles and responsibilities of the third-party and must include procedures to evaluate the adequacy of and monitor compliance with the third-party's system of internal controls.

(11) A gaming licensee that is also licensed as a Sports Wagering Operator shall comply with 205 CMR 138.00 as well as 205 CMR 238.00. Where compliance with provisions of both regulations is not possible, the Gaming Licensee shall comply with 205 CMR 138.00 with respect to gaming operations and 205 CMR 238.00 with respect to Sports Wagering Operations and identify its intent to do so in a written system of Internal Controls.

138.03: Records Regarding Company Ownership

All records regarding ownership, as described in 205 CMR, shall be maintained at a location as determined by the gaming licensee, provided that the commission is notified of such location where the records are to be stored. The commission shall be granted prompt and unfettered access to all such records upon request.

138.04: Gaming Licensee's Organization

(1) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR

138.02 shall include tables of organization, which shall provide for:

- (a) A system of personnel and chain of command which permits management and supervisory personnel to be held accountable for actions or omissions within their areas of responsibility;
- (b) The segregation of incompatible functions so that no employee is in a position both to commit an error or to perpetrate a fraud and to conceal the error or fraud in the normal course of his or her duties;
- (c) Primary and secondary supervisory positions which permit the authorization or supervision of necessary transactions at all relevant times; and
- (d) Areas of responsibility which are not so extensive as to be impractical for one person to monitor.

(2) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR

138.02 shall include provisions detailing the structure, function, and area of responsibility for the following mandatory departments and supervisory positions, with each of the mandatory departments and supervisors cooperating with, yet performing independently of, all other mandatory departments and supervisors of the gaming licensee as follows:

- (a) A surveillance department supervised by an executive who shall be responsible for the management of the surveillance department. The chief surveillance executive shall be subject to the reporting requirements specified in 205 CMR 138.04(4). The surveillance department monitoring room shall be supervised by an individual licensed as a key gaming employee in accordance with 205 CMR 134.00: *Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations* who shall be present in the room at all times or, if not present, be within immediate contact and at a known location at the gaming establishment.
- (b) An internal audit department supervised by an audit department executive. The audit department executive shall be subject to the reporting requirements specified in 205 CMR 138.04(4).
- (c) An IT department supervised by an executive who shall be responsible for the management of the IT department.
- (d) A casino games department supervised by an executive who shall be responsible for the management of the casino games department. The chief casino games executive shall be responsible for the operation and conduct of all authorized games and gaming devices

205 CMR: MASSACHUSETTS GAMING COMMISSION
in a gaming establishment

(e) A security department supervised by an executive who shall be responsible for the management of the security department.

(f) A gaming accounting department supervised by an executive who shall be responsible for the management of the gaming accounting department. The chief gaming accounting executive shall be responsible for all gaming related accounting control functions.

(g) A compliance committee consisting of at least three members, at least one of whom shall be independent of the gaming licensee. The compliance committee may consist of less than three members on a temporary basis upon a showing of good cause by the gaming licensee, but, under all circumstances, a compliance committee must include at least one independent member. The compliance committee may be created at either the gaming licensee level or at the level of a parent, holding or intermediary company. The compliance committee shall provide its policies and procedures to the commission, which policies and procedures shall provide for, at a minimum, the following:

1. The monitoring of policies, procedures, material transactions and proposed transactions for purposes of avoiding impropriety or the appearance thereof;
2. The review of payments to individuals and entities and the provision of services, gifts or anything of value to or on behalf of any public official provided, that review of such conduct as it relates to foreign public officials may be performed by legal counsel to the gaming licensee who shall then report their findings to the compliance committee;
3. The review of political contributions;
4. Ensuring compliance with all applicable federal, state and local laws and regulatory requirements;
5. Protecting against unethical or unlawful behavior by employees;
6. The conduct of due diligence reviews and investigations of directors, officers, executive level employees and those entities and individuals having material associations with the gaming licensee; and
7. Providing the commission with the minutes of its meetings within 45 days of the conduct of those meetings. If necessary, minutes in draft form may be submitted followed by final minutes when approved.

(h) An independent audit committee consisting of at least three members provided, however, that the independent audit committee may be comprised of less than three members on a temporary basis upon a showing of good cause to the commission. The independent audit committee may be created at either the gaming licensee level or at the level of a parent, holding or intermediary company. The Committee shall provide the commission with the minutes of its meetings within 45 days of the conduct of those meetings. If necessary, minutes in draft form may be submitted followed by final minutes when approved.

(3) Each mandatory department shall be supervised at all times by at least one individual who has been licensed as a key gaming employee in accordance with 205 CMR 134.00: *Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations.*

(4) The chief executives of the surveillance and internal audit departments required by 205 CMR 138.04(2) shall comply with the following reporting requirements:

(a) Each executive shall report directly to the chief gaming executive of the gaming licensee regarding administrative matters and daily operations provided, however, a gaming licensee may allow each of these executives to report directly to a management executive of the licensee other than the chief gaming executive if that management executive reports directly to the chief gaming executive.

205 CMR: MASSACHUSETTS GAMING COMMISSION

(b) Each executive shall report directly to one of the following persons or entities regarding matters of policy, purpose, responsibility, and authority. The hiring, termination, and salary of each executive shall also be controlled by one of the following persons or entities:

1. The independent audit committee of the gaming licensee's board of directors;
2. The independent audit committee of the board of directors of any holding company of the gaming licensee which has absolute authority to direct the operations of the gaming licensee;
3. The senior surveillance or internal audit executive of any holding company included in 205 CMR 138.04(4)(b)2. if such executive reports directly to the independent audit committee of the board of directors of the holding company; or
4. For gaming licensees or holding companies which are not corporate entities, the non-corporate equivalent of any of the persons or entities listed in 205 CMR 138.04(4)(b)1. through 3.

(5) In the event of a vacancy in the chief executive officer position, the chief gaming executive, or in any executive position responsible for management of one of the mandatory departments set forth in 205 CMR 138.04(2)(a) through (f), the gaming licensee shall:

(a) Provide written notice to the commission no later than five days from the date of the vacancy, advising of the following:

1. The vacant position;
2. The date on which the position became vacant; and
3. The date on which it is anticipated that the vacancy will be filled on a permanent basis.

(b) Within 30 days, the gaming license shall either fill the vacant position described in 205 CMR 138.04(5) on a permanent basis or designate an individual to assume the duties and responsibilities of the vacant position on a temporary basis, which appointment shall not exceed 120 days, subject to extension upon approval by the commission. An individual temporarily designated shall not simultaneously function as the department supervisor for any department identified in 205 CMR 138.04(2) and such individual's areas of responsibility shall not be so extensive as to be impractical for one individual to monitor.

(c) Within five days of filling any vacancy, whether on a temporary or permanent basis, the gaming licensee shall provide written notice to the commission advising of the following:

1. The position;
2. The name of the person designated;
3. The date that the vacancy was filled; and
4. An indication of whether the position has been filled on a temporary or permanent basis.

(6) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR

138.02 shall include, and a gaming licensee shall maintain on file, a current table of organization delineating the lines of authority for all personnel engaged in the operation of the gaming establishment, which shall, for each department and division, include direct and indirect lines of authority within the department or division.

(7) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR

138.02 shall include a plan for ensuring that all gaming employees employed in the gaming

205 CMR: MASSACHUSETTS GAMING COMMISSION

establishment are properly trained in their respective professions. Proper training of a gaming employee in the respective field for which the gaming employee is or shall be employed by the gaming licensee may be established as follows:

- (a) Satisfactory completion by the employee of a course of instruction in the employee's respective field provided by a person recognized by the commission as a certified training school in accordance with 205 CMR 137.00: *Gaming Schools*;
- (b) Satisfactory completion by the employee of a course of instruction or on the job training program provided by the gaming licensee in the employee's respective field;
- (c) Relevant prior work experience of the employee in the employee's respective field; or
- (d) Other relevant training or experience.

138.05: System for Ensuring Employees Are Properly Licensed or Registered

(1) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a plan for ensuring that all individuals employed in the gaming establishment are properly licensed or registered in accordance with 205 CMR 134.01: *Key Gaming Employee Licenses*, ~~205 CMR~~ 134.02: *Gaming Employee Licenses*, and ~~205 CMR~~ 134.03: *Gaming Service Employees*, and 235.00: *Sports Wagering Occupational Licenses*. The system of internal controls shall include without limitation the following:

- (a) Procedures for assuring that only properly licensed and/or registered individuals are employed in each position for which a license or registration is required;
- (b) Procedures to prepare and submit petitions for temporary licenses to individuals for employment in the gaming establishment pursuant to 205 CMR 134.12: *Temporary Licenses* or 205 CMR 235.06: *Temporary Occupational Licenses*;
- (c) Procedures to assure the timely renewal of licenses and registrations of individuals employed in the gaming establishment;
- (d) Procedures for terminating or suspending, or modifying the relevant responsibilities of, the employment of individuals licensed or registered pursuant to 205 CMR 134.01: *Key Gaming Employee Licenses*, ~~205 CMR~~ 134.02: *Gaming Employee Licenses*, and ~~205 CMR~~ 134.03: *Gaming Service Employees*, or *Sports Wagering Occupational Licenses*, 235.00, within 24 hours of notification from the commission that the license, registration, or application of such individual has been revoked, suspended, or denied; and
- (e) Procedures for compliance with the employee reporting information required to be submitted to the commission on a bi-monthly basis in accordance with 205 CMR 138.05(2).

(2) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a plan for reporting the following to the commission on a bi-monthly basis and in a format as directed by the commission. For each individual licensed or registered in accordance with 205 CMR 134.00: *Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations*, 205 CMR 234.00: *Sports Wagering Vendors*, and 205 CMR 235.00: *Sports Wagering Occupational Licenses*:

- (a) License or registration number;
- (b) Last name, first name, middle initial;
- (c) Date of birth;
- (d) Position or job title, represented by a job code that corresponds with a position or job title in the gaming licensee's job compendium;
- (e) Initial hire date;

205 CMR: MASSACHUSETTS GAMING COMMISSION

- (f) Effective date of any change in individual's position or job title;
- (g) Access code, if any, assigned to the individual, designating the restricted areas that the individual is permitted to enter;
- (h) For each individual who has been suspended or terminated since the most recent prior report was submitted to the commission:
 - 1. The information in 205 CMR 138.05(2)(a) through (g); and
 - 2. The effective date of suspension or termination.
- (i) A record of any and all designations to describe categories of employees, including without limitation, "full time," "part time" or "seasonal;" the number of individuals in each category; and the total number of individuals in all categories.
- (j) The date on which the information submitted in the report was compiled.

138.06: System for Business Dealings with Vendors

(1) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a plan for ensuring that all persons conducting business with a gaming licensee as a vendor to a gaming establishment are properly licensed or registered in accordance with 205 CMR 134.04: ~~Vendors~~ or 205 CMR 234.00. The system of internal controls shall include, without limitation, the following:

- (a) Procedures for assuring that only properly licensed and/or registered vendors are conducting business with a gaming licensee;
- (b) Procedures to prepare and submit petitions for temporary licenses of vendors pursuant to 205 CMR 134.12: ~~Temporary Licenses~~ and 205 CMR 234.07;
- (c) Procedures to assure the timely renewal of licenses and registrations of vendors; and
- (d) Procedures for terminating or suspending the conduct of business with a vendor licensed or registered pursuant to 205 CMR ~~134.04: Vendors~~ 134.00 or 205 CMR 234.00 within 24 hours of notification from the Commission that the license, registration, or application of such vendor has been revoked, suspended, or denied.

(2) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a plan for providing a Disbursement Report to the Commission on a bi-monthly basis and in a format as directed by the Commission. The Disbursement Report shall reflect, for each vendor licensed or registered in accordance with 205 CMR 134.04: ~~Vendors~~ or 205 CMR 234.00, the following information:

- (a) Name of vendor;
- (b) Vendor license or registration number;
- (c) The amount of each individual disbursement drawn by the gaming licensee to the vendor, and the amount of each individual disbursement drawn by the vendor to the gaming licensee;
- (d) The date of each disbursement;
- (e) The total of all disbursements made during the reporting period by vendor; and
- (f) The date and amount of any payment to or from a vendor subsequently voided or corrected.

(3) Agreements with Vendors. Each gaming licensee shall maintain a fully signed copy of every written agreement and records with respect to every unwritten agreement to which it is a party which provide, at a minimum, the terms of the agreement, the parties to the agreement, a description of the goods and/or services to be provided under the agreement, and details regarding the exchange of direct compensation under the agreement including, but

205 CMR: MASSACHUSETTS GAMING COMMISSION

not limited to, dollar amounts for any person doing business for the benefit of the gaming licensee and/or the gaming establishment, any person doing business relating to the construction, maintenance, renovation, and/or expansion of the gaming establishment, and any person doing business on the premises of the gaming establishment.

138.07: Floor Plans

(1) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include provisions for the production and updating of a floor plan for the gaming establishment. Further, provisions shall be included to ensure that no gaming operations or Sports Wagering occur without an approved floor plan, and that the configuration of the gaming area remains compliant with the approved plan at all times unless amended in accordance with the process outlined by 205 CMR 138.07(2) or (3). The initial floor plan for a gaming establishment resulting from the process described in 205 CMR 138.07 shall be reviewed as part of the 205 CMR 138.02 approval process.

The gaming area depicted in a floor plan shall be arranged in such a manner as to provide optimum security for the gaming operations. A floor plan shall accurately depict the entire layout, including equipment positioning, in the gaming area and support areas; shall be drawn to at least 1/8" scale (1/8" = one foot); and shall depict, at a minimum, the location of the following:

- (a) The gaming area, and any simulcasting facility or Sports Wagering Area including, at a minimum, the proposed total square footage thereof and a clear delineation of the respective perimeter of each;
- (b) Each gaming pit, its pit location number, and any alternate configurations;
- (c) Each table game, noting its table number;
- (d) Each CCTV camera, noting its type and camera number;
- (e) Each slot booth, noting its booth number;
- (f) Each cashier's cage and its component offices and areas;
- (g) Each window at the cashiers' cage, noting its window number;
- (h) Each count room;
- (i) Each slot zone, its slot zone location letter or number and the total number of authorized slot machine locations within that slot zone, and at the gaming licensee's option, a maximum of four alternate configurations or locations for that slot zone and the alternate slot zone location number for each (for example, Slot Zone 2A);
- (j) Each authorized slot machine or other electronic gaming device location, which location shall contain no more than one slot machine at a time, noting its slot machine location number and any slot zone location letter or number;
- (k) Each automated coupon redemption ~~machine or~~ kiosk, noting its location number;
- (l) Each automated jackpot payout machine, noting its location number;
- (m) Each gaming voucher redemption ~~machine or~~ kiosk, noting its location number;
- (n) Each satellite cage and its component offices and areas;
- (o) Each area approved for the storage of gaming chips or plaques;
- (p) Each room or area approved for the storage of dice or playing cards;
- (q) Each other room or area that is accessible directly from the gaming area;
- (r) For those establishments with a simulcasting facility:

205 CMR: MASSACHUSETTS GAMING COMMISSION

1. Each simulcast counter and any ancillary simulcast counter, along with their component offices, areas and equipment;
2. Each credit voucher machine, noting its location number;
3. Each self-service pari-mutuel kiosk, noting its location number; and
4. Each other area or room designated by the commission.

(s) For those gaming establishments with a Sports Wagering Area:

1. Each Sports Wagering counter and any ancillary Sports Wagering counter, along with their component offices, areas and equipment;
2. Each credit voucher machine, noting its location number;
3. Each Sports Wagering Kiosk, noting its location number; and
4. Each other area or room designated by the commission.

(2) Temporary Amendments to Floor Plan.

(a) In order to temporarily amend the floor plan approved in accordance with 205 CMR138.07(1) and reconfigure one or more approved table game pit areas or slot machine zones (areas) in the gaming area, a gaming licensee must first seek the Bureau's approval by filing a written request with the Bureau at least 24 hours prior to implementing such reconfiguration. The request shall be accompanied by a certification from the licensee's surveillance department that adequate surveillance coverage will be in place for the temporary reconfiguration. If the gaming licensee does not receive a response from the Bureau within 24 hours of submitting the request, the gaming licensee may proceed with the reconfiguration. (Movement of a slot machine must also be done in accordance with 205 CMR 144.00: *Approval of Slot Machines and Other Electronic Gaming Devices and Testing Laboratories*). The Bureau may deny any request that will result in a violation of any law, regulation, or approved internal control, or may jeopardize the safety and/or security of a patron or the integrity of the gaming operation.

(b) A reconfigured gaming area, table game pit, or slot machine zone (area) shall not:

1. Exceed the dimensions approved in the existing approved floor plan for the area unless the request for temporary amendment includes any required approval of the municipal building official. Such approval may be required in instances including, but not limited to, the egress from the gaming floor or area is altered, structural modification is proposed, or the use or occupancy classification for the area is modified;
2. Result in improper surveillance coverage under the approved surveillance plan.

(c) Each table game pit shall have an alarm system, approved by the Bureau, which enables an employee of the gaming establishment to transmit a signal that is audibly and visually reproduced in each of the following locations whenever there is an emergency in the pit:

1. The surveillance monitoring rooms;
2. The casino security department; and
3. The on-site Bureau office.

(d) A temporary reconfiguration may only remain in place for 30 days from approval. Upon request, the Bureau may approve one 30-day extension of the temporary approval. In order for an amendment to the configuration to remain in place for a longer period of time, the amendment process described in 205 CMR 138.07(3) shall be followed.

205 CMR: MASSACHUSETTS GAMING COMMISSION

(e) All reconfigurations made pursuant to a temporary amendment to an approved floor plan shall be subject to inspection by the Bureau to ensure compliance with all applicable laws and regulations and the gaming licensee's approved system of internal controls.

(f) The Bureau may approve a request for a temporary amendment to an approved floor plan on less than 24 hours notice in its discretion provided that all pertinent information is provided to its satisfaction.

(3) Amendments to Approved Floor Plan.

(a) A floor plan approved in accordance with 205 CMR138.07(1) may be amended upon request by a gaming licensee and approval by the Bureau. Such request shall be filed with the Bureau in writing at least 72 hours prior to the time for which implementation of the amendment(s) is sought. Such request shall include, at a minimum, the following information as applicable:

1. A depiction of any new configuration to the gaming area, a table game pit, or a slot machine zone (area) in comparison with the existing configuration;
2. A depiction of any new outer perimeter of the gaming area, table game pit area, or slot machine zone (area) in comparison with the existing perimeter;
3. A statement of the resulting square footage of the area to be amended in comparison with the existing square footage for the area;
4. A narrative from a design professional certifying the changes to the floor plan, and/or any necessary approval from the municipal building official; and
5. Identification of any necessary amendments to the gaming licensee's surveillance plan to ensure adequate coverage of the configuration.

(b) Within 72 hours of receipt of a request to amend a floor plan filed by a gaming licensee, the Bureau, shall review the proposed change set forth in the application to ensure that it will not result in a violation of any law, regulation, or approved internal control, or may jeopardize the safety and/or security of a patron or the integrity of the gaming operation. After review, the Bureau may preliminarily approve the request, deny the request, request further information from the gaming licensee, or request that the licensee's request be modified. The gaming licensee shall not implement any changes until receiving preliminary approval from the Bureau.

(c) The gaming licensee shall notify the Bureau in writing upon implementing a preliminarily approved amendment to the floor plan. The Bureau shall inspect the physical changes to ensure that they conform to the approved amendment. Following such inspection the Bureau may issue a final approval for the amendment, request that changes be made to conform to the preliminary approval, or request that changes be made to ensure compliance with applicable laws, regulations, or approved internal controls, or to ensure the safety and/or security of a patron or the integrity of the gaming operation.

(4) An approved copy of the floor plans, and amendments thereto, shall be filed with the Bureau in the gaming establishment. ~~every three months, or upon the request of the Bureau.~~ A copy shall be kept on file with the gaming licensee's security office, and with the gaming licensee's monitoring rooms.

(5) Prior to commencing gaming operations with the amended configuration, an updated Table Games Master List shall be filed to ensure compliance with 205 CMR 138.66(3)(a).

138.08: Accounting Records

(1) A gaming licensee shall maintain complete, accurate, and legible records of all transactions pertaining to the revenues and costs for the gaming establishment, including those required in accordance with 205 CMR.

(2) General accounting records shall be maintained on a double entry system of accounting with transactions recorded on the accrual basis. Detailed, supporting, subsidiary records

138.09: Retention, Storage and Destruction Records

(1) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a records retention schedule, and provisions related to the storage and destruction of records that at a minimum incorporates the following provisions:

(a) The following records shall be retained indefinitely, unless permission for destruction is requested by the gaming licensee and approved by the commission:

1. Corporate records required by 205 CMR 138.02;
2. Records of corporate and due diligence investigations and associated procedures;
3. Current employee personnel files; and
4. A record of any record destroyed, identifying the particular record, the period of retention and the date of destruction.

(b) All financial, accounting, contract, payroll, personnel, employee and budget documents shall be retained for the periods prescribed in sections D and E of the *Massachusetts Statewide Records Retention Schedule*, 02-11. (References in the *Schedule* to the state comptroller, state accounting system and other similar terms shall be read to refer to the Licensee and its accounting systems).

(c) All tax return filings and related records referenced in section L3 Tax Filing #1 of the *Massachusetts Statewide Records Retention Schedule*, 02-11 shall be retained for six years.

(d) All tax revenue accounting records referenced in section L5 Tax Collection #12 of the *Massachusetts Statewide Records Retention Schedule*, 02-11 shall be retained in accordance with the periods prescribed in the *Schedule*.

(e) In addition to those records referenced in 205 CMR 138.09(1)(a) through (d), the Licensee's records retention schedule shall include provisions by category relative to:

1. All gaming related records;
2. Security related records;
3. Surveillance related records (subject to 205 CMR 141.05(7));
4. Records relative to junkets; and
5. Records relative to vendors

(2) (a) A gaming licensee may petition the commission at any time for approval of a facility off the site of the gaming establishment to be used to generate or store records required to be retained in accordance with 205 CMR 138.09(1). Such petition shall include:

1. A detailed description of the proposed off-site facility, including security and fire safety systems; and
2. The procedures pursuant to which commission agents will be able to gain access to the records retained at the off-site facility.

(b) A gaming license may store any records electronically or via other suitable medium.

(3) A gaming licensee shall, except as otherwise provided, notify the commission and the Gaming Enforcement Division of the Massachusetts Attorney General's Office in writing at least 60 days prior to the scheduled destruction of any record required to be retained in accordance with 205 CMR 138.09(1). Such notice shall list each type of record scheduled for destruction, including a description sufficient to identify the records included; the retention period; and the date of destruction.

205 CMR: MASSACHUSETTS GAMING COMMISSION

(4) The commission or the Gaming Enforcement Division of the Massachusetts Attorney General's Office may prohibit the destruction of any record required to be retained in accordance with 205 CMR 138.09(1) by so notifying the gaming licensee in writing within 45 days of receipt of the notice of destruction pursuant to 205 CMR 138.09(3) or within the specified retention period. Such original record may thereafter be destroyed only upon notice from the commission, the IEB, the Massachusetts Attorney General's Office, or by order of the commission upon the petition of the gaming licensee or by the commission on its own initiative.

(5) The gaming licensee may utilize the services of a disposal company for the destruction of any records required to be retained in accordance with 205 CMR 138.09(1) except those related to credit. Any cash complimentary coupons to be destroyed by a disposal company shall be cancelled with a void stamp, hole punch or similar device, or must contain a clearly marked expiration date which has expired.

(6) Nothing in 205 CMR 138.00 shall be construed as relieving a gaming licensee from meeting any obligation to prepare or maintain any book, record or document required by any other federal, state or local governmental body, authority or agency or as otherwise required in its capacity as a Sports Wagering Operator pursuant to M.G.L. c. 23N and 205 CMR.

138.10: Jobs Compendium Submission

(1) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a jobs compendium detailing job descriptions, chains of command, and lines of authority for all personnel engaged in the operation of the gaming establishment. The licensee shall maintain and update the jobs compendium on a regular basis.

(2) A jobs compendium shall include the following sections, in the order listed:

(a) An alphabetical table of contents listing the position title and job code for each job description included in 205 CMR 138.10(1) and the page number on which the corresponding job description may be found;

(b) A table of organization for each department and division, including all positions, and illustrating by position title, direct and indirect lines of authority within the department or division. Each page of a table of organization shall specify the following:

1. The date of its submission;
2. The date of the previously submitted table of organization which it supersedes; and
3. A unique title or other identifying designation for that table of organization.

(c) A description of each employee position which accurately corresponds to the position title as listed in the table of organization and in the alphabetical table of contents. Each position description shall be contained on a separate page, organized by departments or divisions, and shall include, at a minimum, the following:

1. Position title and corresponding department;
2. Job duties and responsibilities;
3. Detailed descriptions of experiential or educational requirements;
4. Proposed registration or license rank consistent with 205 CMR 134.01 through 134.03;
5. The date of submission of each employee position job description and the date of any prior job description it supersedes; and
6. The date of submission and page number of each table of organization on which the employee position title is included.

(3) A proposed amendment to a previously approved jobs compendium for any job position

205 CMR: MASSACHUSETTS GAMING COMMISSION

requiring licensure or registration, including any amendment to a table of organization, may be implemented by the gaming licensee without the prior approval of the commission in accordance with 205 CMR 138.02(3), provided that:

- (a) The amendment is immediately recorded in the jobs compendium maintained by the licensee on its premises; and
 - (b) The amendment is submitted to the commission by the end of the business day on the date of implementation including, at a minimum, the following:
 - 1. A detailed cover letter listing by department each position title to which modifications have been made, a brief summary of each change, instructions regarding any changes in page numbers and the date of implementation; and
 - 2. The proposed changes to the information required by 205 CMR 138.10(2), including the corresponding job descriptions and tables of organization, contained on pages which may be used to substitute for those sections of the jobs compendium previously approved by the commission.
- (4) If a gaming licensee wishes to amend a job description for any position which has been exempted from the registration requirements pursuant to 205 CMR 134.03(b), it shall be required to obtain the approval of the commission in advance of implementing such change. The request for approval shall contain, at a minimum, the following:
- (a) A detailed cover letter listing by department the position title to which modifications are to be made, a brief summary of each change, instructions regarding any changes in page numbers and the date of implementation; and
 - (b) The proposed changes to the information required by 205 CMR 138.10(2), including the corresponding job description and tables of organization, contained on pages which may be used to substitute for those sections of the jobs compendium previously approved by the commission.
- (5) Notwithstanding any other requirement of 205 CMR, each gaming licensee shall submit a complete and up-to-date jobs compendium in accordance with 205 CMR 138.02 to the commission 18 months after approval of its system of internal controls in accordance with 205 CMR 138.02 and every two years thereafter, unless otherwise directed by the commission.
- (6) Each gaming licensee shall maintain on its premises a complete, updated copy, which may be maintained electronically, of its jobs compendium.
- (7) No provision of 205 CMR 138.00 shall be construed so as to limit a gaming licensee's discretion in utilizing a particular job title for any position in its jobs compendium.

138.11: Personnel Assigned to the Operation and Conduct of Gaming

Each gaming licensee shall be required to employ the following personnel in the operation of its gaming establishment regardless of the position titles assigned to such personnel by the gaming licensee in its approved jobs compendium:

- (1) Each gaming licensee shall at all times maintain a level of staffing that ensures the proper operation and effective supervision of all authorized games and simulcast wagering in the gaming establishment.
- (2) Each gaming licensee shall be required to employ a gaming manager. The gaming manager shall be the executive assigned the responsibility and authority for the supervision and management of the overall operation of a gaming licensee's casino games department including, without limitation, the hiring and terminating of all gaming establishment employees.
 - (a) In the absence of the gaming manager and the assistant gaming manager, should the gaming establishment have an assistant gaming manager, a table games shift manager or slot shift manager, as applicable, who is employed within the casino games department shall be designated by the gaming licensee as the person responsible for the overall operation of the casino games department and such person shall have the authority of a

205 CMR: MASSACHUSETTS GAMING COMMISSION

gaming manager.

(b) The slot department shall be supervised and managed by a slot department manager/shift manager at all times in accordance with 205 CMR 138.11(4)(h)5.

- (3) The following personnel shall be used to operate the table games in a gaming establishment:
- (a) Gaming clerk shall be the employee located at a desk in the pit to prepare documentation required for the operation of table games including, without limitation, Requests for Fills, Requests for Credits, Counter Checks and documents that evidence the exchange of gaming chips or plaques.
 - (b) Dealers shall be the employees assigned to each table game to directly operate and conduct the game.
 - (c) Stickperson shall be the dealer assigned to each craps table to control the dice and may be responsible for the proposition wagers made at the craps table. A stickperson may also be assigned to a mini-craps table, in addition to the required dealer, to control the dice and may be responsible for the proposition wagers made at the mini-craps table.
 - (d) Boxperson shall be the first level supervisor assigned the responsibility of directly participating in and supervising the operation and conduct of the craps game.
 - (e) Floorperson shall be the second level supervisor assigned the responsibility for directly supervising the operation and conduct of a craps game, and the first level supervisor assigned the responsibility for directly supervising the operation and conduct of all other table games.
 - (f) Pit boss shall be the third level supervisor assigned the responsibility for the overall supervision of the operation and conduct of a craps game and the second level supervisor assigned the responsibility for the overall supervision of the operation and conduct of all other table games other than poker.
 - (g) Poker shift supervisor shall be the supervisor assigned with the responsibility for directly supervising all activities related to the operation and conduct of poker. A poker shift supervisor may also supervise table games other than poker in *lieu* of a pit boss.
 - (h) Table games shift manager shall be the supervisor assigned to each shift with the responsibility for the supervision of table games conducted in the gaming establishment provided, however, that:
 - 1. If a gaming licensee chooses to establish an independent slot department a gaming manager may personally perform the required duties of a table games shift manager when the gaming manager is present in the gaming establishment; and
 - 2. A gaming licensee may, as part of its revised supervision plan as set forth in 205 CMR 138.11(6), permit its table games shift manager to provide a break, for a reasonable period of time, for a pit boss on duty during the hours of 12:00 A.M. to 12:00 P.M.
- (4) Each gaming licensee shall maintain the following minimum levels of staffing:
- (a) One gaming clerk shall be assigned to the entire gaming establishment;
 - (b) One dealer shall be assigned to each table for any table game other than craps and baccarat;
 - (c) Three dealers shall be assigned to each craps and baccarat table;
 - (d) One boxperson shall be assigned to each craps table;
 - (e) One floorperson shall supervise not more than:
 - 1. Six tables comprised of any combination of table games excluding baccarat,

205 CMR: MASSACHUSETTS GAMING COMMISSION

- minibaccarat (when using the dealing procedure in 205 CMR), craps, mini-craps, and pai gow tiles; or
2. One baccarat table; or
 3. As to the game of minibaccarat, when using the dealing procedure in 205 CMR:
 - a. Two minibaccarat tables using the dealing procedure in 205 CMR; or
 - b. One minibaccarat table using the dealing procedure in 205 CMR and one table of any other table game excluding baccarat, mini-craps and pai gow tiles (unless the pai gow tiles table has continuous, dedicated surveillance camera coverage); or
 4. As to the game of craps:
 - a. Two craps tables; or
 - b. One craps table and one table of any other table game excluding baccarat, mini-craps and pai gow tiles; or
 - c. One mini-craps table.
 5. As to the game of pai gow tiles:
 - a. One pai gow tiles table; or
 - b. Two pai gow tiles tables if the tables are in a side-by-side configuration and continuous, dedicated surveillance camera coverage is maintained for the pai gow tiles tables; or
 - c. One pai gow tiles table with continuous, dedicated surveillance camera coverage and one table of any other table game excluding baccarat, craps and mini-craps.
 6. As to the game of poker:
 - a. Six poker tables if the poker shift supervisor is supervising both poker tables and table games other than poker; or
 - b. Ten poker tables if the poker shift supervisor is supervising only poker tables; or
 - c. 12 poker tables if the poker shift supervisor is supervising only poker tables and no floorperson assigned to poker by a gaming licensee has any responsibilities for seating players.
- (f) One pit boss shall supervise not more than 24 gaming tables, provided that all of the tables are within view of each other; and
- (g) One poker shift supervisor shall supervise all open poker tables; provided, however, that the poker shift supervisor may supervise a total of not more than 16 poker tables and table games other than poker (in *lieu* of a pit boss) if fewer than 16 poker tables are open.
1. Notwithstanding the provisions of 205 CMR 138.11(4)(g):
 - a. If a gaming licensee has six or fewer poker tables open for gaming activity, no poker floorperson shall be required and the poker tables may be supervised by the poker shift supervisor, provided that the poker shift supervisor is not supervising any other table games; and
 - b. If a gaming licensee has at least one but fewer than four poker tables open for gaming activity, the poker shift supervisor may supervise any combination of not more than four poker tables and table games other than poker (in *lieu* of a pit

205 CMR: MASSACHUSETTS GAMING COMMISSION

boss) and no floorperson shall be required to supervise the poker tables provided that the floorperson supervision requirements for games other than poker are satisfied.

2. Notwithstanding the provisions of 205 CMR 138.11(4)(g), a gaming licensee may implement a plan for revised supervision by floorpersons, poker shift supervisors, pit bosses or slot shift managers. A plan for revised supervision of table games shall not include any gaming tables at which the cards shall be used for more than 24 hours pursuant to 205 CMR. In any plan for revised supervision:
 - a. One floorperson may supervise not more than eight tables comprised of any combination of table games excluding baccarat, minibaccarat (when using the dealing procedure in 205 CMR, craps, mini-craps, pai gow tiles and blackjack when offering the streak wager permitted under 205 CMR;
 - b. One pit boss may supervise not more than 36 gaming tables, provided that all of the tables are within view of each other;
 - c. One poker shift supervisor may supervise a total of not more than 30 poker tables and gaming tables other than poker (in *lieu* of a pit boss), provided that:
 - i. The poker shift supervisor is supervising all poker tables which are open to the public; and
 - ii. One floorperson may supervise not more than eight poker tables;
 - d. One floorperson may supervise two craps tables and one additional table of any other table game excluding baccarat, minibaccarat (when using the dealing procedure in 205 CMR, mini-craps, and pai gow tiles);
 - e. One floorperson may supervise one craps table and two additional tables comprised of any combination of table games excluding baccarat, minibaccarat, mini-craps, and pai gow tiles;
 - f. One floorperson assigned to poker may supervise not more than 12 poker tables if the poker shift supervisor is supervising only poker tables; and
 - g. One floorperson assigned to poker may supervise not more than 14 poker tables if the poker shift supervisor is supervising only poker tables and no floorperson assigned to poker has any responsibilities for seating players.
- (h) The following personnel shall be used to maintain and operate the slot machines, electronic gaming equipment, and bill changers in a gaming establishment:
 1. Slot mechanics shall be the persons assigned the responsibility for repairing and maintaining slot machines, electronic gaming equipment, and bill changers in proper operating condition and participating in the filling of payout reserve containers.
 2. Slot attendants shall be the persons assigned the responsibility for the operation of slot machines and bill changers, including, but not limited to, participating in manual jackpot payouts and filling payout reserve containers.
 3. Slot supervisors shall be the first level supervisors assigned the responsibility for directly supervising the operation of slot machines and bill changers.
 4. Slot shift manager shall be the second level supervisor with the responsibility for the overall supervision of the slot machine and bill changer operation for each shift.
 5. The slot department manager shall be the executive assigned the responsibility and authority for the supervision and management of the overall operation of the gaming licensee's slot machines, electronic gaming equipment, and bill changers. In the absence of the slot department manager, the slot shift manager shall have the authority of the slot department manager.

205 CMR: MASSACHUSETTS GAMING COMMISSION

(i) If a gaming licensee will offer automated table games for which part, but not all, of the game play requires manual involvement by an employee, the gaming licensee's staffing plan shall incorporate staffing of these games such that proper operation and effective supervision will be provided.

(5) Nothing in 205 CMR 138.11 shall be construed to limit a gaming licensee from utilizing personnel in addition to those described in 205 CMR 138.11 nor shall anything in 205 CMR 138.11 be construed to limit the discretion of the commission to order the utilization of additional personnel by the gaming licensee as necessary.

(6) The gaming manager or table games shift manager shall notify the IEB no later than 24 hours in advance of implementing or changing any plan for revised supervision for table games, and the slot shift manager, provided, however, that notice may be provided less than 24 hours in advance in circumstances which are emergent or may otherwise not reasonably be anticipated.

(a) Any notice of a plan for revised supervision of table games shall include, without limitation, the following information:

1. The pit number and configuration of any pit affected;
2. The type, location and table number of any table affected;
3. The standard staffing level required for the gaming table or tables and the proposed variance therefrom;
4. The start date and time, and the duration, of the revised supervision; and
5. The basis for the request to revise the number of supervisory personnel, which shall include any relevant factors which demonstrate that proper operation and effective supervision of the affected gaming tables will be maintained, such as, as applicable, a showing:
 - a. That the revised supervision is justified by a reduced volume of play at the specified times and gaming tables in the gaming establishment;
 - b. That the particular dealers or supervisors assigned to the affected tables possess a degree of skill and experience indicative of sufficient ability to operate the affected tables with revised supervision, in which case a record of the personnel assigned to such tables during the period of revised supervision shall be maintained;
 - c. That a reduced number of gaming tables will be operating in the affected pits, which are in a configuration to ensure proper supervision and operation; or
 - d. Any other facts or circumstances which establish that a revision in the number of supervisory personnel is appropriate.

(b) The commission may, at any time upon 12 hours notice, direct that the plan for revised supervision be terminated and that the licensee maintain standard staffing levels as defined in 205 CMR 138.11.

138.12: Alcoholic Beverage Control

A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include policies and procedures designed to ensure compliance with 205 CMR 136.00: *Sale and Distribution of Alcoholic Beverages at Gaming Establishments* including, at a minimum, procedures designed to ensure proper training of employees involved in the service of alcoholic beverages, procedures designed to prevent serving alcoholic beverages to underage or visibly intoxicated individuals, procedures to ensure that visibly intoxicated or impaired patrons are not permitted to play slot machines or table games (as further detailed in 205 CMR 138.14), and procedures to ensure that alcohol is properly secured and stored. If the gaming licensee intends to serve alcoholic beverages between the hours of 2:00 A.M. and 4:00 A.M., it shall include policies and procedures in its alcoholic beverage control

205 CMR: MASSACHUSETTS GAMING COMMISSION

submission designed to ensure that such service is only provided to patrons who are in the gaming area and actively engaged in gambling as defined by M.G.L. c. 23K, § 2.

138.13: Complimentary Services or Items and Promotional Gaming Credits

(1) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a detailed complimentary distribution program consistent with M.G.L. c. 23K, § 28 and a description of its proposed use and distribution of promotional gaming credits. The program shall include provisions detailing the protocols and procedures for the distribution of complimentary alcoholic beverages to patrons in the gaming area. Further, if in accordance with 205 CMR 136.07(4), alcoholic beverages will be provided free of charge to patrons in a licensed area outside of the gaming area, and paid for by a third party other than the gaming beverage licensee or jointly responsible person or will be paid for using a form of monetary-like consideration other than money, the gaming licensee shall detail the manner in which such payments will be made and/or accepted and records of the transaction maintained.

(2) The gaming licensee's complimentary distribution program shall be such that reasonable assurance is provided that any complimentary services or items, as defined by M.G.L. c. 23K,

§ 2, whether provided directly to the patron and the patron's guests by the gaming licensee or indirectly to the patron and the patron's guests on behalf of a third party, are:

(a) Issued by employees authorized for such purposes in accordance with the program;

(b) In accordance with M.G.L. c. 23K, § 28(c), valued in an amount based upon the retail price normally charged by the gaming licensee for the service or item. The value of a complimentary service or item not normally offered for sale by a gaming licensee or provided by a third party on behalf of a gaming licensee shall be the cost to the gaming licensee of providing the service or item, as determined under rules adopted by the commission;

(c) Recorded, compiled and maintained in such a way so as to allow a system of reporting in accordance with M.G.L. c. 23K, § 28(b) that can report complimentaries by date, issuer, recipient, type, and value.

(3) A gaming licensee may include in its policy and procedure provisions for the discretionary discounting of the amount of an outstanding Counter Check to be redeemed by a patron for any marketing related reason.

(4) The gaming licensee's complimentary distribution program shall include provisions ensuring that each patron who has been issued a rewards card by the gaming licensee (or its parent or other associated entity) in Massachusetts is issued a monthly statement, mailed to the patron at the patron's physical mailing address, which shall include the patron's total bets, wins and losses in Massachusetts in accordance with M.G.L. c. 23K, § 29. For purposes of 205 CMR 138.13(4), the following shall apply:

(a) An email address provided by the patron at the time a rewards card is applied for may be considered a physical mailing address. If a gaming licensee will provide the required notices *via* email, its program submission shall describe the manner in which the email contact list will be compiled and maintained.

(b) Notice of the issuance of a monthly statement shall be provided to the applicant at the time of application for a rewards card. The applicant shall be given the opportunity to decline issuance of a monthly statement at that time. Notice shall also be provided to the applicant that they may later opt-out of being issued a monthly statement by providing a written or online request to the gaming licensee or affiliate. The complimentary distribution program submission shall describe these notice and opt-out provisions.

(c) The program submission shall describe the information to be contained on the monthly statement including the terms and categories to be represented and a brief description as to how monetary figures are to be calculated.

(d) If monthly total bets, wins and losses associated with a rewards card will be

205 CMR: MASSACHUSETTS GAMING COMMISSION

available to a patron *via* password protected log-in on the gaming licensee's website, or *via* similar means, the gaming licensee may provide the patron a monthly notice (*via* email or otherwise) advising where the information is available and how to access it, in *lieu* of incorporating the actual information into a monthly statement. If a gaming licensee elects this method the process shall be fully described in its complimentary distribution program submission.

(e) Upon written request by a patron, information relative to total bets, wins and losses associated with the patron's rewards card shall be made available to the patron in writing at a gaming establishment upon reasonable notice.

(f) If there is no gaming activity tied to a patron's rewards card for a period of at least two years the gaming licensee may cease providing notices to the patron in accordance with 205 CMR 138.13(4).

138.14: Internal Control Procedures for Security Department

A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include provisions describing the duties and operation of its security department. Such provisions shall include details relative to the design, construction, and location of primary and secondary armored car routes to and from the armored car bay, including provisions for the security of such routes.

138.15: Internal Control Procedures for Access Badge System and Issuance of Temporary License Credentials, and Restricted Areas

(1) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include provisions related to credentials. All key gaming employees, gaming employees, ~~and~~ gaming service employees, and Sports Wagering Occupational Licensees while engaged in the performance of their duties on the premises of the gaming establishment, shall visibly display a credential issued by the gaming licensee on his or her person at all times. The system of internal controls related to credentials shall at a minimum incorporate the following credentialing system.

(2) Access Badge System: (Reserved).

(3) The credential format shall be in a shape and legibility that will enhance surveillance capability and visual acuity. The final design shall be subject to approval by the IEB. The credential shall include, at a minimum:

(a) A unique number or code identifying the employee (*e.g.*, gaming service employee registration number);

(b) Employee's name; and

(c) Access code letter in accordance with 205 CMR 138.15(1).

(4) Notwithstanding 205 CMR 138.15(1), the Director of the IEB or his or her designee, may, upon written request by a gaming licensee, and upon a showing of good cause, exempt certain positions, titles, or persons from the requirements of 205 CMR 138.15(1).

(5) Commission employees, agents or contractors or employees of agencies authorized to conduct regulatory or regulatory related activities pursuant to M.G.L. c. 23K at a gaming establishment shall carry their agency credentials on their person at all times while engaged in the performance of their duties. Credentials may not be utilized for unofficial, social, or non-employment related access, purpose, or presence within any gaming establishment.

(6) A temporary credential shall only be issued by the security department if the following criteria are verified:

(a) The employee to whom the credential is to be issued is listed in the gaming licensee's current employee status report;

(b) The employee is properly licensed or registered in accordance with 205 CMR

205 CMR: MASSACHUSETTS GAMING COMMISSION

134.00, ~~234.00 or 235.00: *Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations*~~, as applicable;

- (c) The employee is authorized by his or her supervisor to possess the specific credential to be working in the designated or restricted area authorized by such credential; and
 - (d) The employee has not been issued more than 12 temporary credentials within the preceding 12 month period from the issuance of the first temporary credential.
- (7) The temporary credentials may be issued to an employee only for a 24 hour period and shall contain the following information:
- (a) A prominent space to allow the insertion of the name of the specific employee to whom it is issued;
 - (b) The date and time of issuance by the security department;
 - (c) Name and credential number of issuing security officer;
 - (d) The conspicuous notation that the credential is "VOID AFTER 24 HOURS"; and
 - (e) A sequential number reflecting the number of temporary credentials issued at that gaming establishment that is to be recorded in both an on-site IEB and security department bound log book or database.
- (8) The IEB shall approve the design of the temporary credentials. The gaming licensee's security department shall secure the temporary credentials until needed for issuance in compliance with 205 CMR 138.15(7). The security department shall provide a monthly report to the IEB identifying the number, names, departments and frequency of temporary credentials issued as well as any missing, stolen, destroyed, or replaced credentials. The IEB may require additional information regarding any credential issuance or utilization and the gaming licensee shall provide all such information in a timely fashion.

138.16: Access to Public and Restricted Areas

- (1) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include provisions relative to access to restricted areas. No gaming licensee shall permit any individual to have access to any restricted area in its gaming establishment unless such access is permitted in accordance with the gaming licensee's internal controls. Restricted areas shall, at a minimum, include the following areas:
- (a) Count Rooms. All employees designated with the "C" access code, as provided by 205 CMR 138.15(1), whose duties require access may enter this restricted area. Employees designated with the "A" and "M" access codes, as provided by 205 CMR 138.15(1), may have access with limitations described under their access letter. Any employee may enter this area with a valid reason, permission of the restricted area supervisor, and permission of an IEB agent on duty.
 - (b) Cashiers Cage, Satellite Cashiers Cage, Master Coin Bank, Slot Booths, and Runways. All employees designated with the "A" and "C" access codes, as provided by 205 CMR 138.15(1), may enter these restricted areas. Employees must be listed on the cage access list to gain access to the cage. Employees designated with the "M" access code, as provided by 205 CMR 138.15(1), may have access with the limitations described under their access letter. Any licensed employee may enter this area with a valid reason and permission of the restricted area supervisor. The cage secretary and/or a cage area cleaner may enter the cashier's cage without a security escort to complete their job function; however these individuals must have the permission of the cage area supervisor and are the sole responsibility of that supervisor. All employees designated with the "CS" access code, as provided by 205 CMR 138.15(1), may enter the slot booths, and runways. They may enter the cashier's cage only when access is needed to gain entrance to a slot coin booth. At no time shall a "CS" access code, as provided by 205 CMR 138.15(1), have access to the master coin bank.
 - (c) Slot Repair Room. All employees designated with the "A", "CS", and "S" access

205 CMR: MASSACHUSETTS GAMING COMMISSION

code, as provided by 205 CMR 138.15(1), may enter this restricted area. Employees designated with the "M" access code, as provided by 205 CMR 138.15(1), may have access with limitations described under their access letter. Any employee may enter this area with a valid reason and permission of the restricted area supervisor.

(d) Simulcast Counters and Sports Wagering Counters. All employees designated with the "A" and "C" access code, as provided by 205 CMR 138.15(1), may enter this restricted area. Employees designated with the "M" access code, as provided by 205 CMR 138.15(1), may have access with the limitations described under their access letter. Any employee may enter this area with a valid reason and permission of the restricted area supervisor.

(e) Computer Room. All employees designated with the "A" and "M" access code, as provided by 205 CMR 138.15(1), may enter this restricted area. Any licensed employee may enter this area with a valid reason and permission of the restricted area supervisor. A MIS secretary and/or computer room area cleaner may enter the computer room without a security escort to complete their job function, however these individuals must have the permission of the computer room supervisor and shall be the sole responsibility of that supervisor. Any employee may enter this area with a valid reason, permission of the restricted area supervisor, and permission of an IEB agent on duty.

(f) Card and Dice Storage Room. All employees designated with the "A" access code, as provided by 205 CMR 138.15(1), and those games/poker department employees who hold the position of casino/poker shift manager or above may enter this restricted area. Any employee may enter this area with a valid reason and permission of the restricted area supervisor.

(g) Card and Dice Destruction Room. All employees designated with "A" access code, as provided by 205 CMR 138.15(1), may enter this restricted area.

(h) Pit Areas. All employees designated with the "A" and "P" access code, as provided by 205 CMR 138.15(1), may enter this restricted area. Employees designated with the "M", and "C" access codes, as provided by 205 CMR 138.15(1), may have access with limitations described under their access letter. Any employee may enter this area with a "valid" reason and permission of the restricted area supervisor.

(i) Surveillance Room and Catwalks. All employees designated with the "A" access code, as provided by 205 CMR 138.15(1), who are surveillance room employees may enter this restricted area. All other employees designated with the "A" access code may have access with the limitations described under their access letter. Employees designated with the "M" access code, as provided by 205 CMR 138.15(1), may have access with the limitations described under their access letter. Anyone who enters this restricted area, who is not a surveillance room employee or a member of the IEB, must sign the surveillance room entry log prior to entering the restricted area. The surveillance room secretary and/or surveillance room area cleaner may enter the surveillance room without a security escort to complete their job function, however these individuals must have the permission of the surveillance room area supervisor and are the sole responsibility of that supervisor. Any employee may enter this area with a valid reason, permission of the restricted area supervisor, and permission of an IEB agent on duty.

(j) Access to Restricted Area for Employees Who Do Not Hold a Gaming Employee License or Occupational License. All employees who would not otherwise be afforded access to a restricted area in accordance with 205 CMR 138.15(1) may be granted access to restricted areas with a valid reason, a security escort, and permission of the restricted area's department manager with limitations on the count rooms, surveillance room. Access may be granted to the count rooms while the counts are not in progress and with permission of the IEB Agent on duty or the Gaming Enforcement Division of the Massachusetts Attorney General's Office. Access to the surveillance room/catwalks may be granted only with a valid work related reason and permission of the Director of Surveillance.

(2) A gaming licensee may deny or limit access to any public areas of the gaming establishment for any reason necessary to ensure public safety and/or the integrity of the gaming operations, including, but not limited to, the following reasons:

205 CMR: MASSACHUSETTS GAMING COMMISSION

(a) Persons excluded in accordance with 205 CMR 133.00: *Voluntary Self Exclusion* or M.G.L. c. 23K, § 45;

(b) Persons excluded in accordance with 205 CMR 233.00: *Sports Wagering Voluntary Self-Exclusion* or M.G.L. c. 23N, § 13;

(c) ~~(b)~~ Underage persons in a prohibited area;

(d) ~~(e)~~ Players required by a gaming licensee to leave the game of poker in accordance with 205 CMR.

(3) Nothing in 205 CMR 138.16 or a gaming licensee's system of internal controls shall limit the authority of commission employees or agents or the Gaming Enforcement Division of the Massachusetts Attorney General's Office from obtaining access to restricted areas in the performance of their respective duties and responsibilities.

138.17: Searches of Employees and the Workplace by the Gaming Licensee

(1) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include internal policies and procedures for the gaming licensee's security department to conduct searches of employees, including screening for drugs and alcohol, and employee workplaces, workspaces, and personal receptacles, specifically describing the policies and procedures with respect to searches conducted at random and based upon reasonable suspicion. Examples of "workspaces" include, but are not limited to, desks, closets, lockers, and drawers located within the gaming establishment.

(2) If the policies and procedures referenced in 205 CMR 138.17(1) are approved by the commission, such policies and procedures shall be set forth in writing, prior to implementation, as a portion of the gaming licensee's employee personnel policy manual. The content of this manual shall include a requirement that the employee consents to searches conducted in the described workplace areas and subject to the described circumstances as a condition of employment with the gaming licensee. This manual shall be distributed to all employees. Each employee shall acknowledge in writing, by way of the employee's signature, receipt of the manual and an understanding of its contents, and specifically an understanding that the employee consents to the policy and understands it. The gaming licensee shall maintain the written acknowledgements in a central repository.

138.18: Vendor Access Badges

(1) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include provisions related to vendor access badges. Access badges may be issued to personnel of a gaming vendor and non-gaming vendor licensed or registered in accordance with 205 CMR 134.00: ~~*Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations*~~ or a *Sports Wagering Vendor licensed or registered in accordance with 205 CMR 234.00* who in the course of providing their goods or services require access to a restricted area of the gaming establishment. Access badges shall be issued by the security department of the gaming licensee upon a verification of the identification of the specific employee with at least two forms of identification, at least one of which must be a government issued photo identification, and the employee's work schedule. Each access badge shall be effective only for the term of the service to be provided, issued on a daily basis after confirmation of identity, and shall be surrendered to the security department at the end of each day.

(2) The access badge shall contain the following information:

(a) A prominent space to allow the insertion of the name of the specific person to whom it is issued and identify the vendor employer;

(b) The date and time of issuance by the security department;

(c) Name and access badge number of issuing security officer; and

(d) A sequential number reflecting the number of total badges issued at that gaming

205 CMR: MASSACHUSETTS GAMING COMMISSION
establishment that is to be recorded in both an onsite IEB and security department access badge log book or database.

138.19: Count Rooms; Physical Characteristics; Count Protocols

(1) A gaming licensee shall have one or more rooms to be known as a "count room" specifically designated, designed, and used for counting the contents of table drop boxes, and slot drop boxes containers. If a gaming licensee's system of internal controls provides for counts of the contents of slot drop buckets and slot drop boxes in a different room from the room where the table drop boxes and slot cash storage boxes are counted, that latter shall be known as the "soft count room", and the former shall be known as the "hard count room".

(2) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a description of all equipment used in the counting and recording process and all other systems used for purposes related to the counting of gross revenue and shall otherwise comport with the requirements of 205 CMR 138.19.

(3) A gaming licensee shall design and construct each count room to provide maximum security with, at a minimum, the following security measures:

(a) A metal door installed on each entrance and exit equipped with a lock which shall be maintained and controlled by the security department;

(b) An alarm device, which audibly signals the surveillance, security departments, and the on-site IEB office whenever a count room door is opened;

(c) A light system, which illuminates one or more lights in the surveillance department and at each count room door, for purposes of maintaining constant surveillance on the entrance and exits to the count room;

(d) Closed circuit television cameras wired to the surveillance department capable of, but not limited to, the following:

1. Video monitoring of the entire count process; and

2. Continuous video-monitoring of the interior of the count room, including storage cabinets or trolleys used to store drop boxes, slot drop containers, and emergency drop boxes.

(e) For the soft count room only, microphones wired to the surveillance department for audio monitoring of the entire count process. Any room that is wired for audio monitoring shall have, conspicuously posted on the entrance and the walls within, a notice indicating that the room is subject to such monitoring.

(4) In addition to the requirements of 205 CMR 138.19(3), a count room used to count coin slot drop boxes and buckets shall have:

(a) A fixed-door type or a hand-held metal detector used by a security department member to inspect all persons exiting the hard count room; and

(b) A separate light system or other device approved by the IEB which shall provide a continuous visual signal at the count room door, whenever any access door to the count room is opened while the system is activated. The light system or device shall:

1. Maintain the visual signal until the system is reset or deactivated; and

2. Be designed so as to permit its activation, deactivation or resetting only by a member of the security department.

(5) In addition to 205 CMR 138.19(3), the soft count room shall have:

(a) A table constructed of clear glass or similar material for the emptying, counting, and recording of the contents of drop boxes and slot cash storage boxes which shall be known as the "count table";

205 CMR: MASSACHUSETTS GAMING COMMISSION

- (b) A table constructed of clear glass or similar material for the stacking of the contents of table drop boxes and slot cash storage boxes which have been counted, prior to the recount and acceptance by the cage cashier or cashier supervisor. The table shall be known as the "banking table"; and
 - (c) A locked accounting box, the key to which shall be maintained and controlled by a supervisor in the [casinogaming](#) accounting department with no incompatible functions.
- (6) The count room doors shall be secured at all times except when opened for the following authorized purposes:
- (a) To allow one or more members of the count team to change shifts or take a work break;
 - (b) To permit access to equipment by authorized IT department employees;
 - (c) To permit table drop boxes or slot cash storage boxes to be secured in the count room;
 - (d) To permit empty table drop boxes, slot cash storage boxes, emergency table game drop boxes or emergency slot cash storage boxes that were not part of the current count to be removed from the count room;
 - (e) To allow a main bank cashier or cage supervisor to enter the count room to recount and accept the drop;
 - (f) To allow the count team to exit the room at the conclusion of the count; or
 - (g) In the event of an emergency.
- (7) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a workflow diagram that shall indicate, at a minimum, the location of all equipment in a count room, all equipment used in the counting process and the flow of all currency, coupons, gaming vouchers and paperwork from the start of the count to the conclusion of the count.
- (8) The count team may simultaneously count the contents of the table drop boxes and the slot cash storage boxes provided that the contents of the table drop boxes remain segregated from the contents of the slot cash storage boxes throughout the count and acceptance by the main bank cashier or cage supervisor.
- (9) Except during an emergency, with the exception of the count team and agents of the IEB, prior to anyone entering or leaving a count room during the soft count process, all contents that have been removed from either a drop bucket, drop box or slot cash storage box shall be counted at least once and secured. Any trolleys that contain uncounted drop boxes or slot cash storage boxes shall be secured.
- (10) The opening, counting, and recording of the contents of table drop boxes, and slot drop containers shall be performed in the presence of a count room supervisor. The count shall be performed by at least three employees (count team), which shall include the count room supervisor. The counting and recording process shall be discontinued where the minimum number of count room personnel is not present or are not capable of performing their responsibilities.
- (11) All persons present in the count room during the counting process, except agents of the IEB, shall:
- (a) Wear as outer garments, only a full-length, one-piece, pocketless garment with openings only for the arms, feet, and neck;
 - (b) Not be permitted to wear a long sleeve garment under the outer garment; and
 - (c) Not be permitted to carry a bag, pocketbook or other container unless it is transparent.

205 CMR: MASSACHUSETTS GAMING COMMISSION

- (12) Access to the count room during the counting process shall be limited to the count team, internal audit personnel, other persons authorized by the IEB, or agents of the IEB. No count room employee shall, during the soft count process, enter a storage area for table drop boxes or slot cash storage boxes adjacent to the count room to perform any function not directly related to the counting process.
- (13) No person shall remove his or her hands from or return them to a position on or above the count table, banking table or counting equipment unless the backs and palms of his or her hands are first held straight out and displayed to other members of the count team and surveillance cameras. In addition, whenever any person enters or leaves the count room during the counting process, any employee remaining in the count room shall be required to step away from the count table, banking table and counting equipment until the person has entered or left the ~~count~~count room.
- (14) Immediately prior to the commencement of the count, doors to the count room shall be securely locked and remain locked at all times, except when opened for an authorized purpose in 205 CMR 138.19(6). A count team member shall notify surveillance that the count is about to begin, after which surveillance shall make a continuous video and, if applicable, audio recording, with the time and date inserted thereon, of the entire counting process. A count room member shall also notify surveillance whenever a count room door will be opened during the count.
- (15) Once all currency, gaming vouchers, coupons, coin and/or slot tokens have been counted and the final count totals have been obtained, no employee shall be permitted to leave the count room, except in an emergency, until the recount and acceptance of the drop is completed by a cage cashier or cashier supervisor.
- (16) The count room supervisor shall prepare a record of the names and credential or license numbers of each employee who was present in the count room during any part of the count process. Such record shall be forwarded to the accounting department at the conclusion of the count.

138.20: Possession of Firearms

- (1) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a policy prohibiting any person from possessing a firearm within or upon the premises of a gaming establishment. If the gaming licensee learns that an individual possesses a firearm within or upon the premises of a gaming establishment, the gaming licensee must immediately notify an official within the on-site office of the IEB and the individual violating the policy shall be removed from the premises of the gaming establishment by officers assigned to the Gaming Enforcement Unit. Thereafter, the gaming licensee shall promptly, and in any event no later than 48 hours of such removal, or violation of the policy, notify the Chief of the Gaming Enforcement Division of the Massachusetts Attorney General's Office.
- (2) Notwithstanding 205 CMR 138.20(1), the following individuals may, in the course of their official duties, possess a firearm within or upon the premises of a gaming establishment:
 - (a) A member of the Massachusetts State Police assigned to the Gaming Enforcement Unit;
 - (b) A law enforcement officer of the host community police department assigned to work at the gaming establishment pursuant to the memorandum of agreement required to be executed in accordance with M.G.L. c. 23K, § 6(f);
 - (c) An official who is specifically authorized to do so by the commission or the IEB; and
 - (d) A federal law enforcement officer.
- (3) Any law enforcement officer in possession of a firearm, other than a member of the Massachusetts State Police assigned to the Gaming Enforcement Unit, shall provide notification to an official within the on-site office of the State Police Gaming Enforcement Unit at the gaming establishment prior to arrival or upon arrival at the gaming establishment. This notification shall be documented with the onsite office of the State Police Gaming Enforcement Unit.

205 CMR: MASSACHUSETTS GAMING COMMISSION

(4) The gaming licensee shall post in a conspicuous location at each entrance to the gaming establishment a legible sign that states:

"No firearms are allowed within or upon the premises of this gaming establishment. This prohibition extends to all areas of this facility: public, non-public, restricted, and non-restricted areas. Persons violating this restriction will be removed from the premises and subject to further investigation and, if appropriate, prosecution. If you have any questions about this prohibition, please request to see an official from the Massachusetts Gaming Commission Office before proceeding.

Certain law enforcement officers may be exempt from this prohibition; however they must notify the Massachusetts State Police of their presence by either visiting the Massachusetts State Police Gaming Enforcement Unit Office on-site or by calling the State Police Gaming Enforcement Unit at [number to be provided by the IEB]."

138.21: Protection of Minors and Underage Youth

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include the internal policies and procedures as required in 205 CMR 150.00 ~~and 250: *Protection of Minors and Underage Youth*~~ 250.00.

138.22: Critical Incident Preparedness Plan

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a detailed critical incident preparedness plan to enhance the prevention of, preparedness for, and response to critical incidents, including without limitation natural disasters, workplace violence, dangerous substance, and active shooter crisis incidents. This plan shall include a training component which is designed to enhance awareness of pre-incident indicators and describe actions to take to prevent and prepare for potential crisis incidents. This plan also shall include an action plan that describes the gaming establishment's preplanning and coordination for a series of activities and procedures involving the gaming licensee's management and security personnel; the commission on-site officials; the on-site responding Massachusetts State Police personnel; the responding local, county, state law enforcement personnel; EMS and other first responder personnel, all in response to potential or actual critical incidents. The gaming licensee shall review its crisis preparedness plan annually. The gaming licensee's submission shall be evaluated in terms of its adequacy to assure that reasonable preparation and steps have been taken to ensure public safety, inter-agency crisis communication, tactical coordination, site facility identification and pre-staging, which as a whole, shall serve to maximize the protections afforded to the public, patrons, employees, law enforcement officers, and first responders and maximize the efficacy of first responder actions in emergent critical incident situations.

138.23: Drop Boxes for Table Games; Gaming Table Slot Cash Storage Boxes

(1) A secure, tamper-resistant container known as a "drop box" shall be attached to each gaming table and any other gaming device at which currency, coupons, or other items of value are accepted by the gaming establishment. The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include:

(a) Specifications for the construction and material composition of drop boxes and housing, identification of the asset number or serial number to be used on gaming equipment, and whether the asset number will be imprinted on such equipment electronically or permanently.

(b) A detailed plan identifying which of the gaming licensee's department(s) will be involved in handling the table drop. The plan must include at least one key gaming employee on the drop team and shall also include the following:

1. Identification of the department having primary responsibility for the drop;
2. An outline of the responsibilities of all gaming employees involved in handling the drop;
3. A chain of command in the event the gaming licensee uses multiple departments

205 CMR: MASSACHUSETTS GAMING COMMISSION
to handle the drop; and

4. A chain of command in the event the gaming licensee uses multiple departments to handle the count responsibilities.
- (c) A detailed procedure for independent verification of the count as performed in accordance with 205 CMR 138.19. The procedure shall include:
1. Separation of duties such that the person performing the daily of the counting machine shall not also perform the duties to determine the final numbers;
 2. Procedures to be followed in the event unaccounted currency is found in accordance with 205 CMR 138.33(7) and (8); and
 3. Procedures governing the use and redemption of both valid and invalid coupons.
- (d) A detailed variance and discrepancy procedure to be followed in the event the final count does not balance. The procedure shall include:
1. Identification of the department responsible for reporting the drop to the Bureau and a timeline for when that reporting is due; and
 2. The count procedure to be followed in the event the gaming licensee's count machines are not functioning.
 3. A detailed schedule of table drop and how often it will be performed, including a procedure for the removal of drop boxes from table games.
- (e) A procedure for the storage of unused drop box locks. The procedure shall include:
1. The location where emergency drop boxes will be stored;
 2. The location where spare drop boxes will be stored; and
 3. Identification of the person or department responsible for replacement and storage of drop box locks.

138.24: Cashiers' Cage; Satellite Cages; Master Coin Bank; Coin Vaults

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include policies and procedures relative to the cashiers' cage, satellite cages, master coin banks (if any), and coin vaults (if any) that incorporate, at a minimum, the following:

- (l) Each establishment shall have on or immediately adjacent to the gaming area a physical structure known as a cashiers' cage (cage) to house the cashiers and to serve as the central location in the gaming area for the main bank, the marker bank, the kiosk bank, and the chip bank, which shall be responsible for the following pursuant to 205 CMR 138.29 and 205 CMR 138.24:
 - (a) The custody of the cage inventory comprising currency including cash, patrons' deposits, coin, patron checks, gaming chips and plaques, and of forms, documents, and records normally associated with the operation of a cage;
 - (b) The approval, exchange, redemption, and consolidation of patron checks received for the purposes of gaming;
 - (c) The receipt, distribution, sale and redemption of gaming chips and plaques;
 - (d) The issuance, receipt and reconciliation of imprest funds used by slot attendants in the acceptance of currency and coupons from patrons in exchange for currency;
 - (e) The issuance, receipt and reconciliation of imprest chip funds and currency used by chippersons in the acceptance of coin, currency, slot tokens and coupons from seated

205 CMR: MASSACHUSETTS GAMING COMMISSION

poker patrons in exchange for chips; and

(f) Such other functions normally associated with the operation of a cage.

(2) If a gaming establishment will make use of coins or tokens in its gaming operation it shall have within the cage or in such other area, as approved by the commission, a physical structure known as a master coin bank to house master coin bank cashiers. The master coin bank shall be designed and constructed to provide maximum security for the materials housed therein and the activities performed therein and serve as the central location in the gaming establishment for the following:

(a) The custody of currency, coin, prize tokens, slot tokens, forms, documents and records normally generated or utilized by master coin bank cashiers, slot cashiers, changepersons, and slot attendants;

(b) The exchange of currency, coin, coupons, prize tokens and slot tokens for supporting documentation;

(c) The responsibility for the overall reconciliation of all documentation generated by master coin bank cashiers, slot cashiers, changepersons, and slot attendants;

(d) The receipt of coin and slot tokens from the hard count room; and

(e) Such other functions normally associated with the operation of the master coin bank.

(3) The cage shall be designed and constructed to provide maximum security for the materials housed therein and the activities performed therein; such design and construction shall, at a minimum, include the following features and specifications:

(a) It shall be fully enclosed except for openings through which materials such as gaming chips and plaques, slot tokens and prize tokens, patron checks, cash, records, and documents can be passed to service the public, gaming tables, and slot booths;

(b) It shall have a manually triggered silent alarm system for the cage, ancillary office space, and any related vault, which systems shall be connected directly to the monitoring rooms of the closed circuit television system, IEB office and the security department office;

(c) It shall have double door entry and exit system (MAN-TRAP) that will not permit an individual to pass through the second door until the first door is securely locked. In addition:

1. The first door adjacent to the gaming floor of the double door entry and exit system shall be controlled by one department (electronically and manually). The second door of the double door entry and exit system shall be controlled by a separate department from the first;

2. The system shall have closed circuit television coverage which shall be monitored by the security department or surveillance department; and

3. Any entrance to the cage that is not a double door entry and exit system shall be an alarmed emergency exit door only.

(d) It shall have separate locks on each door of the double door entry and exit system, the keys to which shall be different from each other.

(4) Each master coin bank located outside the cage shall meet all the requirements of 205 CMR 138.24(3).

(5) Each gaming establishment may have separate areas for the storage of coin, prize tokens and slot tokens (coin vaults) in locations outside the cage or master coin bank.

(6) Each coin vault shall be designed, constructed and operated to provide maximum security for the materials housed and activities performed therein, and shall include at least

205 CMR: MASSACHUSETTS GAMING COMMISSION

the following:

- (a) A fully enclosed room, located in an area not open to the public;
- (b) A metal door with one key that shall be maintained and controlled by the main bank or master coin bank, which shall establish a sign-in and sign-out procedure for removal and replacement of that key;
- (c) An alarm device that signals the monitors of the gaming licensee's close circuit television system whenever the door to the coin vault is opened; and
- (d) Closed circuit television cameras capable of accurate visual monitoring and taping of any activities in the coin vault.

(7) Each gaming establishment may also have one or more "satellite cages" separate and apart from the cashiers' cage, but in or adjacent to a gaming area or simulcasting facility or Sports Wagering Area, established to maximize security, efficient operations, or patron convenience and comfort and designed and constructed in accordance with 205 CMR 138.00. Subject to commission approval, a satellite cage may perform any or all of the functions of the cashiers' cage. The functions which are conducted in a satellite cage shall be subject to the applicable accounting controls set forth in 205 CMR.

(8) Each gaming licensee shall file with the commission the names of all persons possessing the combination or keys to the locks securing the entrance to the cage, any satellite cages, master coin bank and coin vaults; as well as all persons possessing the ability to operate alarm systems for the cage, any satellite cages, master coin bank and coin vaults.

(9) Notwithstanding 205 CMR 138.24(2), each gaming licensee may, with prior commission approval, operate its cashiers' cage without the master coin bank, provided that the main bank serves as the central location in the gaming establishment for the transactions enumerated in 205 CMR 138.24(2)(a) through (e), and provided further, that the references therein and elsewhere in 205 CMR 138.00 to:

- (a) Master Coin Bank Cashiers shall apply instead to the main bank cashiers assigned the duties and performing the functions that would otherwise be assigned to or performed by master coin bank cashiers; and
- (b) The Master Coin Bank shall apply instead to the main bank, but only insofar as it is authorized to perform master coin bank functions.

(10) Whenever the approved internal controls of a gaming licensee require or authorize documents to be transported from the cashiers' cage to a satellite cage or from a satellite cage to the cashiers' cage or another satellite cage, the gaming licensee shall, unless specified otherwise, transport the documents through the use of a pneumatic tube system or a casino security department representative.

138.25: Simulcast Counter: (Reserved)

138.26: Keys for Dual Locks; Gaming Licensee-controlled Keys and Locks; Notice to the IEB and Surveillance Department upon Malfunction and Repair, Maintenance or Replacement

- (1) Any key, locking mechanism or locking system that is required by 205 CMR 138.00 shall be subject to review and approval by the IEB. Such key shall be capable of unlocking the locking device on no more than one type of secure box, compartment or location used or maintained within the gaming establishment.
- (2) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a process for obtaining, reproducing, inventorying and identifying each controlled key, locking mechanism, or locking system and setting forth the procedure by which the key, locking mechanism, or locking system shall be controlled. Such internal controls shall, at a minimum, include an enumeration of those incidents which would be considered to compromise the security of any part of the gaming establishment.

205 CMR: MASSACHUSETTS GAMING COMMISSION

- (3) The types of secure boxes, compartments or locations that require a unique key, locking mechanism, or locking system shall include, without limitation, the following:
- (a) Drop boxes;
 - (b) Slot drop containers;
 - (c) Trolleys to transport drop boxes from gaming tables to a secure location;
 - (d) Trolleys or cabinets used to transport or store, respectively, slot cash storage boxes;
 - (e) Count room entrance and exit doors;
 - (f) Compartments housing slot drop buckets containers;
 - (g) Areas in which slot cash storage boxes are located;
 - (h) Compartments housing microprocessors or other control units controlling progressive meter(s) for progressive slot machines;
 - (i) Locations housing a computer that controls a progressive payout wager system for gaming tables offering a progressive payout wager; and
 - (j) Storage cabinets or trolleys for unattached slot drop boxes.
- (4) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include inventory procedures for any key required to be controlled and maintained by a gaming licensee and for any corresponding locking device including, without limitation, any key and locking device required by 205 CMR 138.00 for a dual control locking system. The key and locking device inventory controls of each gaming licensee shall include, at a minimum, procedures for:
- (a) Maintenance of inventory ledgers by identified, authorized personnel for purposes of documenting:
 - 1. The requisitioning of keys and locking devices from vendors;
 - 2. The receipt of blank key stock;
 - 3. The storage and issuance of keys and locking devices;
 - 4. Any loss, removal from service, and subsequent replacement of keys and locking devices;
 - 5. The destruction of keys and locking devices; and
 - 6. The results of physical inventories.
 - (b) The storage of duplicate keys and locking devices, including a physical description of any storage location and the identification of authorized personnel in control of such location;
 - (c) The destruction of keys and locking devices, including documentation detailing in whose presence any destruction shall occur; and
 - (d) Physical inventories of all keys and locking devices at least once every ~~12~~three12 months.
- (5) A gaming licensee shall notify the IEB and its surveillance department immediately upon becoming aware of any malfunction of any alarm system or alarmed door, and upon any emergency service to restore their proper function. In addition, a gaming licensee shall provide the IEB and its surveillance department with at least 24 hours written notice prior to effecting any non-emergency repair, maintenance or replacement of any such alarm system or alarmed door including, without limitation:

205 CMR: MASSACHUSETTS GAMING COMMISSION

- (a) Alarm systems for any emergency exit from the gaming floor or simulcasting facility or Sports Wagering Area;
- (b) Alarm systems for the cage, its ancillary office space and any related vault;
- (c) Alarm systems for any master coin bank located outside the cage;
- (d) Alarmed emergency exit door(s) for the cage;
- (e) Alarmed doors to vaults signaling the closed circuit television system;
- (f) Alarmed doors to count rooms signaling the monitoring rooms and the security department;
- (g) Alarm systems providing for a continuous visual signal whenever any access door to the count room is open; and
- (h) Alarm systems for any slot cashier window in a slot booth.

138.27: Internal Controls B: (Reserved)

138.28: Gaming Day

A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall specify the hours of operation for the gaming establishment and incorporate a “gaming day” for accounting purposes that begins at 6:00 A.M. and ends the following day at 5:59 A.M.

138.29: Accounting Controls for the Cashiers’ Cage, Satellite Cages, Master Coin Bank and Coin Vaults

(1) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall detail the responsibilities and functions of the main bank, which shall include:

- (a) Receipt of cash, value chips, winning Sports Wagering tickets, gaming vouchers, jackpot payout slips, and personal checks received for gaming purposes from cage cashiers in exchange for cash;
- (b) Receipt of cash from the count room;
- (c) Preparation of the overall cage reconciliation and accounting records, and independent verification of all bank assets by the main banker;
- (d) Preparation of the daily bank deposit for cash, cash equivalents, counter checks, and personal checks;
- (e) Issuance, receipt, and reconciliation of imprest funds used by slot attendants; and
- (f) Receipt of unsecured currency and vouchers.

A copy of the cage cashiers' count sheets and documentation shall be sent to the gaming licensee's accounting department.

(2) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall detail the responsibilities and functions of the marker bank, which shall include:

- (a) Maintenance of credit application information;
- (b) Setting minimum and maximum amounts for patron credit lines;
- (c) Maintenance of serially prenumbered forms used in sequential order accounted for

205 CMR: MASSACHUSETTS GAMING COMMISSION

by employees with no incompatible functions;

(d) Marking originals and copies of void marker slips "void" and including the signature of the individual responsible for preparing the slip(s);

(e) Accountability for marker slips, which must be a five-part form (redemption, accounting, issuance, and acknowledgement copy along with the original) attached in a book, which shall be maintained by the finance department but may be issued to the table games department.

1. Marker slips may be issued for chips, cash, or gaming vouchers.
2. Marker ~~ships~~slips shall include the signature of the marker bank cashier, who shall time stamp the acknowledgment copy of the five-part form.
3. The original and redemption copies of the marker slips shall be maintained in marker bank.

(3) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall detail the responsibilities and functions of the kiosk bank, including the following:

- (a) Replenishment of empty cassettes with full imprest cassettes, which shall be performed by the main banker;
- (b) Daily receipt of, and accountability for, gaming vouchers that have been redeemed for cash;
- (c) Receipt of bill validator boxes from the main bank and counting of the currency therein.

(4) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall detail the responsibilities and functions of the chip bank, which shall include:

- (a) Procedures to be followed with respect to fills, including, at a minimum:
 1. That fill slips be prepared by a chip bank cashier either manually or electronically;
 - i. If manually prepared, that they be prepared using a four-part form that includes drop box, acknowledgement, chip bank, and accounting copies and inserted into a locked dispenser which has access maintained and controlled by finance department employees with no incompatible functions; and
 - ii. If electronically prepared, that they be prepared on a three-part form that includes a drop box, acknowledgement, and chip bank copy which may not be changed or removed by any personnel involved in its preparation;
 2. That fill slips be serially prenumbered forms and used in sequential order;
 3. That fill slips contain the following information upon preparation:
 - i. Denominations of chips being distributed;
 - ii. Total amount of each denomination;
 - iii. Total amount of all denominations;
 - iv. Game and table number where chips are being distributed;
 - v. Date and shift;
 - vi. Signature of chip bank cashier and/or the identification code;

205 CMR: MASSACHUSETTS GAMING COMMISSION

4. When applicable, that fill slips be marked "void" and signed by the cashier;
- (b) Procedures to be followed with respect to credits, including, at a minimum:
1. That credit splits be prepared by a chip bank cashier either manually or electronically;
 - i. If manually prepared, that they be prepared using a four-part form that includes drop box, acknowledgement, chip bank, and accounting copies inserted into a locked dispenser which has access maintained and controlled by finance department employees with no incompatible functions;
 - ii. If electronically prepared, that they be prepared on a three-part form that includes a drop box, acknowledgement, and chip bank copy which may not be changed or removed by any personnel involved in its preparation;
 2. That credit slips be serially prenumbered forms and used in sequential order;
 3. That credit slips contain the following information:
 - i. Denominations of chips being returned to the chip bank;
 - ii. Total amount of each denomination;
 - iii. Total amount of all denominations;
 - iv. Game and table number where chips are being removed;
 - v. Date and shift;
 - vi. Signature of chip bank cashier;
 4. When applicable, that fill slips be marked "void" and signed by the cashier.
- (5) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall outline the procedures for accepting deposit checks from gaming patrons.
- (a) The procedures shall include the responsibilities of the cage cashier, which shall include, at a minimum:
1. Endorsing the check "for deposit only";
 2. Initialing the check;
 3. Date- and time-stamping the check;
 4. Verifying signatures using either an ID card or the gaming licensee's personnel file;
 5. Ensuring that patrons do not exceed authorized daily amounts;
 6. Exchanging the check for cash in an amount equal to the amount for which the check is written.
- (b) Refusal to accept checks made payable to an individual, including social security checks, unemployment checks, disability checks, and payroll checks.
- (c) Refusal to accept funds obtained using a cash advance from a credit card.
- (d) Accepting personal checks only if they are:
1. Written on a commercial bank or credit union;
 2. Written for a specific amount;

205 CMR: MASSACHUSETTS GAMING COMMISSION

3. Made payable to the licensee; and
4. Currently dated.

(6) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall require that incompatible functions are segregated such that no employee is in a position to both commit an error or commit a fraud and to conceal the error or fraud in the normal course of the employee's duties.

138.30: Accounting Controls within the Simulcast Counter: (Reserved)

138.31: Procedure for Accepting Cash and Coupons at Gaming Tables

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include procedures for accepting cash and coupons at gaming tables, including:

- (a) Whether a dealer accepting cash at a gaming table will fan out the cash face up or face down;
- (b) The method by which cash of each denomination shall be placed on the game table;
- (c) A provision that coupons may only be accepted at a gaming table on even money wagers;
- (d) Rules related to coupon use, if any; and
- (e) Procedures related to the issuance of promotional chips.

138.32: Table Game Drop Boxes, Transport to and from Gaming Tables; Storage Boxes

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include:

- (a) Specifications related to the material and construction of the drop box and housing as well as the construction and security of drop carts.
- (b) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include detailed procedures regarding transport of the drop from the gaming floor to the count room. These procedures shall include:
 1. When the drop will take place;
 2. Which department(s) will handle the drop;
 3. How many days per week the drop will take place;
 4. Which department(s) will be accountable for the drop boxes during pickup from the gaming floor and be responsible for the verification form;
 5. Which department(s) will have keys to access the game table, outside door, and cash door, and at what time such areas will be accessed;
 6. A requirement that the drop team and the count team have separate access keys as well as a requirement that each include a minimum of two security members;
 7. A process governing drop boxes for unopened pits or games;
 8. The route that will be taken through the gaming establishment; and
 9. A requirement that the boxes be secured during all stages of transport.
- (c) The system of internal controls submitted by a gaming licensee in accordance with

205 CMR: MASSACHUSETTS GAMING COMMISSION

205 CMR 138.02 shall include the locations of storage areas for emergency drop boxes, spare drop boxes, alternate drop boxes, and full drop boxes, and shall include procedures for the use of emergency drop boxes.

138.33: Removal of Slot Drop Containers; Unsecured Funds; Recording of Meter Readings for Slot Machine Drop

A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include procedures and protocols relative to the removal of slot drop containers, unsecured currency, and the recording of meter readings for slot machine drop that, at a minimum, incorporates the following requirements:

- (1) A gaming licensee shall file with the IEB a drop schedule setting forth the specific times at which the slot drop containers will be brought to or removed from the slot machines and the routes to be utilized. The schedule shall include the number of slot drop containers to be removed each day by zone or other designation. At a minimum, the schedule shall provide for removal at least once per week.
- (2) All slot drop containers which are not actively in use shall be stored in the count room or other secure area outside the count room as approved by the IEB to prevent unauthorized access. In addition, slot drop containers in use shall be stored in an enclosed storage cabinet or trolley, secured by a key. The key must have restricted access and may be maintained and controlled by either the security department or by means of an electronic key control system which documents the date, time, and electronic signature of any person signing out/in the aforementioned keys. Such electronic key control system also must have the ability to restrict access and ensure keys are released only when the properly authorized individual(s) are present. An electronic signature shall include a unique employee PIN and key card swipe, or PIN and employee biometric identification.
- (3) Slot drop containers shall be removed from a slot machine by at least three employees, two of whom shall be members of the ~~casino~~ security department and one of whom shall be a member of the accounting department (the drop team). At least one member of the drop team shall be licensed as a key gaming employee in accordance with 205 CMR 134.00: *Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations*. Other than the security department members, all employees participating in the removal of slot drop containers shall wear as outer garments only a full-length, one-piece pocketless garment with openings only for the hands, feet and neck.
- (4) A drop team member shall notify the surveillance department at the commencement of the slot drop process. Surveillance shall make a continuous video recording, with the time and date inserted thereon, of the entire slot drop process.
- (5) All slot drop containers removed from the slot machines shall be transported directly to, and secured in, the count room by a ~~casino~~ security department member and a member of the accounting department. The process shall be documented in writing ensuring that the number of slot drop containers brought into the gaming area and the number of slot drop containers removed from the gaming area are reconciled with a drop box verification form.
- (6) Emergency drop procedures to remove a full or inoperable slot drop container or for removal for other legitimate reasons, as approved by the IEB, outside of the slot drop schedule shall require at least three employees (two of whom shall have no incompatible functions, and one of whom shall be licensed as a key gaming employee in accordance with 205 CMR 134.00: *Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations*), be replaced with an empty emergency slot drop container of the same type if the slot machine is to remain available for play by patrons, and include at a minimum established procedures as follows:
 - (a) A security department member shall notify the surveillance department which shall monitor and record the transaction. If more than one slot drop container is being removed, such notification shall include the sequence in which the containers will be removed and replaced;
 - (b) The security department member shall complete an emergency box form documenting the replacement of the slot drop container. The form shall include at a

205 CMR: MASSACHUSETTS GAMING COMMISSION

minimum:

1. The date and time;
 2. The asset and location number;
 3. The reason for the removal; and
 4. The signatures of all employees participating in the process.
- (c) The emergency box form shall be distributed by a member of the emergency drop team as follows:
1. The original affixed to the emergency slot drop container;
 2. The duplicate placed in a locked accounting box; and
 3. The triplicate delivered to the cage to be routed within 24 hours of preparation to the IEB's on-site office.
- (d) A slot department member, in the presence of the other members of the emergency drop team, shall remove the slot drop container from the slot machine and replace it with the empty emergency slot drop container if the slot machine is to remain available for play by patrons;
- (e) The slot drop container removed from the slot machine shall be transported by a minimum of two members of the emergency drop team to the count room where it must be secured in an emergency drop box cabinet or trolley; and
- (f) For each slot drop container removed, an emergency drop team participant shall record on an emergency box log, to be maintained with the emergency drop box cabinet or trolley, the following:
1. The date and time the slot drop container was secured in the cabinet or trolley;
 2. The slot drop container location and asset number; and
 3. The signatures of at least two members of the emergency drop team participating in the emergency slot drop container process.
- (7) Whenever currency, a gaming voucher, or a coupon is found inside a slot machine but outside of the slot drop box during the collection of slot drop boxes, it shall be deemed "unsecured funds." When unsecured funds are located, a count team member and a member of the ~~casino~~ security department shall complete and sign an unsecured funds form which includes the asset number in which the unsecured funds were found, the date the unsecured funds were found, and the total value of the unsecured funds. The unsecured funds and the original unsecured funds form shall be transported to the cashier's cage. A determination shall be made as to whether the unsecured funds registered on the coin-in meter of the slot machine from which they were retrieved. If the unsecured funds registered on the coin-in meter of the slot machine, the funds shall be recorded as part of the gross gaming revenue for the slot machine and recorded with the contents removed from the corresponding slot drop box. If it is determined that the unsecured funds did not register on the coin-in meter of the slot machine, the funds shall be processed as unclaimed cash in accordance with 205 CMR 138.68(1)(b).
- The duplicate of the unsecured funds form shall be placed in a locked accounting box. Upon completion of the count, the original unsecured funds form, relative to funds that registered on the coin-in meter, shall be placed in a locked accounting box located in the count room. The accounting department shall retrieve the original form and reconcile it to the duplicate. A copy of the form shall be provided to the IEB.
- (8) Whenever unsecured funds are found inside a slot machine but outside of the slot drop box at times other than the collection of slot drop boxes, a slot department member shall notify the surveillance department and complete and sign the unsecured funds form

205 CMR: MASSACHUSETTS GAMING COMMISSION

referenced in 205 CMR 138.33(7). The unsecured funds and the original form shall be transported by the slot department member, escorted by a security department member, to the cashiers' cage where a cashier shall sign the form acknowledging receipt. The unsecured funds and original form shall be handled in accordance with the process described in 205 CMR 138.33(7).

(9) Upon receipt of an unsecured gaming voucher or coupon, the cage cashier in the presence of the slot department member shall deface or otherwise deactivate the gaming voucher or coupon, to the extent necessary, so as to prevent subsequent redemption.

(10) At the end of the gaming day, at a minimum, the original unsecured funds forms and as applicable, gaming vouchers and coupons, shall be forwarded to the accounting department. The accounting department shall reconcile the original and duplicate forms and record the appropriate amount on the Slot Win Report or unclaimed cash report, as applicable. Reconciliation of unsecured funds shall be completed by the end of the gaming day on which the count of the slot machine drop for the machine in which the unsecured funds were located is performed.

(11) In conjunction with the removal of any slot drop box, a gaming licensee shall manually read, or cause an approved slot monitoring system to record, the slot machine's accounting meters that are used to calculate gross gaming revenue, as described by GLI-11, 5.4.1 *Electronic Accounting and Occurrence Meters*, including the in-meter, drop meter, out-meter, attendant paid jackpots meter, attendant paid cancelled credits meter, bill meters and handle pull meter. In addition, the following meters shall be read and recorded:

(a) If the slot machine accepts gaming vouchers, the numerical and value cashable gaming voucher meters, and the numerical and value non-cashable gaming voucher meters;

(b) If the slot machine accepts coupons enrolled in the gaming voucher system, the numerical and value cashable coupon meters and numerical and value non-cashable coupon meters;

(c) If the slot machine accepts promotional credits, the electronic cashable credit meter and the electronic non-cashable credit meter; and

(d) If the slot machine accepts funds from an account based wagering system, the wagering account transfer-in meter and the wagering account transfer-out meter.

(12) The slot monitoring system shall provide a report to the accounting department for a comparison of the meter readings to the count room reports and the calculation of each slot machine's payout percentage. In the event it is determined after a count that a shortage or overage exists between the total registered on a slot machine's accounting meters that are used to calculate gross gaming revenue, as described by GLI-11, 5.4.1 *Electronic Accounting and Occurrence Meters*, and the total value of the contents of the drop box, the licensee shall investigate to determine the cause and record the findings. Only members of the accounting department shall have the authority to adjust meter readings subsequent to the count, provided that notification is provided to the IEB and the commission's finance office if the shortage or overage was caused by a technical malfunction. The IEB and/or finance office may take any action necessary to ensure the integrity of the adjustment prior to the month end reconciliation and public reporting of gross gaming revenue.

(13) Nothing in 205 CMR 138.00 or a gaming licensee's internal controls shall preclude the IEB from requiring a gaming licensee to read a slot machine meter manually as a remedial measure in the event of a malfunction or as it may otherwise deem necessary to ensure the integrity of gaming and the accurate reporting of gross revenue.

138.34: Procedures for Acceptance of Tips or Gratuities from Patrons

(1) In accordance with M.G.L. c. 23K, § 25(g), no key gaming employee or any other gaming employee who serves in a supervisory position shall solicit or accept a tip or gratuity from a player or patron in the gaming establishment where the employee is employed.

(2) In accordance with M.G.L. c. 23K, § 25(g), a dealer may accept tips or gratuities from a

205 CMR: MASSACHUSETTS GAMING COMMISSION

patron at the table game where such dealer is conducting play provided, however, that such tips or gratuities shall be placed in a pool for distribution among other dealers. A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include policies and procedures governing the manner in which tips and gratuities shall be set aside for the dealer pool as well as the manner of distribution among dealers, which shall, at a minimum, incorporate the following principles:

- (a) At their election, the dealers shall be responsible for the collection, counting, and distribution of the tips and gratuities;
 - (b) The gaming licensee shall cooperate in the collection, counting, and distribution process undertaken by the dealers, and shall provide surveillance, cashier, payroll and other systems necessary for the administration and security of the process;
 - (c) Tips shall be calculated on a weekly basis, unless the dealers specifically elect to calculate the tips on a daily basis, and shall be distributed based on time spent dealing;
 - (d) The policies and procedures shall be subject to approval by the dealers in a manner provided by the dealers; and
 - (e) The policies and procedures shall be in accordance with M.G.L. c. 149, § 152A and other applicable law of the Commonwealth.
- (3) The policies and procedures required in accordance with 205 CMR 138.34(2) shall, at a minimum, include:
- (a) The method utilized by a dealer for acceptance of the tip or gratuity;
 - (b) The physical characteristics of the transparent locked box utilized for purposes of depositing such tips or gratuities;
 - (c) The method for ensuring that any non-value chips received as a tip at any table game, authorized by the commission to utilize non-value chips for play, is expeditiously converted into value chips and deposited in a the locked box reserved for that purpose; and
 - (d) The method of collecting, accounting for and placing such tips and gratuities in a common pool for distribution *pro-rata* among all dealers in accordance with the policies and procedures established in accordance with 205 CMR 138.34.
- (4) If a gaming licensee offers the game of poker, the policies and procedures required in accordance with 205 CMR 138.34(2) may provide for a separate common pool for tips and gratuities received by poker dealers to be established. Provided, however, at the dealers' option, if a separate common pool is established for poker dealers, the policies and procedures may provide for distribution from the pool in accordance with the precise amount contributed. A gaming licensee, with the dealers' assent, may also designate a percentage of the prize pool or other such amounts as designated in a poker tournament submission, as approved by the commission, to be withheld for distribution to the tournament dealers on a *pro-rata* basis.
- (5) A tip or gratuity may be provided electronically to a dealer upon initiation and authorization by a patron. A gaming licensee shall include in its internal controls the method utilized for the distribution of electronic tips or gratuities and ensure that a report listing all electronic tips shall be available from the system where the transaction occurred.

138.35: Table Inventory; Table Inventory Container; Chip Reserve Compartment

- (1) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall outline the instances in which the table inventory will be changed during the course of a gaming day. Such outline shall include procedures for:
 - (a) Opening a table;
 - (b) Fills and credits;

205 CMR: MASSACHUSETTS GAMING COMMISSION

(c) Issuance of chips, currency, or other form of value based on the player's previously-issued credit pursuant to 205 CMR 138.43; and

(d) Closing a table.

(2) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall:

(a) Include procedures to address errors in recording a table game bankroll, including error notification and incorrect table inventory slip form procedures;

(b) Indicate whether the gaming licensee will use a chip reserve compartment at its game tables; and

(c) Require that the table inventory slip can be seen through the float at closed tables.

138.36: Procedures for Counting Table Inventory, Opening Tables for Gaming, Shift Changes at Gaming Tables, and Closing Gaming Tables

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall require that the table inventory be verified at the start of each day on a table inventory slip form, which shall be signed and placed in the drop box. The verification process shall include:

(a) Procedures for verification of the accuracy of the bankroll in the opening of the day;

(b) Procedures for inspection of the bankroll;

(c) Procedures for handling discrepancies on the table inventory slip form, including error notification to the department(s) affected by the discrepancy and providing both the correct and incorrect forms along with a manager's signature;

(d) Procedures for removal and verification of gaming stacks;

(e) Procedures for closing a game, including locking and verifying all bankrolls and removing all stacks and amounts from the bankroll.

138.37: Procedure for Distributing and Removing Gaming Chips, Coins and Plaques to Gaming Tables

A system of internal controls submitted by a gaming licensee, in accordance with 205 CMR 138.02, shall include procedures relative to distributing and removing gaming chips, coins, and plaques to and from gaming tables that must include participation of personnel from at least three departments with incompatible functions.

138.38: Administrative Action

(1) Grounds for Action. A gaming licensee may be conditioned, suspended, or revoked, or a civil administrative penalty assessed, if it is determined that the gaming licensee has:

(a) failed to abide by any provision of 205 CMR 138.00;

(b) failed to abide by any provision of M.G.L. c. 23K or M.G.L. c. 23N related to internal controls;

(c) failed to abide by any provision of the gaming licensee's system of internal controls approved in accordance with 205 CMR 138.02.

(2) Finding and Decision. If the Bureau finds that a gaming licensee has violated a provision of 205 CMR 138.07(1), it may issue a written notice of decision recommending that the commission suspend, revoke, and or condition said gaming licensee. Either in conjunction with or in *lieu* of such a recommendation, the Bureau may issue a written notice assessing a

205 CMR: MASSACHUSETTS GAMING COMMISSION

civil administrative penalty upon said licensee. Such notices shall be provided in writing and contain a factual basis and the reasoning in support of the decision, including citation to the applicable statute(s) or regulation(s) that supports the decision.

(3) Civil Administrative Penalties. The Bureau may assess a civil administrative penalty on a gaming licensee, in accordance with M.G.L. c. 23K, § 36, for a violation of 205 CMR 138.07(1).

(4) Review of Decision. A recommendation made by the Bureau to the commission that a gaming license be conditioned, suspended or revoked shall proceed directly to the commission for review in accordance with 205 CMR 101.01: *Hearings Before the Commission*. If the gaming licensee is aggrieved by a decision made by the Bureau to assess a civil administrative penalty, in accordance with 205 CMR 138.07(2) and (3), it may request review of said decision in accordance with 205 CMR 101.00: *M.G.L. c. 23K: Adjudicatory Proceedings*.

138.39: Internal Controls D: (Reserved)

138.40: Procedure for Acceptance of Checks, Cash Equivalents, Wire Transfers, and Credit/Debit Cards; Issuance of Counter Checks

A system of internal controls submitted by a gaming licensee, in accordance with 205 CMR 138.02, shall include policies and procedures relative to the acceptance of checks and cash equivalents presented by patrons, and the issuance of counter checks to patrons for gaming purposes. These policies and procedures shall include, but not be limited to:

- (1) The specific locations in the gaming establishment where patron deposits may be received;
- (2) The specific form of deposits that will be accepted including cash, chips, plaques, slot tokens, jackpots, tournament winnings, casino checks, personal checks, certified checks, traveler's checks, wire transfers, electronic fund transfers, money orders, and other cash equivalents. Provided, procedures shall be included to ensure that the gaming licensee does not accept or cash government-issued checks, or third party checks, other than bank issued cashier's checks or travelers checks;
- (3) Identification requirements at such time that a patron deposits funds, including controls in place to assure that any cash received on deposit is done so in accordance with required currency transaction reporting and anti-money laundering criteria;
- (4) Specific policies and procedures for patron deposit accounts if they will be utilized by the gaming licensee including the permitted uses of funds placed on deposit to include, but not be limited to, in exchange for chips, tokens or other forms of gaming value, to establish a deposit account against which future draws may be made, and as payment towards outstanding counter checks;
- (5) Procedures to refund any balance in a patron's deposit account at such time that it is requested;
- (6) Specific procedures for the issuance of counter checks, to include patron identification requirements, and documentation and accountability requirements to request a counter check, issue the counter check (whether at the main cage, gaming table or such other approved location), including disclosures, consistent with disclosures provided at the time the extension of credit was approved, which include the date or time period within which the counter check will be deposited with the patron's bank, and post the counter check transaction to the patron's account and the gaming licensee's books of account;
- (7) Specific procedures for the transfer and storage of documentation involved in all facets of the counter check process;
- (8) Procedures to ensure that any credit card or automated teller machine operating in the gaming establishment does not allow a patron to obtain cash from a government-issued electronic benefits transfer card and that it is otherwise in conformance with 205 CMR

205 CMR: MASSACHUSETTS GAMING COMMISSION

138.47;

(9) Procedures to ensure that debit card cash transactions are not permitted to be initiated within 15 feet of the gaming area or simulcasting or Sports Wagering Area or Sports Wagering Facility;

(10) Procedures to ensure that no Sports Wagers, gaming chips, plaques, tokens, and other forms of gaming value may be purchased with a credit card. Provided, patrons may be permitted to pay gaming tournament entry fees with a credit card with the exception of Sports Wagering tournaments;

(11) Procedures, including the maintenance of a log, for accepting, verifying and accounting for wire transfers and electronic fund transfers, including wire transfer and electronic fund transfer fees, and procedures for sending funds by wire transfer or electric fund transfer; and

(12) Procedures to ensure compliance with all applicable provisions of the Currency and Foreign Transactions Reporting Act of 1970 (commonly referred to as the Bank Secrecy Act) and corresponding FinCEN regulations including 31 CFR 1010: *General Provisions*, as applicable, and 31 CFR 1021: *Rules for Casinos and Card Clubs*.

138.41: Replacement Checks and the Redemption of Counter Checks

A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include policies and procedures relative to replacement checks and the ~~redemption~~redemption of counter checks that contain, at a minimum, provisions for the following:

- (1) A listing of the locations where redemptions may occur, and a listing of the types of cash and cash equivalents and third party instruments (subject to the restrictions set forth in 205 CMR 138.40(2)) that may be accepted in redemption of a counter check;
- (2) A distinction between full redemptions and partial redemptions;
- (3) Detailed procedures to:
 - (a) Process and complete redemptions, and issue replacement checks;
 - (b) Verify the patron's or agent's identification at the time of completing a redemption;
 - (c) Maintain a written record and complete the appropriate forms used to record the redemption, including the specific information contained on said form(s) and the form(s) signature requirements so as to assign responsibility and accountability over the redemption transaction;
 - (d) Transfer the appropriate documents to the accounting department (or such other department) for accounting purposes; and
 - (e) Process payments received through the mail, wire transfer, or electronic fund transfer.
- (4) A description of permitted redemptions, in full or in part, when made by a third-party other than the gaming patron; and
- (5) A description of the type of checks that may be accepted in substitution of a counter check.

138.42: Acceptance of Payments Toward Outstanding Patron Checks

- (1) A gaming licensee may, in its discretion, permit the drawer of an outstanding patron check or any person acting for the benefit of such drawer to deposit cash, cash equivalents, casino checks, slot tokens, gaming chips or gaming plaques with a general cashier for the purpose of having such payment applied to the total or partial redemption of the patron check by the drawer.
- (2) A system of internal controls submitted by a gaming licensee in accordance with 205

205 CMR: MASSACHUSETTS GAMING COMMISSION

CMR

138.02 shall include policies and procedures relative to the acceptance of payments pursuant to 205 CMR 138.42(1) which shall, at a minimum, provide for:

(a) A method of documenting or recording the receipt of each such payment, which method shall include, without limitation, the following:

1. The names of the drawer and the person making the payment;
2. The signature of the employee accepting the payment; and
3. The issuance of a receipt to the person making the payment;

(b) The maintenance of the general cashier's imprest inventory; and

(e) The notation in the drawer's credit account of the receipt of the payment.

(3) If any payments received by a gaming licensee pursuant to the procedure referenced in 205 CMR 138.42(2) entitle the drawer of a patron check to redeem the original patron check in its entirety by virtue of complete payment of the outstanding total, or if any such payments received in conjunction with the submission of a new patron check by the drawer in a lesser amount entitle the drawer of a patron check to redeem the original patron check in part due to such partial payment, the gaming licensee shall return the original patron check to the drawer.

(4) If the drawer of a patron check fails to redeem it prior to the date on which the patron check must be deposited in accordance with the policy or procedure implemented in accordance with 205 CMR 138.45, the gaming licensee shall deposit the patron check regardless whether any payment has been received. The gaming licensee, after timely depositing the patron check and allowing a commercially reasonable time for the patron check to clear, shall apply any payments received in accordance with priorities established in the system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02.

(5) If a patron check is dishonored by the drawer's bank upon presentation for payment and returned to the gaming licensee, any payments received, including payments that have been transferred to a patron deposit account pursuant to 205 CMR 138.40(4), that have not been returned to the drawer shall be used to reduce the amount to be collected from the drawer or to be deemed uncollectible pursuant to the provisions of 205 CMR 138.00.

138.43: Procedures for Establishing Patron Credit Accounts, and Recording Checks Exchanged, Redeemed or Consolidated

(1) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR

138.02 shall include a description of its policies and procedures governing the issuance of credit to a patron to take part in gaming activity at its gaming establishment which policies and procedures shall prohibit the issuance of credit to a patron for Sports Wagering. A gaming licensee's policies and procedures governing the issuance of credit shall ensure at a minimum that:

(a) Prior to issuing credit to a patron the creditworthiness of the patron is established in a commercially reasonable manner in the context of their ability to repay the amount of credit requested or to be extended according to the terms of the credit extension agreement and any disclosures;

(b) Credit is not extended to an individual in an amount beyond that which the information reviewed demonstrates that they have a reasonable ability to repay;

(c) Credit will only be extended to patrons who the gaming licensee determines qualify for a minimum threshold of \$10,000.00 and will not exceed the amount requested by the patron;

(d) Credit will not be offered to any individual who self-identifies as a problem gambler

205 CMR: MASSACHUSETTS GAMING COMMISSION

during the credit application process, places themselves on a voluntary credit suspension list in accordance with 205 CMR 138.44, or is on public assistance;

- (e) Credit requests, including increases, will not be accepted from or granted to patrons who are visibly intoxicated or exhibiting behaviors suggestive of impaired mental competency;
- (f) Credit applications require patrons to acknowledge that they have reviewed a problem gambling self-assessment and indicate a desire to proceed with the process; and
- (g) Credit officers will obtain written or verbal verification from credit applicants that they are comfortable losing up to the amount of credit requested and granted.

(2) In addition to the provisions required in accordance with 205 CMR 138.43(1), the policies and procedures governing the issuance of credit shall contain provisions including, but not limited to, the following:

(a) The creation of a credit file for each patron shall be prepared by a general cage cashier or credit department representative with no incompatible functions prior to the gaming licensee's approval of a patron's credit limit. All patron credit limits and changes thereto shall be supported by the information contained in the credit file. Such file shall contain a credit application form upon which the following minimum information provided by the patron shall be recorded:

1. The patron's name;
2. The address of the patron's residence;
3. Patron's identification credential, credential number, place of issuance, and expiration date;
4. The patron's telephone number;
5. Banking information including:
 - a. The name and location of the patron's bank; and
 - b. The account number of the patron's personal checking account upon which the patron is individually authorized to draw and upon which all Counter Checks and replacement checks will be drawn. Checking accounts of sole proprietorships shall be considered as personal checking accounts. Partnership or corporate checking accounts shall not be considered personal checking accounts even if a patron is individually authorized to draw on the account.
6. The credit limit requested by the patron;
7. The approximate amount of all other outstanding indebtedness including outstanding credit balances at other casinos or gaming establishments;
8. The amount and source of income and assets in support of the requested credit limit; and
9. The patron's signature indicating acknowledgement of the following statement, which shall be included at the bottom of every credit application form containing the information required to be submitted by the patron pursuant to 205 CMR 138.43(2)(a): *"I certify that I have reviewed all of the information provided above and that it is true and accurate. I authorize (name of the gaming licensee) to conduct such investigations pertaining to the above information in accordance with applicable federal and state laws and regulations as it deems necessary for the approval of my credit limit. Such investigation may include verification of the information I have provided with a consumer credit bureau, a casino credit bureau, my bank, and/or a bank verification service. I am aware that this application is required to be prepared in accordance with Massachusetts Gaming Commission regulations and I may be subject to civil or criminal liability if any material information provided by me is*

205 CMR: MASSACHUSETTS GAMING COMMISSION
willfully false."

10. Prior to processing a gaming patron's credit application, a gaming licensee shall clearly and conspicuously provide the patron with the following disclosures on a piece of paper separate and apart from the credit application and any related documents; provided that each statement shall be separately signed, dated, and acknowledged by said patron. Upon signing said disclosures, a copy shall be provided to the gaming patron.

a. *"You are applying for a credit extension from [name of gaming licensee], facilitated through a personal check or counter check (also known as a 'marker') on your bank account. If you fail to repay [name of gaming licensee] by [the date specified in this agreement], [name of gaming licensee] will attempt to recover the amount identified on the personal check or 'marker' from your bank account (by date marker will be deposited with the bank) or thereafter. If there are insufficient funds in your account, [name of gaming licensee] may initiate debt collection proceedings against you. Failure to timely repay your debt to [name of gaming licensee] may result in legal consequences, and will likely have a negative effect on your credit."*

b. *"If you are concerned that you may have difficulty managing your gambling, or wish for any reason to exclude yourself from receiving credit from a gaming establishment in Massachusetts, you may add yourself to the gaming credit suspension list. Massachusetts gaming establishments are prohibited from providing credit to individuals appearing on this list. To sign up for the list, please visit www.massgaming.com or call 1-800-426-1234."*

(b) Recording by a general cage cashier or credit department representative of the information required in accordance with 205 CMR 138.43 in the credit file prior to the gaming licensee's approval of a patron's credit limit.

(c) Prior to the gaming licensee's approval of the patron's credit limit, a general cage cashier or credit department representative with no ability to grant credit or credit limit increases shall perform the following in a commercially reasonable manner and document the patron's file accordingly:

1. Verify the address of the patron's residence;
2. Verify the patron's outstanding casino credit balances which shall include the following:
 - a. The date the patron's casino credit account(s) was established; and
 - b. The current balance and status of the patron's credit account at each casino and gaming establishment including checks deposited by a casino or gaming licensees that have not yet cleared the bank and derogatory information;
3. Verify the patron's outstanding indebtedness;
4. Verify the patron's personal checking account information which shall include, but not be limited to, the following:
 - a. Type of account (personal or sole proprietorship);
 - b. Account number;
 - c. Date the account was opened;
 - d. Average balance of the account for the last six months;
 - e. Current balance in the account;
 - f. Whether the patron can sign individually on the account; and

205 CMR: MASSACHUSETTS GAMING COMMISSION

g. Name and title of the person supplying the information; and

5. Verify that the patron's name is not designated on the list of individuals who have voluntarily requested suspension of credit privileges pursuant to 205 CMR 138.44 or placed their name on the voluntary self-exclusion list pursuant to 205 CMR 133.00: *Voluntary Self-exclusion*.

(d) All verifications performed by a general cage cashier or the credit department in accordance with 205 CMR 138.43(2)(c) shall be recorded in the credit file and accompanied by the signature of the general cage cashier or credit department representative who performed the required verifications or filed the relevant information. If at any time the gaming license has reason to believe a patron's information has changed, it shall re-verify the information in accordance with the following. The date and time of the signature of the general cage cashier or credit department representative shall be recorded either mechanically or manually contemporaneously with the transaction. If the employee is unable to obtain certain information despite using commercially reasonable efforts, the credit file shall be documented accordingly. The general cage cashier or gaming licensee's credit department shall fulfill the requirements of 205 CMR 138.43(2)(c) as follows:

1. Verification of the address of the patron's residence, as required by 205 CMR 138.43(2)(c)1., shall be satisfied by confirming the patron's address with a credit bureau or bank. If neither of these sources has the patron's address on file or will not provide the information, the gaming licensee may use an alternative source which shall not include any identification credentials required in 205 CMR 138.43(2)(a) or other documentation presented by the patron at the gaming establishment. The gaming licensee shall record the source of verification and the method by which such verification was performed in the patron's credit file. Verification of the patron's address may be performed telephonically.

2. Verification of the patron's current casino credit limits and outstanding balances, as required by 205 CMR 138.43(2)(c)2., shall be performed through a casino credit bureau and, if appropriate, through direct contact with other casinos at which the patron indicated on the credit application that they have a credit limit or outstanding balance. The gaming licensee shall record the source of verification and the method by which such verification was performed in the patron's credit file. If no casino credit information relating to the patron is available from these sources, this shall be noted in the patron's credit file and shall be deemed to satisfy the verification requirement. The verification may be performed telephonically, *via* email, or any medium prior to the credit approval provided the gaming licensee requests written documentation of all such information as soon as possible and includes such written documentation in the patron's credit file. All requests for written documentation shall be maintained in the patron's credit file until such documentation is obtained.

3. Verification of the patron's outstanding indebtedness, as required by 205 CMR 138.43(2)(c)3., shall be performed by contacting a consumer credit bureau or other similar ~~organization~~organization which ~~organization~~ which is reasonably likely to possess information concerning the patron, and a casino credit bureau to determine whether the applicant has any liabilities or if there is any derogatory information concerning the applicant's credit history. Such contact shall be considered a verification of the outstanding indebtedness provided by the patron. The gaming licensee shall record the source of verification and the method by which such verification was performed in the patron's credit file. If either one or both of these credit bureaus do not have information relating to a patron's outstanding indebtedness this shall be recorded in the patron's credit file and the verification requirement shall be deemed satisfied. The verification may be performed telephonically prior to the credit approval provided the gaming licensee requests written documentation of all information obtained as soon as possible and includes such written documentation in the patron's credit file. All requests for written documentation shall be maintained in the patron's credit file until such documentation is obtained.

4. Verification of the patron's personal checking account information, as required by 205 CMR 138.43(2)(c)4., shall be performed by the gaming licensee or a bank verification service directly with the patron's bank. A bank verification service

205 CMR: MASSACHUSETTS GAMING COMMISSION

utilized by a gaming licensee may make use of another bank verification service to make direct communication with the patron's bank. If a patron's bank is unwilling to provide information relative to an account, the gaming licensee may use an alternative source or note the unavailability of the information in the file in which case the verification requirement shall be deemed satisfied. The gaming licensee shall record the source of verification and the method by which such verification was performed, or attempted to be performed, in the patron's credit file. The verification may be performed telephonically *via* email, or any medium prior to the credit approval provided the gaming licensee or bank verification service requests written documentation of all information obtained as soon as possible and such written documentation is included in the patron's credit file. All requests for written documentation shall be maintained in the patron's credit file until such documentation is obtained.

(e) A gaming licensee may rely upon information compiled and verified by an affiliate in another jurisdiction relative to the credit application of a patron in satisfaction of a provision of 205 CMR 138.43(1) through (2)(d) if said verification was performed within 60 days of credit being extended to the same patron at a casino.

(f) The credit limit, and any changes thereto, must be approved by any one or more of the individuals holding the positions of credit manager, assistant credit manager, credit shift manager, credit executive, or a key gaming employee in a direct reporting line above the gaming manager or credit manager, or a credit committee composed of key gaming employees which may approve credit as a group, but whose members may not approve credit individually unless such person is included in the referenced job positions. The approval shall be recorded in the credit file and shall include:

1. Any other information used to support the credit limit and any changes thereto, including the source of the information, if such information is not otherwise recorded pursuant to 205 CMR 138.43(2);
2. A brief summary of the key factors relied upon in approving or reducing the requested credit limit and any changes thereto;
3. The reason credit was approved if derogatory information was obtained during the verification process;
4. The signature, on the manual credit file, of the employee approving the credit limit together with the date and time of such authorization, which signature, date and time shall be recorded before any actual extension of credit; and
5. If a computerized credit file is utilized, the authorization code of the employee approving the credit limit together with the date and time of the activation in the system, which authorization code, date and time shall be recorded by the system before any actual extension of credit.

(g) Prior to approving a credit limit increase, a representative of the gaming licensee's credit department shall:

1. Obtain a written request from the patron which shall include:
 - a. Date and time of the patron's request;
 - b. Amount of credit limit increase requested by the patron; and
 - c. Signature of the patron.
2. Verify the patron's current casino credit limits and outstanding balances, as required by 205 CMR 138.43(2)(c)2., unless such verification has performed earlier that same gaming day;
3. Verify the patron's outstanding indebtedness as required by 205 CMR 138.43(2)(c)3., unless such procedure has been performed within the previous 60 days;

205 CMR: MASSACHUSETTS GAMING COMMISSION

4. Verify the patron's personal checking account information, as required by 205 CMR 138.43(2)(c)4., unless such procedure has been performed within the previous 60 days;

(h) Credit limit increases may be approved without performing the requirements of 205 CMR 138.43(2)(g)2. through 4. if the increases are temporary and are noted as being for this trip only in the credit file. Temporary increases shall be limited to one during any thirty day period provided that the increase is approved during a single trip to the gaming establishment consisting of consecutive gaming days and the amount of the temporary increase does not exceed 25% of the currently approved credit limit.

(i) The gaming licensee's credit department shall verify the patron's address, current casino credit limits and outstanding balances, outstanding indebtedness, checking account information, confirm that the patron is not on the list of patrons who have requested suspension of their credit privileges, and confirm that the patron is not on the list of patrons who have placed themselves on the voluntary self-exclusion list, as required by 205 CMR 138.43(2)(c)1. through 5. prior to the issuance of a counter check to a patron whose credit file has been inactive for a six month period.

(j) All derogatory information received by a gaming licensee concerning a patron's credit account shall be reported by the gaming licensee on a daily basis to a casino credit bureau used by all Massachusetts gaming licensees. Each gaming licensee shall request written documentation of any derogatory information pertaining to its patrons to be reported to that gaming licensee on a daily basis by a casino credit bureau used by all Massachusetts gaming licensees. All documentation obtained from the casino credit bureau relative to a patron account shall be maintained in the patron's credit file. Any gaming licensee desiring to continue the patron's credit privileges on the basis of a satisfactory explanation having been obtained for the derogatory information may do so if the gaming licensee records the explanation for its decision in the credit file before issuing any further counter checks to the patron along with the signature of the credit department supervisor accepting the explanation. Provided, the gaming licensee shall comply with the requirements of either 205 CMR 138.43(2)(g)2. or 3. whenever any derogatory information is received by a gaming licensee's credit department relating to the patron's continued creditworthiness.

(k) All transactions affecting a patron's outstanding indebtedness to the gaming licensee shall be recorded in chronological order in the patron's credit file and credit transactions shall be segregated from the patron deposit account transactions. The following information shall be included:

1. The date, amount and check number of each Counter Check initially accepted from the patron;
2. The date, amount and check number of each consolidation check and the check numbers of the checks returned to the patron;
3. The date, method, amount and check number of each redemption transaction and the check number of the check returned to the patron;
4. The date, amount and check number of each substitution transaction and the check number of the check returned to the patron;
5. The date, amount and check number of each check deposited;
6. The date, amount and check number of each check returned to the gaming licensee by the patron's bank and the reason for its return;
7. The outstanding balance after each transaction; and
8. The date, amount and check number of any checks which have been partially or completely written off by the gaming licensee and a brief explanation of the reason for such write off.

205 CMR: MASSACHUSETTS GAMING COMMISSION

(l) A log of all Counter Checks issued and of all checks received for redemption, consolidation or substitution shall be prepared, manually or by computer, on a daily basis, by check cashiers and such log shall include, at a minimum, the following:

1. The balance of the checks on hand in the cashiers cage at the beginning of each shift;
2. For checks initially accepted and for checks received for consolidation, redemption, or substitution:
 - a. The date of the check;
 - b. The name of the drawer of the check;
 - c. The amount of the check;
 - d. The Counter Check serial number(s) for Counter Check(s) received; and
 - e. An indication as to whether the check was initially accepted or received in a redemption, consolidation or substitution.
3. For checks deposited, redeemed by patrons for cash, cash equivalents, complimentary cash gifts, gaming chips and plaques, or any combination thereof, consolidated or replaced:
 - a. The date on which the check was deposited, redeemed, consolidated or replaced;
 - b. The name of the drawer of the check;
 - c. The amount of the check;
 - d. The Counter Check serial number(s) for Counter Check(s) and Slot Counter Check(s) deposited, redeemed, consolidated or replaced; and
 - e. An indication as to whether the check was deposited, redeemed, consolidated or replaced.
4. The balance of the checks on hand in the cashiers' cage at the end of each shift.

(m) A list of all Counter Checks on hand, and of all checks received for redemption, consolidation or substitution shall be prepared, manually or by computer, on a monthly basis, at a minimum, and shall include the following:

1. The date of the check;
2. The name of the drawer of the check;
3. The amount of the check; and
4. The Counter Check serial number(s) for Counter Check(s) and received.

(n) At the end of each gaming day, at a minimum, the following procedures shall be performed:

1. The daily total of the amounts of checks initially recorded as described in 205 CMR 138.43(2)(l) shall be agreed to the daily total of Counter Checks issued;
2. The daily total of the checks indicated as deposited on a log required by 205 CMR 138.43(2)(l) shall be agreed by employees with no incompatible functions to the bank deposit slips corresponding to such check; and
3. The balance required by 205 CMR 138.43(2)(l) shall be agreed to the total of the checks on hand in the cashiers' cage.

205 CMR: MASSACHUSETTS GAMING COMMISSION

- (o) A patron may not be issued a Counter Check until the operator has established a signature file for the patron.
- (3) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include provisions for the maintenance of a patron identification file and the methodology the gaming licensee will utilize for verifying a patron's identity or signature for purposes of establishing a credit account which shall include, at a minimum, the following:
- (a) The patron's name;
 - (b) The patron's address;
 - (c) The patron's signature;
 - (d) The type of identification credentials examined;
 - (e) The date and time that the patron identification file was established; and
 - (f) The name and signature of the gaming establishment employee who examined the identification credentials of the patron and established the patron identification file.
- (4) The gaming licensee shall establish procedures for the organization and maintenance of data relative to the extension of credit, issuance of counter checks, and repayment of counter check for review upon request by the commission or its designee, and the Massachusetts Attorney General's Office. Such data shall include the following aggregated by month:
- (a) Total credit applications filed;
 - (b) Total credit applications approved;
 - (c) Total credit applications denied;
 - (d) The amount of credit extended for each approved credit application;
 - (e) The mean amount of credit extended;
 - (f) Total credit increases approved;
 - (g) Total temporary credit increases approved;
 - (h) Total number of counter checks presented to banks;
 - (i) The amount of each counter check presented to a bank;
 - (j) Total number of uncollectable counter checks including amounts in accordance with 205 CMR 138.46(11); and
 - (k) Number of debt collection proceedings commenced, the state and county where the proceedings were commenced, and the zip codes of the patron's residences.

138.44: Patron Request for Suspension of Credit Privileges

- (1) Any person may voluntarily suspend his or her credit privileges at all gaming establishments by submitting a written request to the commission in accordance with 205 CMR 138.44. Such requests shall be submitted to a designated agent as described in accordance with 205 CMR 138.44(3) or mailed to a designated address with a notarized signature in accordance with 205 CMR 138.44(2)(h). An individual requesting suspension of credit privileges shall present a valid government issued photo identification.
- (2) A request for suspension of credit privileges shall be submitted on a form prescribed by the commission, which shall include the following:
- (a) The name of the person requesting suspension of credit privileges;

205 CMR: MASSACHUSETTS GAMING COMMISSION

- (b) The address of the person's residence;
 - (c) The person's date of birth;
 - (d) The name of each gaming establishment where the person currently has an approved line of credit;
 - (e) The duration for which they wish to have their credit privileges suspended. An individual may select any of the following time periods as a minimum length of suspension:
 - 1. Six months;
 - 2. One year;
 - 3. Three years;
 - 4. Five years; or
 - 5. Lifetime.
 - (f) The signature of the person requesting suspension of credit privileges acknowledging the following statement: *"I certify that the information which I have provided above is true and accurate. I am aware that my signature below authorizes the Massachusetts Gaming Commission to direct all Massachusetts gaming licensees to suspend my credit privileges for a minimum period of six months from the date of this request and indefinitely thereafter, until such time as I submit a written request to the Commission for the reinstatement of any such credit privileges."*;
 - (g) If the request for suspension of credit privileges is made in person:
 - 1. The type of government issued photo identification examined; and
 - 2. The signature of the designated agent indicating that the signature of the person requesting suspension of credit privileges appears to agree with that contained on his or her government issued photo identification and that the photograph of the person appears to agree with his or her actual appearance; and
 - 3. If the request for suspension of credit privileges is made by mail, a certificate of acknowledgement executed by a notary public or other person empowered by law to take oaths attesting to the identity of the person who is making the request for suspension of credit privileges.
- (3) (a) An application for suspension of credit privileges made in person may only be accepted by a designated agent. An individual may only become a designated agent by successfully completing a course of training approved and administered by the commission or its designee. The course of training shall include, at a minimum, instruction on completion of the application, information relative to problem gambling and available resources, and an understanding of 205 CMR 138.40 through 138.46. A designated agent must be a licensed, certified, or registered health or mental health professional or employee thereof, or an employee of a gaming licensee, the commission, or other government entity. The commission may refuse to offer training to any individual whose service as a designated agent it determines would be contrary to the aims of 205 CMR 138.40 through 138.46.
- (b) Upon submission of an application, a designated agent shall review the application with the applicant. If the application is complete, the designated agent shall sign the application indicating that the review has been performed and the application has been accepted.
 - (c) A designated agent may not sign an application if any required information is not provided.

205 CMR: MASSACHUSETTS GAMING COMMISSION

- (d) The designated agent shall forward the signed application for suspension of credit to the commission within 24 hours of completion in a manner directed by the commission.
- (e) Upon receipt of an application, the commission, or its designee, shall review it for completeness. If the application meets all requirements of 205 CMR 138.40 through 138.46 the application shall be approved, and the individual's name shall be added to the credit suspension list. If the application is incomplete, the commission, or its designee, may deny the application and make efforts to contact the applicant advising them of such.
- (f) In addition to 205 CMR 138.44(3)(d), if an application is made in person at a gaming establishment, the designated agent shall promptly transmit a completed application to the gaming licensee's credit department such that any existing credit line for that individual may be immediately suspended and that no new credit may be extended.
- (4) The commission shall maintain an updated master list of all persons who have requested suspension of credit privileges pursuant to 205 CMR 138.44, and shall update the master list in the database.
- (a) Each gaming licensee shall suspend the credit privileges of any listed individual, promptly upon receipt of notice that such individual's name has been added to the list.
- (b) Each gaming licensee shall note any suspension or reinstatement of credit privileges pursuant to 205 CMR 138.44 in any existing credit file for the affected patron, including the following:
1. A copy of any applicable commission notice of the suspension or reinstatement of credit privileges;
 2. The date, time and signature of the credit department representative making the suspension or reinstatement entry in the credit file.
- (5) Any person whose credit privileges have been suspended pursuant to 205 CMR 138.44 may, no sooner than six months after the request for suspension of credit privileges, request reinstatement of his or her credit privileges by submitting a written request to the commission in accordance with the procedures specified in 205 CMR 138.44(1).
- (a) Such request shall be in a form prescribed by the commission, which shall include the following:
1. The information specified in 205 CMR 138.44; and
 2. The signature of the person requesting reinstatement of credit privileges, indicating acknowledgement of the following statement: *"I certify that the information which I have provided above is true and accurate. I am aware that my signature below constitutes a revocation of my previous request for suspension of credit privileges, and authorizes the Massachusetts Gaming Commission to permit any Massachusetts gaming licensee to reinstate my credit privileges."*
- (b) The commission shall remove such individual's name from the list established pursuant to 205 CMR 138.44, and update the master list in the database within seven days of receipt of the request.
- (c) Upon receipt of notice that such individual's name has been removed from the list, a gaming licensee may reinstate such person's credit upon re-verification of the information required by 205 CMR 138.43(2)(c)1. through 4., or may extend credit to such person in accordance with the procedures set forth in 205 CMR 138.43.
- (6) Information furnished to or obtained by the commission pursuant to 205 CMR 138.44 shall be securely maintained. No gaming licensee shall divulge any information relative to the placement of an individual's name on the master list other than to authorized credit department employees at the gaming establishment or to an authorized commission employee.

205 CMR: MASSACHUSETTS GAMING COMMISSION

A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a description of its policies and procedures governing the depositing of checks received from gaming patrons which incorporate, at a minimum, the following:

- (1) Unless redeemed or consolidated sooner, all checks received from gaming patrons shall be deposited in the gaming licensee's bank account or presented directly to the patron's bank no later than:
 - (a) The banking day after the date of the check for a non-gaming check; or
 - (b) A timeframe prescribed by the gaming licensee as part of its policy, submitted in accordance with 205 CMR 138.02, not to exceed 90 days from the date of the initial check.
- (2) In computing a time period prescribed by 205 CMR 138.45, a gaming licensee shall reference 205 CMR 102.05.
- (3) In the event of a series of consolidation or redemption transactions with a patron, the initial check shall be the earliest dated check returned to the patron in the first of the series of consolidation or redemption transactions.
- (4) Any check deposited into a bank will not be considered clear until a commercially reasonable time, as identified by the gaming licensee in its written protocol, has been allowed for such check to clear the bank.
- (5) If a gaming licensee determines, prior to the deposit or presentment of a Counter Check that the bank name, the bank routing number, the patron's bank account number or the micro-encoding number contained on the check are incorrect due to a data entry error (*e.g.*, a misspelling, a wrong number or a transposition of numbers), a check bank cashier may correct the erroneous entry. Such procedure shall include:
 - (a) A description of the manner in which the error will be corrected by the check bank cashier;
 - (b) The creation of documentation that will permit both the check bank cashier and the [casino gaming](#) accounting department to identify and compare a copy of the uncorrected check that was originally issued and the corresponding corrected check that was deposited or redeemed;
 - (c) The written approval of a cage supervisor prior to the alteration of any check by a check bank cashier; and
 - (d) A prohibition against using 205 CMR 138.45(8) to change the verified bank account on which the Counter Check was originally drawn.
- (6) A gaming licensee may include in its policy and procedure provisions in accordance with 205 CMR 138.13 for the discretionary discounting of the amount of an outstanding Counter Check to be redeemed by a patron for any marketing related reasons.

138.46: Procedure for Collecting and Recording Checks Returned to the Gaming Licensee after Deposit

A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a description of its policies and procedures governing the collection and recording of checks returned to the gaming establishment after deposit which incorporate, at a minimum, the following:

- (1) All dishonored checks returned by a bank after deposit shall be returned directly to the accounting department which shall notify the collections department and provide copies of the returned item(s). The original check will be given the check bank cashier who will control the item. Such employees shall have no incompatible functions.
- (2) All debt collection practices must be conducted in accordance with all applicable state

205 CMR: MASSACHUSETTS GAMING COMMISSION

and federal laws including 940 CMR 7.00: *Debt Collection Regulations*, M.G.L. c. 93A, § 2, and M.G.L. c. 93, § 49. Provided, further, that a gaming licensee's debt collection policy shall:

- (a) not allow for placement of a lien on a patron's primary residence; and
 - (b) prohibit the commencement of criminal proceedings or other use of criminal process unless the gaming licensee can show that there were insufficient funds in the patron's account at the time the patron signed the counter check. Gaming licensees are prohibited from selling or pledging as collateral any debt owed to the gaming licensee as a result of a gaming loss, including the failure to pay off a counter check issued under an extension of credit, provided however, a gaming licensee may pledge such gaming debt as collateral for a commercial loan to finance the licensee's gaming operations or may sell such gaming debt in connection with the sale of all of its assets in connection with a change of ownership and/or control of the gaming establishment.
- (3) Debt collection shall be limited to key gaming employees or an attorney acting directly on behalf of a gaming licensees; provided, however, that a key gaming employee shall not make any such collections if that employee serves as a junket representative for the gaming licensee. Such procedure shall ensure that any key gaming employee engaged in debt collections does not have any incompatible functions. Any verbal or written communication with patrons regarding collection efforts shall be made with the full knowledge of the collection employees and shall be documented. Provided, 205 CMR 138.46(3) shall not be construed to prohibit marketing personnel licensed to the level of a key gaming employee from discussing with a patron the status of the patron's outstanding counter checks provided that any such communication is with full knowledge of the collection employees and is documented.
- (4) Continuous records of all returned checks shall be maintained by accounting department employees with no incompatible functions. Such records shall include, at a minimum, the following:
- (a) The date of the check;
 - (b) The name and address of the drawer of the check;
 - (c) The amount of the check;
 - (d) The date(s) the check was dishonored;
 - (e) The Counter Check serial number for Counter Checks; and
 - (f) The date(s) and amount(s) of any collections received on the check after being returned by a bank, including the date(s) and amount(s) of any complimentary cash gifts applied as payment on the check after being returned by a bank.
- (5) If a gaming licensee determines that a Counter Check was returned by a bank because the bank name, the bank routing number, the patron's bank account number or the micro-encoding number contained on the check was incorrect due to a data entry error (*e.g.*, a misspelling, a wrong number or a transposition of numbers), a check bank cashier may correct the erroneous entry and cause the check to be re-deposited. Any such procedure shall, at a minimum, include:
- (a) A description of the manner in which the error will be corrected by the check bank cashier;
 - (b) The creation of documentation and control procedures that will permit both the check bank cashier and the [casino gaming](#) accounting department to identify and compare a copy of the uncorrected check that was originally deposited and the corresponding corrected check that was re-deposited;
 - (c) The written approval of a cage supervisor prior to the alteration of any check by a check bank cashier; and

205 CMR: MASSACHUSETTS GAMING COMMISSION

(d) A prohibition against using 205 CMR 138.46(5) as a basis to change the verified bank account on which the Counter Check was originally drawn.

(6) Statements shall be sent to patrons and the collections department at the gaming establishment, by accounting department employees with no incompatible functions, in a reasonably prompt manner upon initial receipt of a returned check or immediately upon receipt of a check returned for a second time if the check was immediately re-deposited pursuant to 205 CMR 138.46(5), and such statements shall include, but not be limited to, the following:

- (a) The name and address of the drawer;
- (b) The date of the check;
- (c) The amount of the check; and
- (d) The date(s) and amount(s) of any collections received on the check after being returned by the bank.

(7) Patrons to whom statements are sent shall be advised of a contact telephone number, a return address and the department to which replies shall be sent.

(8) Employees with no incompatible functions shall receive directly and shall initially record all collections.

(9) Copies of statements and other documents supporting collection efforts shall be maintained and controlled by accounting department employees.

(10) A record of all collection efforts shall be recorded and maintained by the collection area within the accounting department.

(11) Listings of uncollectible checks shall be approved in writing by, at a minimum, the chief executive officer or the chief gaming executive, a key gaming employee identified and approved by the commission as part of the gaming licensee's system of internal controls, and the controller or the person to whom the controller directly reports; provided that, with the exception of the chief executive officer and chief gaming executive, none of the foregoing persons shall also have the authority to approve credit. All such uncollectible checks and listings shall be maintained and controlled by accounting department employees. A continuous trial balance of all uncollectible checks shall be maintained by employees of the accounting department. The continuous trial balance shall be adjusted for any subsequent collections.

138.47: Automated Teller Machines (ATM)

(1) Use and operation of an Automated Teller Machine (ATM) or electronic branch, as defined by M.G.L. c. 167B, § 1, within a gaming establishment is governed by M.G.L. c. 167B and 209 CMR: *Division of Banks and Loan Agencies*.

(2) No ATM or electronic branch, as defined by M.G.L. c. 167B, § 1, shall be located closer than 15 feet from the gaming area, simulcasting area, Sports Wagering Area, or Sports Wagering Area in a gaming establishment or Sports Wagering Facility.

(3) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR

138.02 shall include procedures that identify reasonable measures to be implemented that are tailored to inhibit the initiation and processing of any transaction allowing for the use of a card or card equivalent issued by a financial institution to obtain cash from a line of credit (e.g., credit card cash advance) in the gaming establishment by either an ATM or any other means. Such reasonable measures shall include, but not be limited to:

- (a) The conspicuous placement of signage on an ATM indicating that use of credit cards is prohibited;
- (b) Ensuring that an ATM does not offer to a user any transaction option that is designed

205 CMR: MASSACHUSETTS GAMING COMMISSION

to enable the patron to obtain cash from a line of credit (*i.e.* no option to press a "credit card" or "cash advance" button); and

(c) Ensuring that no transaction in which a card or card equivalent issued by a financial institution is being used to obtain cash from a line of credit is, in whole or part, initiated or processed at the cage or elsewhere in the gaming establishment, by any employee or anyone else.

(4) No data relative to an individual patron that is collected by an ATM or electronic branch may be sold, transmitted, or otherwise used for marketing purposes by a gaming licensee or provider of such device.

138.48: Procedure for Opening, Counting and Recording Contents of Table Drop Boxes and Slot Cash Storage Boxes

A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include procedures relative to opening, counting, and recording contents of table drop boxes and slot cash storage boxes that include, at a minimum, the following provisions:

(1) Immediately prior to the commencement of the count process, a count room supervisor shall:

(a) Obtain a preliminary master game report which shall list forms and documents related to the table drop box count that were entered into the computer system at the time of preparation;

(b) Reconcile the number of boxes recorded on the drop box verification form to the number of boxes secured in the trolley;

(c) Remove the emergency drop box log and reconcile the log to the boxes removed from the emergency drop box cabinet or trolley; and

(d) Document any unresolved discrepancies on a two-part Drop Variance Report, the original of which shall be delivered to the IEB and the duplicate placed in the locked accounting box.

(2) A gaming licensee shall open, count and record the contents of each drop box in the soft count room except that an emergency slot cash storage box may be held and counted on the regularly scheduled count for the slot machine from which it originated. For currency, gaming vouchers, and coupons, a gaming licensee shall perform a second count to obtain the aggregate total of each denomination of currency and coupon, and the total number of gaming vouchers counted. The counts shall be independent of each other and access to the result of the first count shall not be available to the employee performing the second count until completion of the second count. At the completion of the second count, a comparison of the two counts shall be made and any discrepancies resolved by the count team supervisor.

(3) A gaming licensee shall use a counting machine, to be identified in the internal controls, to count currency, gaming vouchers, and coupons. An alternative procedure shall be provided in the event that a counting machine cannot be used due to mechanical failure or other emergent situation.

(a) A gaming licensee may use one counting machine that automatically provides the counts required in 205 CMR 138.48(2) of the items at different stages of the counting process. If the counts are not in agreement, the machine shall document the discrepancy and cease operation until the discrepancy is resolved by a count team member.

(b) If a gaming licensee does not use a counting machine described in 205 CMR 138.48(3)(a), two different counting machines shall be used. Upon completion of the count using the first machine, the cash storage bins or cassettes shall be emptied and displayed to the full view of a closed circuit television camera to assure that the contents have been emptied. The second machine count shall be performed to verify the totals of the first machine. If the counts are not in agreement, the count team shall resolve the discrepancy before continuing the second count.

205 CMR: MASSACHUSETTS GAMING COMMISSION

(c) Each machine shall generate a report at the completion of its count documenting the following:

1. The total of each denomination of currency;
2. The total of all currency;
3. The total number of gaming vouchers;
4. The total number and amount of coupons for which the count machine can determine the value of the coupon (machine count coupons); and
5. The total number of coupons for which the count machine cannot determine the value of the coupon (manual count coupons).

(4) A test count shall be conducted prior to the start of the first use of each counting machine, each gaming day, and prior to each count. The count room supervisor shall:

(a) Verify that the counting machine has a zero balance on its display and cause a receipt to be printed which denotes 0 cash, gaming vouchers or coupons on hand, and 0 notes, gaming vouchers or coupons in the machine, or other approved means to indicate that the machine has been cleared of all currency, gaming vouchers and coupons;

(b) Visually check the counting machine to be sure there are no bills, gaming vouchers or coupons remaining in the various compartments of the machine;

(c) Supervise a count team member who shall select a drop box or slot cash storage box. If slot storage boxes are being counted that day, a slot cash storage box must be selected and it must contain currency, and if issued by the gaming licensee, gaming vouchers and coupons. The count team member shall place the entire contents of the table drop box or slot cash storage box into the first counting machine, which shall count the currency by denomination as well as any gaming vouchers and coupons. Any soiled or off-sorted bills, gaming vouchers or coupons shall be re-fed into the machine. Any items which the counting machine is not able to count automatically, such as coins, tokens, gaming chips or mutilated or torn currency, gaming vouchers, and coupons shall be manually counted, recorded either manually or entered into the counting machine, and segregated from items which the counting machine was able to count automatically. The count team member shall cause the counting machine, in conjunction with the gaming voucher system, to produce one or more test receipts of the count, and the count shall not be shown to anyone until completion of the final verification process;

(d) Supervise a second count team member, independent of the team member performing the initial count, who shall manually count or use a second counting machine to count and summarize the items on test receipts;

(e) Compare the totals on the test receipts for agreement. If the totals are in agreement, the count room supervisor shall sign and date the test receipts and place them in the locked accounting box to be forwarded to the [easinegaming](#) accounting department at the end of the count process. If the totals do not agree, the test count procedures shall be repeated. The test count procedures shall be repeated until the totals are in agreement or a determination is made that the count machine cannot be used. The count room supervisor shall not permit a counting machine to be used until these totals are in agreement;

(f) Supervise a count team member who, at the conclusion of the test procedure shall display the cash bin or storage cassettes to the full view of a closed circuit television camera to assure that the contents have been emptied prior to replacing cassettes into the counting machine; and

(g) Verify that the counting machine has a zero balance in accordance with 205 CMR 138.48(4)(a).

(5) Procedures for the count of boxes shall be as follows:

(a) The contents shall be segregated and counted so as to permit the contents to be

205 CMR: MASSACHUSETTS GAMING COMMISSION

recorded for the box from which it was removed. Each box shall be individually:

1. placed on the count table at which time one count team member shall verbalize, in a tone of voice to be heard by all persons present and to be recorded by the surveillance audio recording device, the game and table number marked thereon for table drop boxes, or the asset or unique identification number marked thereon for slot cash storage boxes; and
 2. unlocked and the contents emptied on the count table. The inside of the box shall be held up to the full view of a closed circuit television camera to assure all contents of the drop box or slot cash storage box have been removed, after which the drop box or slot cash storage box shall be locked and placed in the storage area for drop boxes and slot cash storage boxes;
- (b) A count team member shall segregate:
1. Currency, machine count coupons, and gaming vouchers;
 2. Coin, tokens, gaming chips, manual count coupons and any mutilated or torn items; and
 3. Forms and documents;
- (c) A count team member shall attempt to match pieces of mutilated or torn items which shall be processed as follows:
1. Mutilated or torn currency shall be recorded as revenue if the bill includes one entire serial number and one letter and number of the serial number from the other half of the bill;
 2. Mutilated or torn currency that is not recorded as revenue shall be placed in a sealed transparent envelope or container and transferred to the main bank by the main bank cashier or cage supervisor at the end of the count; and
 3. All mutilated or torn coupons and gaming vouchers shall be recorded as revenue regardless of condition;
- (d) The value and number of coin, tokens, gaming chips, manual count coupons (by denomination) and any mutilated or torn items shall be manually entered into the counting machine for each drop box or slot cash storage box;
- (e) Currency, machine count coupons and gaming vouchers shall be placed in a counting machine. The counting machine shall count and calculate the value of the currency. The value of each gaming voucher or coupon shall be obtained from the counting machine or an approved gaming voucher system, as applicable;
- (f) Upon completion of the machine count:
1. For each drop box, the counting machine shall generate the report required by 205 CMR138.48(3)(c);
 2. The currency, table game coupons, coin, tokens, and gaming chips counted shall be placed on the banking table; and
 3. Any drop box coupon which has not already been cancelled upon acceptance or during the count shall be cancelled prior to the conclusion of the count;
- (g) The forms and documents shall be compared to the preliminary master game report for accuracy by a count team member who shall not simultaneously have access to currency. Any discrepancies shall be recorded on the preliminary master game report to be resolved by the [casino gaming](#) accounting department. The forms and documents and preliminary master game report shall be placed in the locked accounting box to be forwarded to the accounting department at the end of the count process; and

205 CMR: MASSACHUSETTS GAMING COMMISSION

(h) The count team supervisor shall prepare a detailed written report describing all count room incidents that may have negatively impacted the opening, counting and recording of the drop boxes (for example, a computer interface problem, dropped basket). The report shall include a description of any corrective action taken and shall be electronically filed with the IEB at the conclusion of the count.

(6) As the contents of each table drop box are counted, if not already recorded in the computer system used to create the Master Game Report and supporting documentation, a count team member shall manually record or cause a computer system to record, the following information by game and table number:

- (a) The value of each denomination of currency counted;
- (b) The value of coin, tokens and/or gaming chips counted;
- (c) The total value of currency, coin, tokens and gaming chips counted;
- (d) The value of each denomination and total value of coupons other than match play coupons;
- (e) The value of each denomination and total value of match play coupons and table game wager coupons;
- (f) 50% of the total value of match play coupons and table game wager coupons;
- (g) The amount recorded on each document and the total of all documents evidencing a debit card chip transaction;
- (h) The amount of the Opener;
- (i) The amount of the Closer;
- (j) The serial number and amount of each Counter Check and the total amount of all Counter Checks;
- (k) The serial number and amount of each Pit Redemption Form and the total of all Pit Redemption Forms;
- (l) The serial number and amount of each Fill and the total amount of all Fills;
- (m) The serial number and amount of each Credit and the total amount of all Credits;
- (n) The amount recorded on each Complimentary Vigorish Form and the total amount of all Complimentary Vigorish Forms;
- (o) The table game win or loss or, for poker, the poker revenue; and
- (p) The table game win or loss percentage.

(7) In addition to the requirements of 205 CMR 138.48(6), the Master Game Report shall include:

- (a) The gaming date of the items recorded;
- (b) The grand total for items in 205 CMR 138.46(6)(c) through (q);
- (c) The total number of drop boxes opened and counted; and
- (d) The date and time prepared.

(8) If the gaming licensee offers the game of poker, the count room supervisor shall review the Master Game Report to ensure that negative poker revenue has not been reported for any poker table. If negative poker revenue has been reported for a poker table, the count room supervisor shall initial the Master Game Report for each such poker table and immediately

205 CMR: MASSACHUSETTS GAMING COMMISSION

notify the surveillance department of the poker table(s) and corresponding negative poker revenue reported thereon.

(9) As the contents of each slot cash storage box are counted, if not already recorded in the computer system used to create the Slot Cash Storage Box Report and supporting documentation, a count team member shall manually record or cause a computer system to record, the following information by asset number:

- (a) The asset number of the bill changer to which the slot cash storage box contents correspond;
- (b) The value of each denomination and total value of currency counted;
- (c) The number and value of each cashable coupon counted, and if a gaming voucher system is used to redeem coupons, the validation number and value of each coupon counted, and total number and value of all cashable coupons;
- (d) The number and value of each non-cashable coupon counted, and if a gaming voucher system is used to redeem such coupons, the validation number and value of each coupon counted, and total number and value of all non-cashable coupons;
- (e) A listing of the validation number and value of each gaming voucher counted, and total number and value of all gaming vouchers; and
- (f) Any additional information on the Slot Cash Storage Box Report as may be required by the IEB.

(10) In addition to the requirements of 205 CMR 138.48(9), the Slot Cash Storage Box Report shall include:

- (a) The gaming date of the items recorded;
- (b) The grand total for items in 205 CMR 138.48(9)(b) through (e);
- (c) The total number of drop boxes opened and counted;
- (d) The date and time prepared.

(11) After preparation of the Master Game Report or the Slot Cash Storage Box Report, the count room supervisor shall compare the total number of boxes counted to the number of boxes, including any emergency boxes, collected and recorded on the box reconciliation form. Any unresolved discrepancy shall be documented on the Drop Variance Report which shall be filed with the IEB.

(12) All suspected counterfeit currency shall be counted and recorded as drop on the Master Game Report or Slot Cash Storage Box Report. The counterfeit currency shall be segregated from all other currency and placed in a transparent container. A count room supervisor shall complete a Department of Treasury Counterfeit Note Report and place the container and report on the banking table.

(13) A count team member designated as the banker shall count each denomination of currency, table game coupons, tokens, and gaming chips, and verbalize the amounts. The count room supervisor shall verify the amount verbalized to the amount recorded on the Master Game Report or Slot Cash Storage Box Report. The banker and count team supervisor shall sign the report(s) attesting to the accuracy of the information recorded thereon. The information recorded thereon shall not be accessible to any person outside the count room until after the main bank cashier or cage supervisor (cashier) has verified and accepted the drop unless otherwise authorized by the IEB.

(14) All other count team members shall sign the Master Game Report and/or the Slot Cash Storage Box Report as evidence of their participation in the counting of the drop boxes and/or slot cash storage boxes.

(15) After the contents of the boxes have been counted and recorded on the Master Game

205 CMR: MASSACHUSETTS GAMING COMMISSION

Report and/or Slot Cash Storage Box Report, the count room supervisor shall notify the main cage. A cashier shall enter the count room and not have any access to the information recorded on the Master Game Report or the Slot Cash Storage Box Report. The cashier, in the presence of the banker, shall count the currency, table game coupons, coins, tokens, gaming chips, and mutilated or torn items.

(a) Currency, table game coupons, coin, tokens, and gaming chips shall be presented in the count room by the banker to a main bank cashier or cage supervisor (cashier). Prior to having access to the information recorded on the Master Game Report or the Slot Cash Storage Box Report, the cashier, in the presence of the banker, shall count the items in accordance with the following requirements:

1. The cashier shall have physical access to all items presented for counting and no currency or table game coupons presented for counting shall be wrapped or placed in any sealed bag or container until the entire count has been completed and the Master Game Report or the Slot Cash Storage Box Report has been signed by the cashier;
2. The cashier shall bulk count all strapped currency and table game coupons. The cashier shall count all partial straps, loose currency and table game coupons, mutilated or torn currency and coupons, coin, tokens, and gaming chips either by hand or with an approved counting machine. If a discrepancy in an individual denomination is discovered during the initial count, the cashier shall recount the currency of that denomination either by hand or with an approved counting machine;
3. The cashier shall randomly count the currency within at least 10% of the total number of straps. The count shall be by hand or with an approved counting device; and
4. The cashier shall randomly sample the table game coupons for intermixed denominations and proper cancellation.

(b) If the total currency or total coupons counted by the cashier do not agree with a total on the Master Game Report or Slot Cash Storage Box Report and the discrepancy cannot be resolved, a Drop Variance Report shall be completed by the count room supervisor. The original shall be delivered to the IEB and the duplicate placed in the locked accounting box in the count room. The report shall include, at a minimum, the following:

1. The date of preparation;
2. The source of the variance (currency and/or coupon);
3. The denomination(s) of the source of the variance;
4. The amount of the variance;
5. The measures taken to detect the source of the variance;
6. The name and signature of the count room supervisor; and
7. The name and signature of the cashier.

(c) Upon completion of the cashier's count, the cashier shall attest by signature on the Master Game Report and/or Slot Cash Storage Box Report, that the amount of cash from drop boxes counted, and the amount of coupons from table drop boxes counted as recorded on these documents, and if applicable, the Drop Variance Report, agree with the total amounts of cash and coupons counted by the count team. Upon attestation, all items other than coupons and vouchers shall be under the exclusive control of the cashier and shall not be handled by a count team member.

(16) Once all required signatures have been obtained, a copy of the totals page of the original Master Game Report, Slot Cash Storage Box Report and disc(s) detailing all gaming vouchers and coupons counted, shall be delivered to the IEB. In addition, an electronic copy of the Master Game Report and/or Slot Cash Storage Box Report shall be filed with the IEB within 48 hours of the completion of the drop.

205 CMR: MASSACHUSETTS GAMING COMMISSION

(17) Each copy of an original Master Game Report or Slot Cash Storage Box Report which is not part of a multi-part form shall be stamped with the word "copy" by the count room supervisor prior to its distribution.

(18) Any coupons and gaming vouchers for which the value could not be determined by the count machine or the gaming voucher system shall be segregated and placed in the locked accounting box for review.

(19) The original Master Game Report and Slot Cash Storage Box Report, after signing, and any other supporting documentation shall be placed in the locked accounting box located in the count room. A member of the casino gaming accounting department with no incompatible functions shall retrieve the contents of the locked accounting box and the gaming vouchers and coupons which were processed during the count immediately after the cashier verifies, accepts, and removes the drop from the count room.

(20) For each trolley scheduled for the next drop, the count team supervisor shall determine that the number of empty boxes on the trolley is correct. The count team supervisor shall prepare and sign a drop box verification form as required by 205 CMR 138.00, with the following:

- (a) The trolley number;
- (b) The pit number and number of empty boxes by pit, if applicable;
- (c) The slot zone and number of empty boxes by zone, if applicable; and
- (d) The total boxes in the trolley.

(21) A count room employee shall conduct a thorough inspection of the entire count room and all counting equipment located therein to verify that no cash, tokens, gaming chips, gaming vouchers, or coupons remain in the room and shall certify the foregoing in a writing which shall be filed with the IEB.

138.49: Procedure for Opening, Counting and Recording the Contents of Bill Validator Boxes, Kiosks Gaming Voucher Redemption Machines Kiosks, Determination of Gross Revenue Deduction

A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include procedures relative to opening, counting, and recording contents of bill validator boxes, kiosks gaming voucher redemption machines kiosks, and determination of gross revenue deduction that include, at a minimum, the following provisions:

(1) At least once every seven days, a gaming licensee shall coordinate the removal of the bill validator boxes from all kiosks gaming voucher redemption machines kiosks and the insertion of empty, replacement bill validator boxes into the machines kiosks (the bill validator drop).

(2) Prior to the bill validator drop, a gaming accounting supervisor shall count the number of empty bill validator boxes to be exchanged as part of the bill validator drop and confirm, in writing on a bill validator drop form, that the count equals the number of boxes scheduled to be collected. Prior to the drop, the form shall include at a minimum:

- (a) The date;
- (b) The kiosk The gaming voucher redemption machine kiosks number(s) or location(s);
- (c) The number of boxes to be dropped; and
- (d) The signature of the accounting supervisor.

(3) A casino security department member and an accounting department member shall obtain the keys necessary to perform the bill validator drop from their respective departments.

205 CMR: MASSACHUSETTS GAMING COMMISSION

- (4) In the presence of the easine security department member, the accounting department member shall:
- (a) Place the appropriate number of empty bill validator boxes required for the bill validator drop into a secure cart;
 - (b) Transport the cart and the boxes to the gaming area;
 - (c) Unlock the cabinet(s) housing the bill validator boxes;
 - (d) Exchange the bill validator boxes; and
 - (e) Place the boxes removed in the secure cart.
- (5) Immediately upon removal of each bill validator box, the ~~kiosk gaming voucher redemption machine shall generate~~ kiosk or its back-office platform shall provide the information needed to prepare a receipt (Bill Validator Receipt) that documents the total value of each item (gaming vouchers, coupons and/or currency) in the bill validator box. Such receipt shall be placed into a locked accounting box by the accounting department member.
- (6) Prior to the movement of the collected boxes, the accounting department member shall verify and confirm in writing by signing the bill validator drop form, that the number of boxes being transported from the gaming area equals the number of boxes in 205 CMR 138.49(2)(c). Any discrepancies shall be immediately reported to the surveillance department and in writing to the IEB in-house office.
- (7) Accompanied by an accounting department member and a easine security department member, the locked cart containing the bill validator boxes shall be transported to:
- (a) The cashiers' cage for counting or a secure area approved by the IEB under the control of the main bank or master coin bank and stored there until counted; or
 - (b) The count room for counting only when the count of table game drop boxes or slot machine drop containers is not in progress.
- (8) The contents of the bill validator boxes shall be counted as follows:
- (a) If the boxes are counted in the cashiers' cage, a main bank or master coin bank cashier shall document their contents, by item and amount, on a two-part Balance Receipt.
 - 1. The cashier who documents the contents of boxes shall retain the original Balance Receipt as an inventory document until forwarded directly to the easine gaming accounting department with the main bank or master coin bank end-of-day paperwork.
 - 2. The cashier shall place the duplicate Balance Receipt in a locked accounting box.
 - (b) If the boxes are counted in the count room, the easine gaming accounting department member(s) performing the count shall document the count for each individual bill validator box on a Balance Receipt. If the counting equipment documents the count of each individual bill validator box, the gaming vouchers, coupons and currency need only be documented for the entire bill validator drop and not for each individual bill validator box. At the completion of the count, a main bank or master coin bank cashier shall verify the contents on the Balance Receipt.
 - 1. The accounting department member(s) shall transport the gaming vouchers and coupons directly to the accounting department together with the original Balance Receipt and the supporting documentation for each bill validator box.
 - 2. The main bank or master coin bank cashier shall transport the currency directly to the main bank or master coin bank together with the duplicate Balance Receipt.
- (9) A gaming licensee shall generate reports necessary to reconcile the funds placed into

138.50: Internal Controls E: (Reserved)

138.51: Accounting Controls for Gaming Voucher Redemption ~~Machines~~ Kiosks

A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include provisions governing a computerized gaming voucher system for the redemption of gaming vouchers that comports with 205 CMR 143.00: *Gaming Devices and Electronic Gaming Equipment* and for the reconciliation of the contents of the redemption ~~machines~~ kiosks.

138.52: Slot Machines and Bill Changers; Coin and Token Containers; Slot Cash Storage Boxes; Entry Authorization Logs

A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include procedures relative to slot machines and bill changers that include, at a minimum, provisions to ensure that all gaming devices and electronic gaming equipment in the gaming establishment comport with 205 CMR 143.00: *Gaming Devices and Electronic Gaming Equipment*.

138.53: Progressive Slot Machines

If a gaming licensee offers one or more progressive jackpots that increase in value as the machine is played based upon a set rate of progression and awarded when a player achieves a specific game outcome, the system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include policies and protocols as provided by 205 CMR 143.02: *Progressive Gaming Devices*.

138.54: Linked Slot Machines Interconnected in More than One Gaming Establishment; Slot System Operator; Computer Monitor

Prior to participation by a gaming licensee in a multi-casino progressive slot system, the gaming licensee shall submit a system of internal controls in accordance with 205 CMR 138.02 specifying the manner in which the participating gaming licensees and slot system operators will satisfy the provisions of 205 CMR 143.02: *Progressive Gaming Devices*.

138.55: Inspection of Slot Machine Jackpots

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include policies and procedures governing the inspection of slot machines and electronic gaming devices including, at a minimum, the following provisions:

- (1) For all slot machine and other electronic gaming device jackpots over \$75,000 in cash, merchandise, or cash equivalent value, or any jackpot where there is evidence of a malfunction, the gaming licensee shall notify the IEB that a jackpot has been registered and permit the IEB to inspect any slot machine, progressive equipment or related equipment; and
- (2) Policies with respect to the payment of jackpots if an inspection is pending, but not yet completed, or an inspection is performed and the results are such that the jackpot may have been the result of an impropriety.

138.56: Attendant Paid Jackpots and Credit Meter Payouts

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include policies and procedures governing the payment of jackpots and credit meter payouts if and when the payment is not automatically disbursed from a slot machine or electronic gaming device in the form of a gaming voucher. Such procedure shall at a minimum address the provisions of 205 CMR 143.01(1)(n) and, if the gaming licensee elects to do so, incorporate provisions outlining the process to be followed for the aggregate reporting of slot machine winnings as allowed by 26 CFR §1.6041-10(g).

- (1) Slot machine tournaments may not be played with cash, value chips, plaques, gaming vouchers or other cash equivalents.
- (2) A gaming licensee may charge an entry fee to participate in a slot machine tournament. A gaming licensee that charges an entry fee shall submit an acknowledgment of the total fees collected to the IEB by 10:00 A.M. on the day following the conclusion of the tournament.
- (3) A system of internal controls submitted in accordance with 205 CMR 138.02, which shall be maintained by the gaming licensee, shall set forth a process that provides for submission of a written notice to the Bureau at least five business days prior to the commencement of a slot machine tournament, which shall include, at a minimum, the following:
 - (a) A general description of how the slot machine tournament will be conducted and a copy of the rules governing play;
 - (b) The dates and times that the tournament will be conducted;
 - (c) Participation eligibility requirements including:
 1. Who is eligible to participate;
 2. The minimum and maximum number of participants; and
 3. Entry fees charged.
 - (d) The criteria used to determine the winners;
 - (e) The monetary amount or description of the prizes to be awarded;
 - (f) The details of when and how the prizes will be awarded;
 - (g) The asset and gaming floor plan location numbers of the slot machines that will be used to conduct the slot machine tournament; and
 - (h) How the slot machine tournament area will be segregated from patrons who are not participating in the slot machine tournament.
- (4) In addition to filing a notice required under 205 CMR 138.57(3), a gaming licensee shall submit a copy of the notice to the Commission's finance department.
- (5) Advertising to promote a slot machine tournament must, at a minimum:
 - (a) Contain information regarding who is eligible to participate; and
 - (b) Include a copy of the slot machine tournament rules or state how a copy of the rules may be obtained.
- (6) A slot machine used for a slot machine tournament must:
 - (a) Use tournament software certified in accordance with 205 CMR 144.00: *Approval of Slot Machines and Other Electronic Gaming Devices and Testing Laboratories*;
 - (b) Maintain connectivity with the Central Monitoring System (CMS); and
 - (c) Have the functionality of the bill validator, ticket printer and electronic funds transfer meters disabled during the slot machine tournament so that the slot machine does not accept cash or credits or make payouts during tournament play.
- (7) Before and after a slot machine tournament, the gaming licensee shall:
 - (a) Receive approval from the Network Operations Center to place the slot machine in and take it out of tournament mode; and

205 CMR: MASSACHUSETTS GAMING COMMISSION

(b) Ensure that the Network Operations Center has recorded all meter settings on all slot machines used in the tournament.

(8) A gaming licensee shall maintain records related to the conduct of a slot machine tournament in accordance with 205 CMR 138.09. These records shall be made available to the commission upon request and must include, at a minimum:

(a) A copy of the notice required under 205 CMR 138.57(3); and

(b) The names and addresses of all prize winners and the prize each winner was awarded.

(9) An activity involving a slot machine or other gaming equipment which occurs on the gaming floor of a gaming establishment or in areas off the gaming floor where contests or tournaments are conducted and which results in an individual obtaining any money or thing of value from, or being owed any money or thing of value by, a gaming licensee must have surveillance coverage.

138.58: Alternate Forms of Jackpot Payments

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include provisions governing the offer and payment of alternate forms of jackpots to include, but not be limited to:

(1) If the jackpot is in the form of an annuity or other non-cash instrument, the terms and conditions on which that jackpot will be authorized, awarded and accounted for, including for any annuity jackpot a provision ensuring that, except as otherwise directed by the recipient, any remaining payments will be paid to the recipient's estate after the recipient's death;

(2) If the jackpot is in the form of merchandise, the terms and conditions on which that jackpot will be authorized, awarded and accounted for; and

(3) That appropriate tax forms are completed.

138.59: Procedure for Filling Payout Reserve Containers of Slot Machines and Hopper Storage Areas

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include procedures for filling payout reserve containers of slot machines and hopper storage areas, if utilized.

138.60: Procedure Governing the Removal of Coin, Slot Tokens and Slugs from a Slot Machine Hopper

~~If a gaming licensee uses progressive jackpots that increase in value as the game is played based upon a set rate of progression, and the jackpot is awarded to a patron when a specific result or outcome is achieved~~ uses slot machines at the gaming establishment that accept coins, the system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall ~~include procedures governing the~~ also include policies and protocols ~~procedures governing equal division of payouts and reset amounts in instances when a progressive jackpot that increases in value as the game is played is won by two or more patrons during the same round of play as provided by 205 CMR 143.02: Progressive Gaming Devices~~ the removal of coin, slot tokens, and slugs from a slot machine hopper.

138.61: Slot Accounting Requirements; Electronic Table Games Which Accept Gaming Vouchers or Coupons Redeemed by Gaming Voucher System

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include slot accounting procedures designed to ensure that the gaming licensee's slot activities are accurately and timely recorded and reported. Specifically, the policies and procedures, which shall comport with 205 CMR 143.03: *On-line Monitoring and Control Systems (MCS) and Validation System*, shall include, but not be limited to:

(1) Identification of the specific types of gaming devices from which the revenue is

205 CMR: MASSACHUSETTS GAMING COMMISSION

considered slot revenue for reporting purposes.

(2) The specific reports, by content and frequency, generated by the licensee's automated slot monitoring system, including the distribution thereof and the controls in place to maintain the integrity of the information contained therein.

(3) The specific procedures utilized by the accounting department to review reports generated by the slot monitoring system and compare the information contained therein to supporting documents to include, but not be limited to:

- (a) Records of currency, coupons and gaming vouchers inserted for credit;
- (b) Records of wagering activities from account based wagering reports;
- (c) Records of wagering activities from electronic fund sources;
- (d) Records of fills;
- (e) Records of jackpot and credit meter payouts;
- (f) Records of voucher payouts;
- (g) The contents, as counted, of slot cash storage boxes;
- (h) Variances reported in the slot cash storage box count process; ~~and~~
- (i) Such other documents that support the reported activity of a slot machine or other electronic gaming device.

(4) Its detailed procedures to investigate and resolve differences, identified by the accounting department, resulting from the comparisons identified in 205 CMR 138.61(3), including supervisory approval thereof.

(5) Its detailed procedures to audit and account for the activities of its slot machines on a manual basis, in the event that the automated slot monitoring system is not functional.

(6) The form and frequency of its completed slot revenue reports to include the specific information contained therein (for example, revenue by machine, revenue by denomination, etc.), in a manner that is consistent with other reporting requirements.

138.62z: Payment of Table Game Progressive Payout Wagers; Supplemental Wagers Not Paid from the Table Inventory

If a gaming licensee offers, at its table games, one or more progressive jackpots that increase in value as the game is played based upon a set rate of progression, and the jackpot is awarded to a patron when a specific result or outcome is achieved, the system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall ~~include policies and protocols~~ also include policies and protocols governing equal division of payout and reset amounts in instances when a progressive jackpot that increases in value as the game is played is won by two or more patrons during the same round of play as provided by 205 CMR 143.02: *Progressive Gaming Devices*.

138.63: Slot Machines and Other Electronic Gaming Devices; Authorized Locations; Movements

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include provisions governing the movement and placement of electronic gaming devices, including Sports Wagering Kiosks, that, at a minimum, comport with 205 CMR 145.00: *Possession of Slot Machines and Electronic Gaming Devices*. Such provisions shall at a minimum ensure that:

- (1) All drop boxes, bill validator stackers, ticket vouchers, printer paper, tokens and revenue are removed from an electronic gaming device prior to removal from the gaming area or Sports Wagering Area; and
- (2) All security locks and slot seals affixed pursuant to 205 CMR 144.03(2)(b) are removed

205 CMR: MASSACHUSETTS GAMING COMMISSION

from an electronic gaming device in a secure location within the gaming establishment prior to shipment from the gaming establishment.

138.64: Accounting Controls for Chippersons and Chips

The system of internal controls submitted by a gaming licensee in accordance with 205 ~~CMR~~CMR138.02 shall include policies and procedures governing the processes of fills and credits. At a minimum, such policies and procedures shall:

- (a) Identify the department(s) and individual(s) responsible for performing the duties of fills and credits, including:
 1. The steps involved in the processes of both fills and credits;
 2. Whether the processes will be performed manually or electronically; and
 3. Signatures of the department(s) and individual(s) performing the fills and credits.
- (b) Explain the duties of table game employee(s), the duties of main bank employee(s), and the duties of security personnel, including detailed recording procedures of the fill or credit transaction.
- (c) Include notification to the surveillance department by the bank or by pit personnel that a fill or credit is being performed, including:
 1. Notification of errors pertaining to fills and credits;
 2. Identification of the department(s) and individual(s) responsible for correcting errors pertaining to fills and credits; and
 3. Procedures for voided transactions and manual transactions.

138.65: Cashless Wagering Systems: (Reserved)

138.66: Master Lists of Approved Table Games, Movements of Gaming Equipment; Amendments of Operation Certificates upon Filing Updated Master List

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include provisions relative to the movements of gaming equipment that incorporate, at a minimum, the following provisions:

- (1) In order to conduct gaming or simulcast wagering, each gaming licensee shall file with the IEB office in the gaming establishment comprehensive lists of the table games in its gaming establishment (the Table Games Master List), if any.
- (2) At a minimum, each Table Game Master List shall contain the following information:
 - (a) The date on which the list was prepared;
 - (b) A description of each table by:
 1. Type of authorized game;
 2. Location number; and
 3. Serial and table number; and
 - (c) Such other information as the commission may require.
- (3) Whenever a gaming licensee proposes that gaming tables be brought into, removed from or moved within a gaming establishment, as applicable, the gaming licensee shall first:
 - (a) Ensure that the resulting table game configuration will be consistent with the approved floor plan in accordance with 205 CMR 138.07 and that the number of table

205 CMR: MASSACHUSETTS GAMING COMMISSION

games is within the authorized number allowed under the operations certificate issued in accordance with 205 CMR 151.01: *Issuance and Posting of Operation Certificate*; and

- (b) Provide an authorized agent of the IEB with written notice at least 24 hours prior to the actual movement of each gaming table.

- (4) The gaming manager or his or her designee shall notify in writing the accounting department, the security department and the IEB, at least 24 hours in advance of all movements and removals of gaming tables. The notification shall include at a minimum:
 - (a) The date and time of movement or removal;
 - (b) The gaming table(s) or asset number(s), as applicable;
 - (c) Whether a movement or removal;
 - (d) The location from which gaming table will be moved;
 - (e) The location to which the gaming table will be moved; and
 - (f) The signature of a gaming manager or designee.

- (5) Prior to moving or removing a gaming table:
 - (a) The table inventory shall be credited from the table; and
 - (b) The table drop box shall be removed during a scheduled drop box pick-up and a replacement box not placed on the table.

- (6) Immediately after each gaming table is brought into, removed from or moved within a gaming establishment, the gaming licensee completing the move shall file and serve, in accordance with 205 CMR 138.66(1), updated master lists of its table games to the extent that the move causes a change in the information contained on the most recent version of the applicable list on file with the IEB.

138.67: Employee Signatures

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include provisions relative to signatures required in accordance with the internal controls and 205 CMR in general that incorporate the following provisions:

- (1) Signatures shall, at a minimum, comply with either of the following requirements:
 - (a) If written, they shall be the signer's first initial, last name, and legible credential number, written by the signer, and be immediately adjacent to or above the title of the signer; or
 - (b) If electronic, they shall be the employee's name and identification number or other computer identification code issued to the employee by the gaming licensee, if the document to be signed is authorized to be generated by computer; and
 - (c) They shall signify that the signer has personally prepared forms, records, and documents, and/or authorized, observed, and/or participated in a transaction to a sufficient extent to attest to the accuracy of the information recorded thereon, in conformity with the internal controls.

- (2) Written signature records shall be prepared for each employee required to sign records and documents and shall include specimens of signatures, titles of signers and the date the signature was obtained. Such signature records shall be maintained alphabetically by last name either on a company-wide or departmental basis. The signature records shall be adjusted on a timely basis to reflect changes of personnel.

- (3) Signature records shall either be:
 - (a) Securely stored in the accounting department; or
 - (b) Stored in electronic form and maintained by the IT Department in a secure format so

205 CMR: MASSACHUSETTS GAMING COMMISSION
that such signature records can be promptly retrieved in the event of a computer failure.

138.68: Expiration of Gaming-related Obligations Owed to Patrons; Payment to the Gaming Revenue Fund

- (1) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include provisions governing the expiration of gaming-related obligations, and unclaimed cash and prizes that provide, at a minimum, that:
 - (a) Any money that is owed to a patron by a gaming licensee as a result of a gaming transaction must be claimed within one year of the date of the gaming transaction or the obligation of the gaming licensee to pay the patron will expire. Upon expiration of the obligation, the involved funds must be transferred to the Gaming Revenue Fund in accordance with M.G.L. c. 23K, §§ 53 and 59. In calculating the one year period referenced in 205 CMR 138.68(1) and in M.G.L. c. 23K, § 53, any period of time for which the gaming establishment was not in operation shall be excluded;
 - (b) Any unsecured funds that did not register on a slot machine's coin-in meter, as described in 205 CMR 138.33(7), must be claimed by the owner within one year of the date the funds are located or the obligation of the gaming licensee to pay the patron will expire. Provided, verification procedures designed to prevent fraudulent claims shall be included in the provision. Upon expiration of the obligation, the cash or equivalent cash value of the subject funds shall be transferred to the Gaming Revenue Fund in accordance with M.G.L. c. 23K, §§ 53 and 59. In calculating the one year period referenced in 205 CMR 138.68(1) and in M.G.L. c. 23K, § 53, any period of time for which the gaming establishment was not in operation shall be excluded; and
 - (c) A gaming licensee shall maintain a record of all unclaimed cash and prizes and gaming-related obligations that have expired.
- (2) Before the end of each calendar month the gaming licensee shall report the total value of gaming debts owed to its patrons that expired during the preceding calendar month in a format prescribed by the commission.
- (3) Each gaming licensee shall submit a check with its monthly report payable to the Gaming Revenue Fund in accordance with M.G.L. c. 23K, § 59 in the amount of the gaming debts owed to its patrons that expired during the preceding month as stated in the report.
- (4) Upon the payment of the expired debt, the gaming licensee shall post the payment and remove the amount from its records as an outstanding debt.
- (5) Failure to make the payment to the Gaming Revenue Fund by the due date shall result in the imposition of penalties and interest as prescribed by 205 CMR.
- (6) Nothing in 205 CMR 138.68 shall preclude the gaming licensee from, in its discretion, issuing cash or other form of complimentary to a patron to compensate the patron for a gaming debt that has expired.

138.69: Entertainment, Filming or Photography within the Gaming Area

- (1) No entertainment, filming or photography shall be offered or conducted within the gaming area, or shall be significantly visible or audible from or in the gaming area, unless the gaming licensee files a written notice with the IEB, at least 24 hours prior to the commencement of such entertainment, filming or photography, which notice shall include, at a minimum, the following information:
 - (a) The date and time of the scheduled entertainment, filming or photography;
 - (b) A detailed description of the type of entertainment, filming or photography to be offered;
 - (c) The number of persons involved in the entertainment, filming or photography;
 - (d) The exact location of the entertainment, filming or photography in the gaming area;

205 CMR: MASSACHUSETTS GAMING COMMISSION

(e) A description of any additional security measures that will be implemented as a result of the entertainment, filming or photography; and

(f) A certification from the supervisors of the gaming licensee's security, gaming operations, and surveillance departments that the proposed entertainment, filming or photography will not adversely affect the security and integrity of gaming operations.

(2) The IEB may at any time require the gaming licensee to immediately cease any entertainment, filming or photography offered within the gaming area, if the entertainment, filming or photography provided material is in any manner different from the description contained in the submission filed pursuant to 205 CMR 138.69(1) or in any way compromises the security or integrity of gaming operations.

(3) In reviewing the initial or continued suitability of an entertainment, filming or photography proposal, the IEB shall consider the extent to which the entertainment, filming or photography proposal may unduly disrupt or interfere with:

- (a) Efficient gaming operations;
- (b) The security of the gaming establishment or any portion thereof;
- (c) Surveillance operations; or
- (d) The security or integrity of gaming operations or any authorized game.

138.70: Technical Standards for Count Room Equipment

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall identify all equipment used in the counting process of the contents of drop boxes, slot cash storage boxes, slot drop buckets, and slot drop boxes that include, at a minimum, the provisions in 205 CMR 138.70(1) through (3):

- (1) A detailed description of the design and use of the computer equipment and any communication interfaces related to the counting process;
- (2) Names of all revenue files and who has access and what type of access they have to these files; and
- (3) Procedures for controlling changes to computer equipment, communication interfaces, configuration, and software which provide for, at a minimum, written or electronic notification in accordance with 205 CMR.

138.71: Table Game Tournaments and Promotional Events within the Gaming Area

(1) A gaming licensee may conduct a gaming tournament for any table game authorized by the Commission pursuant to 205 CMR 147.00: *Uniform Standards of Rules of the Games*.

(2) A system of internal controls submitted in accordance with 205 CMR 138.02, which shall be maintained by the gaming licensee, shall set forth a process that provides for submission of a written notice to the Bureau at least five business days prior to the commencement of a gaming tournament, which shall include, at a minimum, the following:

- (a) The date(s), time(s), and location(s) of the scheduled gaming tournament;
- (b) The number of participants expected;
- (c) The game type;
- (d) Rules concerning tournament play and participation;
- (e) The prize structure;
- (f) Dealer tips determined in accordance with 205 CMR 138.34, if applicable;

205 CMR: MASSACHUSETTS GAMING COMMISSION

- (g) Participant registration procedures;
 - (h) The methodology for determining winners;
 - (i) The equipment to be used;
 - (j) Forms utilized in connection with the tournament;
 - (k) A description of security and surveillance measures that will be implemented for the gaming tournament;
 - (l) A certification from the supervisors of the gaming licensee's security, gaming operations, and surveillance departments that the proposed gaming tournament will not adversely affect the security and integrity of gaming operations;
 - (m) A certification from the gaming establishment controller or designee that he or she has reviewed the rules for the tournament in regard to gaming tournament revenue reporting and certified conformance with 205 CMR 140.02(2)(c); and
 - (n) A certification from a holder of a key gaming employee license that the tournament will be conducted in accordance with the tournament rules developed pursuant to 205 CMR 138.71(2).
- (3) Tournaments may not be played with cash, value chips, plaques, gaming vouchers or other cash equivalents. Table game tournaments shall be conducted using tournament chips.
- (4) A gaming licensee may charge an entry fee to participate in a tournament. The gaming licensee that charges an entry fee shall submit electronically the revenue from the tournament at the end of gaming day following the conclusion of the tournament.
- (5) The IEB may at any time require the gaming licensee to immediately cease any tournament or promotional event offered within the gaming area if the tournament or promotional event provided is in any material manner different from the description contained in the submission filed pursuant to 205 CMR 138.71(2) or in any way compromises the security or integrity of gaming operations.
- (6) No false or misleading statements, written or oral, shall be made by a licensee or its employees regarding any aspect of any promotional activity.
- (7) The licensee shall maintain the rules of the event, including eligibility to participate, criteria for entry and winning prizes awarded, and prize winners, for a minimum of two years from the last day of the event. Written rules governing the tournament or promotional event shall be made immediately available to the public and the commission upon request.
- (8) All prizes offered in the promotional activity shall be awarded according to the rules governing the event.
- (9) Large tournaments and promotions held in non-gaming areas will be submitted and reviewed on a case-by-case basis.
- (10) Payouts from promotional activities are not winnings paid to patrons and as such shall not be deductible when calculating gross gaming revenue in accordance with 205 CMR 140.02: *Computation of Gross Gaming Revenue*.
- (11) Promotional coupons shall contain the following information preprinted on the coupon:
- (a) The name of the gaming establishment;
 - (b) The city or other locality and state where the gaming facility is located;
 - (c) The specific value of any monetary coupon stated in U.S. dollars;
 - (d) Sequential identification numbers, player tracking numbers with unique numbers

205 CMR: MASSACHUSETTS GAMING COMMISSION

added to them, or other similar means of unique identification of each coupon for complete and accurate tracking and accounting purposes;

- (e) An expiration date; and
- (f) All conditions required to redeem the coupon.

(12) Licensees offering promotional coupons shall track the issuance and redemption of each promotional coupon. Documentation of the promotional coupon tracking shall be maintained on file for two years and made readily available to the Bureau upon request. The inventory of unissued promotional coupons must be maintained in a reasonable manner that prevents theft or fraud.

(13) Promotional coupons shall be cancelled at the time they are redeemed in a manner that will prevent multiple redemptions of the same coupon.

(14) An activity involving a table game or other gaming equipment which occurs on the gaming floor of a gaming establishment or in areas off the gaming floor where contests or tournaments are conducted and which results in an individual obtaining any money or thing of value from, or being owed any money or thing of value by, a gaming licensee must have surveillance coverage.

138.72: Policies and Procedures for Ensuring a Workplace Free from Unlawful Discrimination, Harassment and Retaliation

(1) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include policies and procedures, or incorporate by reference existing corporate policies, relative to ensuring a workplace free from unlawful discrimination, harassment and retaliation. These policies and procedures shall comply with all federal, state, and local laws relating to unlawful discrimination, harassment, and retaliation, and shall include, at a minimum:

(a) Specific written policies prohibiting unlawful discrimination, harassment and retaliation in the workforce, as well as a statement that the gaming licensee complies with all applicable federal, state and local laws relating to unlawful discrimination, harassment and retaliation. Without limiting any of the below, such policies shall at a minimum incorporate all elements of the Massachusetts Commission Against Discrimination (MCAD) Model Sexual Harassment Policy;

(b) Specific written procedures outlining how concerns, allegations or claims regarding unlawful discrimination, harassment and retaliation are to be reported, including multiple reporting options such as reporting to: an employee's direct supervisor or another supervisor within the organization; any member of the human resources staff; the general manager or president of the property where the employee works; a reporting hotline; and/or any member of the gaming licensee's legal department. The procedures shall identify by name and/or title, address and telephone number at least two individuals to whom concerns of discrimination, harassment or retaliation may be reported; provided, further, that any employee with supervisory powers shall report complaints, concerns or other matters arising or reported under these policies and procedures to the representatives of the organization so identified, and shall be trained on the obligation to ensure immediate and appropriate corrective action in addressing harassment complaints. The licensee shall ensure and shall inform employees that individuals of different genders are available for reporting of complaints. The licensee's procedures may suggest, but need not require, a specific reporting process;

(c) The identification of a specific position at the property or corporate level (or both) that is responsible for overseeing and enforcing the policies and procedures;

(d) A requirement that each employee receive a copy of the policies and procedures as part of the gaming licensee's onboarding process;

(e) A requirement that training on unlawful discrimination, harassment and retaliation be provided by the gaming licensee to all employees within 90 days of the date of hire and every two years thereafter;

205 CMR: MASSACHUSETTS GAMING COMMISSION

- (f) A personal relationships policy that identifies prohibited personal relationships as well as the disclosure requirements for personal relationships;
 - (g) A statement in the policies and procedures that all concerns, allegations or claims will be investigated promptly and that all concerns, allegations or claims will be handled in a confidential manner to the extent possible to ensure a thorough and complete investigation of the concern, allegation or claim; and
 - (h) A listing of the federal and state agencies located in the Commonwealth that enforce the unlawful discrimination, harassment and retaliation laws, including names and addresses of each location within the Commonwealth of the offices of such agencies.
- (2) A gaming licensee shall create a process and procedure to track that all employees attend training as required.
- (3) A gaming licensee shall review its policies and procedures every two years to ensure that such policies and procedures comply with all federal, state and local laws relating to unlawful discrimination, harassment and retaliation.
- (4) A gaming licensee and its corporate parent qualifying entity (as designated by the Bureau) shall each maintain the following information for the previous calendar year regarding their respective employees:
- (a) each concern, allegation or claim of unlawful discrimination, harassment or retaliation reported to the gaming licensee and/or to the corporate parent qualifying entity and the method used to report such concerns, allegations or claims.
 - (b) for each concern, allegation or claim identified in 205 CMR 138.72(4)(a):
 - 1. the identity, by name or title, of the representative of the licensee or corporate parent qualifying entity who investigated the concerns, allegations or claims;
 - 2. the manner in which the concerns, allegations or claims were investigated; and
 - 3. the ultimate resolution of the concern, allegation or claim, such as whether the concern, allegation or claim was resolved internally (by agreement, disciplinary action up to and including termination, or settlement and/or separation agreement) and/or filed with the appropriate federal, state or local authority; provided further, if the matter was resolved by settlement or separation agreement, the licensee or corporate parent qualifying entity shall maintain a copy of such agreement;
 - (c) a general description of the concerns, allegations or claims, *i.e.*, sexual harassment, unlawful discrimination, retaliation;
 - (d) a listing of the number of concerns, allegations or claims awaiting investigation or resolution;
 - (e) a breakdown of the concerns, allegations or claims by the type of concern, allegation or claim and by the level of employee, member of the public/patron or vendor against whom the concern, allegation or claim was made;
 - (f) the gaming licensee's unlawful discrimination, harassment or retaliation policies and procedures with any changes made to the policies and procedures within the last year highlighted;
 - (g) information relating to the training required by 205 CMR 138.72(1)(e), including a listing of the training sessions provided and the number of employees trained by position records of the dates of training; names of participants/sign-in sheets; the identity and title of the trainers; and a brief description of the training; and
 - (h) a statement signed by the gaming licensee's head of human resources at the gaming licensee's corporate level that the gaming licensee and the corporate parent qualifying entity have complied with their policies and procedures and that the information compiled

205 CMR: MASSACHUSETTS GAMING COMMISSION
as required in 205 CMR 138.72(4) is true and correct to the best of such representatives' knowledge and belief.

The Commission shall have the right to review such information upon reasonable notice to the licensee. When providing information identified in 205 CMR 138.72(4)(a) through (d), for review, the licensee and the corporate parent qualifying entity may produce such information in a format that does not include: names of the individual(s) reporting the concern, allegation or claim; the names of witnesses; and specific details of the concern, allegation or claim which could be used to identify the individuals involved in the underlying incident(s).

(5) The gaming licensee shall ensure that any concerns, allegations or claims relating to unlawful discrimination, harassment or retaliation are investigated and resolved in accordance with 205 CMR 138.00 and all other applicable laws and regulations.

(6) The Commission shall have the right, upon request and notice to the gaming licensee, to review any gaming licensee records pertaining to the policies and procedures outlined in 205 CMR 138.72.

138.73: Personally Identifiable Information Security

(1) Any personally identifiable information, as defined in M.G.L. c. 93H and 201 CMR-17.00, Any Confidential Information and Personally Identifiable Information obtained and maintained with respect to a patron, shall be obtained and maintained in compliance with the privacy regulations and standards observed by the Commission, including the application of M.G.L. c. 93H and, 201 CMR 17.00: Standards for the Protection of Personal Information of Residents of the Commonwealth, and any other applicable law, regulation or court order for the protection of personally identifiable information Personally Identifiable Information for any patron regardless of residency.

(2) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include procedures for the security and sharing of personally identifiable information Personally Identifiable Information, including:

(a) The designation and identification of one or more employees having primary responsibility for the design, implementation and ongoing evaluation of such procedures and practices;

(b) The procedures to be used to determine the nature and scope of all information collected, the locations in which such information is stored, and the storage devices on which such information may be recorded for purposes of storage or transfer;

(c) The measures to be utilized to protect information from unauthorized access; and

(d) The procedures to be used in the event the gaming licensee determines that a breach of data security has occurred, including required notification to the Commission.

REGULATORY AUTHORITY

205 CMR 138.00: M.G.L. c. 23K, §§ 4(28), 5, 25(d), 27 and 28, M.G.L. 23N, §§ 4, 6, and 10

Document comparison by Workshare 10.0 on Thursday, December 15, 2022
7:10:16 PM

Input:	
Document 1 ID	file://\tosscloud.local\tosscloud\AND0001\$\home\ALee AND0001\Downloads\jud-lib-205cmr138.pdf
Description	jud-lib-205cmr138
Document 2 ID	iManage://akllp-mobility.imatege.work/AKLLP/1474711/5
Description	#1474711v5<akllp-mobility.imatege.work> - Updated 205 CMR 138 (12.15.22)
Rendering set	all red

Legend:	
<u>Insertion</u>	
<u>Deletion</u>	
<u>Moved from</u>	
<u>Moved to</u>	
<u>Style change</u>	
<u>Format change</u>	
<u>Moved deletion</u>	
<u>Inserted cell</u>	-
<u>Deleted cell</u>	-
<u>Moved cell</u>	-
<u>Split/Merged cell</u>	-
<u>Padding cell</u>	-

Statistics:	
	<u>Count</u>
<u>Insertions</u>	<u>914</u>
<u>Deletions</u>	<u>176</u>
<u>Moved from</u>	<u>0</u>
<u>Moved to</u>	<u>0</u>
<u>Style change</u>	<u>0</u>
<u>Format changed</u>	<u>0</u>

Total changes	1090
---------------	------



SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission (“Commission”) hereby files this Small Business Impact Statement in accordance with G.L. c. 30A, §2 relative to the proposed amendment of **205 CMR 138 UNIFORM STANDARDS OF ACCOUNTING PROCEDURES AND INTERNAL CONTROLS**.

This regulation was amended as part of the process of promulgating regulations governing sports wagering in the Commonwealth, and is primarily governed by G.L. c. 23K, §5 and G.L. c. 23N, §4. The proposed amendments are intended to incorporate obligations and responsibilities relative to Sports Wagering for gaming licensees which may be licensed to conduct Sports Wagering, such as the safeguarding and protection of confidential and personally identifiable patron information.

The regulation applies to potential sports wagering operators and the Commission. Accordingly, this regulation is unlikely to have an impact on small businesses. Under G.L. c.30A, §2, the Commission offers the following responses to the statutory questions:

1. Estimate of the number of small businesses subject to the proposed regulation:

This regulation is unlikely to have an impact on small businesses.

2. State the projected reporting, recordkeeping, and other administrative costs required for compliance with the proposed regulation:

There are no projected reporting, recordkeeping, or other administrative costs required for small businesses to comply with this regulation.

3. State the appropriateness of performance standards versus design standards:

No standards applicable to small businesses are set forth. Provided standards are performance standards.

4. Identify regulations of the promulgating agency, or of another agency or department of the Commonwealth, which may duplicate or conflict with the proposed regulation:

There are no conflicting regulations in 205 CMR, and the Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth.



Massachusetts Gaming Commission

5. State whether the proposed regulation is likely to deter or encourage the formation of new businesses in the Commonwealth:

This amendment is unlikely to have any impact on the formation of new businesses in the Commonwealth.

Massachusetts Gaming Commission

By:

/s/ Caitlin Monahan

Caitlin Monahan, Deputy General Counsel

Dated: April 24, 2023

DRAFT



Massachusetts Gaming Commission

205 CMR 238.00: ADDITIONAL UNIFORM STANDARDS OF ACCOUNTING PROCEDURES AND INTERNAL CONTROLS FOR SPORTS WAGERING

Section

238.01: Definitions 3

238.02: Sports Wagering Operator’s System of Internal Controls..... 3

238.03: Records Regarding Company Ownership ~~87~~

238.04: Sports Wagering Operator's Organization..... ~~87~~

238.05: System for Ensuring Employees Are Properly Licensed or Registered..... 9

238.06: System for Business Dealings with Sports Wagering Vendors ~~109~~

238.07: Information Security Responsibilities ~~109~~

238.08: Accounting Records ~~114~~0

238.09: Retention, Storage and Destruction Records..... 11

238.10: Jobs Compendium Submission 12

238.11: Personnel Assigned to the Operation and Conduct of Sports Wagering..... ~~13~~12

238.12: Reserve Requirement 13

238.13: Complimentary Services or Items and Promotional Gaming Credits ~~15~~14

238.14: Risk Management Framework ~~15~~14

238.15: Taxation Requirements..... ~~16~~15

238.16: Bank Secrecy Act Compliance..... ~~16~~15

238.17: Anti-Money Laundering (AML) Monitoring ~~17~~16

238.18: Integrity Monitoring/Suspicious Behavior..... ~~17~~16

238.19: Responsible Gaming and Problem Gaming Plan ~~20~~18

238.20: Protection of Minors and Underage Youth ~~20~~19

238.21: Patron Protection Information ~~20~~19

238.22: Complaints Pertaining to Sports Wagering..... ~~20~~19

238.23:	Sports Wagering Counter	2220
238.24:	Gaming Day	2322
238.25:	Accounting Controls within the Sports Wagering Counter.....	2322
238.26:	Procedures for Acceptance of Tips or Gratuities from Patrons.....	2725
238.27:	Prohibition of Credit Extension.....	2726
238.28:	Events, Odds and Result Management.....	2726
238.29:	Monitoring the Sports Wagering Activities	2826
238.30:	Acceptance of Sports Wagers.....	2826
238.31:	In-Game or In-Play Wagering.....	2927
238.32:	Restricted Patrons.....	2927
238.33:	Prohibited Persons	3029
238.34:	Layoff Wagers.....	3130
238.35:	Cancelled or Voided Wagers.....	3130
238.36:	Accounting Controls for Sports Wagering Kiosks.....	3533
238.37:	Sports Wagering Equipment	3534
238.38:	Change Management.....	3534
238.39:	Sports Wagering Accounts.....	3634
238.40:	Test Accounts	3634
238.41:	Sports Wagering Accounting Requirements	3635
238.42:	Commission Access to Sports Wagering Data.....	3735
238.43:	Reports of Sports Wagering Operations.....	3735
238.44:	Data and Network Security Requirements	3736
238.45:	Personally Identifiable Information Security	3836
238.46:	Reprints of Sports Wagering Tickets and Vouchers	3937
238.47:	Validation and Payout of Sports Wagering Tickets and Vouchers	3937

238.48: Expiration of Sports Wagering Tickets and Vouchers; Payment to the Sports Wagering Control Fund.....4038

238.49: Entertainment, Filming or Photography within the Sports Wagering Area or Sports Wagering Facility4139

238.50: Policies and Procedures for Ensuring a Workplace Free from Unlawful Discrimination, Harassment and Retaliation.....4139

238.01: Definitions

As used in 205 CMR 238.00, the following words and phrases shall have the following meanings, unless the context clearly indicates otherwise:

Cash means currency or coin.

Cash Equivalent means a certified check, cashier's check, treasurer's check, personal check, travelers' check, money order, or other instrument as specified by the Commission.

Check means as defined in M.G.L. c. 106, §§ 3 through 104.

Chief Sports Wagering Executive means the individual responsible for the daily conduct of a Sports Wagering Operator's business. Unless the Chief Sports Wagering Executive also serves as the Chief Executive Officer of the Sports Wagering Operator, the Chief Sports Wagering Executive shall report directly to the Chief Executive Officer of the Sports Wagering Operator.

Segregated Account means a financial account that segregates funds owned by patrons and that is restricted to funds owned by patrons in the United States, and not comingled with the Sports Wagering Operator's operational funds.

Sports Wagering Counter means any a window in a structure approved by the Commission within a Gaming Establishment or Sports Wagering Facility from which a Ticket Writer conducts Sports Wagering transactions.

Ticket Writer means a person assigned the responsibility for the operation of a Ticket Writer Station.

Ticket Writer Station means a point of sale used by a Ticket Writer for the execution or formalization of Sports Wagers placed on behalf of a patron.

238.02: Sports Wagering Operator's System of Internal Controls

- (1) At least 45 days prior to commencing operations, a Sports Wagering Operator shall submit to the Commission its proposed system of Internal Controls, consisting of procedures and administrative and accounting controls, in accordance with 205 CMR 238.02(4). An Operations Certificate shall not issue until the Operator's Internal Controls are approved in accordance with 205 CMR 238.02(2).
- (2) A system of Internal Controls shall be organized and formatted as required by the Commission.

- (3) The Commission shall refer the proposed system of Internal Controls submitted in accordance with 205 CMR 238.02(1) to the Executive Director, who shall review the submission for compliance with M.G.L. c. 23N and 205 CMR. Upon completion of review, the Executive Director shall, in writing, either approve the submission or advise the Sports Wagering Operator of any deficiency, and any corresponding recommendation or required change. The Executive Director may include any other recommendations or required changes intended to ensure that a robust system of Internal Controls is implemented by the Sports Wagering Operator. The Sports Wagering Operator may, by writing to the Executive Director, either accept a recommendation or required change or dispute the recommendation or required change. If the Sports Wagering Operator disputes the recommendation or required change, the Sports Wagering Operator shall also provide the reason(s) for its dispute. Any such dispute shall be resolved by the Commission.
- (4) The Commission or the Executive Director may revisit any provision of a Sports Wagering Operator's Internal Controls at any time and render recommendations and required changes as necessary. If the Commission or Executive Director renders any such recommendations and required changes, the Commission or Executive Director shall provide the Sports Wagering Operator a reasonable period to implement any such recommendations and required changes. Upon approval by the Executive Director, the Executive Director shall issue a written approval to the Sports Wagering Operator, including any associated conditions.
- (5) If a Sports Wagering Operator seeks to change any provision of its approved Internal Controls, the Sports Wagering Operator shall submit the proposed change, including an explanation thereof, and new certifications from its chief legal and financial officers consistent with 205 CMR 238.02(7)(i) and (j), to the Commission within 15 days of determining that such a change is necessary. The Commission shall refer the proposed change to the Executive Director who shall review the proposal for compliance with 205 CMR 238.00. Changes to the system of Internal Controls will generally be permitted if the proposed change does not lessen the applicable administrative, accounting, or physical control the Sports Wagering Operator has over its operations in the Commonwealth. Upon completion of review, the Executive Director shall either approve the proposed change or advise the Sports Wagering Operator in writing as to why the proposal does not comply with 205 CMR 238.00. The Sports Wagering Operator may appeal the Executive Director's determination to the Commission, which shall resolve the dispute. Approved changes shall be maintained as part of the approved Internal Controls.
- (6) A Sports Wagering Operator shall not implement modifications to Internal Controls until approved by the Executive Director or the Commission. Until such time, the Sports Wagering Operator shall continue to implement the most recently approved Internal Controls; provided, however, that if the Executive Director does not object to or otherwise respond to the submission in writing within 15 business days of receipt of the submission, the Sports Wagering Operator may implement

the proposed change subject to further direction by the Executive Director in accordance with 205 CMR 238.02(4).

- (7) The Internal Controls shall, at a minimum, include the following:
- (a) Administrative controls which include, as their primary objective, policies and procedures designed to assure that all activities and transactions of the Sports Wagering Operator are instituted and completed in accordance with applicable policy or procedure;
 - (b) Accounting controls which include, as their primary objective, procedures to assure that all activities and transactions of the Sports Wagering Operator are accurately reported and recorded in accordance with generally accepted accounting principles;
 - (c) Reporting controls which include policies and procedures for the timely furnishing of economic and social impact reports, and standard financial and statistical reports and information in accordance with 205 CMR 239.00;
 - (d) For Category 1 Sports Wagering Operators and Category 2 Sports Wagering Operators, the Internal Controls required for a gaming establishment as specified in 205 CMR 138.00: *Uniform Standards of Accounting Procedures and Internal Controls* shall apply to a Sports Wagering Area and Sports Wagering Facility. Where compliance with the provisions of both 205 CMR 138 and 205 CMR 238 is not possible, a Gaming Licensee or Sports Wagering Operator shall comply with 205 CMR 138 with respect to gaming operations and 205 CMR 238.00 with respect to Sports Wagering Operations and identify its intent to do so in its written system of Internal Controls; provided, that:
 - 1. in a Category 2 Sports Wagering Facility, an individual supervising a surveillance department monitoring room in accordance with 205 CMR 138.04(2)(a) shall hold an Occupational License in accordance with 205 CMR 235.00 rather than being licensed as a key gaming employee in accordance with 205 CMR 134.00;
 - 2. in a Category 2 Sports Wagering Facility, the security department internal control procedures required by 205 CMR 138.14 shall include a requirement that the facility be protected by security staff at all times, including overnight; and
 - 3. in a Category 2 Sports Wagering Facility, the floor plan required by 205 CMR 138.07 shall depict adequate space for law enforcement officers; for the Bureau and Sports Wagering Division; and for designated agents for the purposes of 205 CMR 133 and 233;

- (e) Access controls which include, as their primary objective, the safeguarding of the Operator's assets, including but not limited to, organizational safeguards, such as segregation of duties between incompatible functions, and physical safeguards, such as restricted access to assets and routine security devices such as cameras and locking doors. Such access controls shall be consistent with the requirements in 205 CMR 141.00 regarding surveillance of gaming establishments;
 - (f) An infrastructure and data security plan which employs technical security controls as described in 205 CMR 243.01;
 - (g) A plan to ensure compliance with 205 CMR 240.00 with respect to tax remittance and reporting;
 - (h) All applicable policies and procedures required pursuant to 205 CMR 238.04 through 238.72 and procedures and practices specified in 205 CMR 243.01;
 - (i) A certification by the Sports Wagering Operator's chief legal officer that the submitted Internal Controls conform to M.G.L. c. 23N, 205 CMR 238.00, and any applicable regulations referenced therein;
 - (j) A certification by the Sports Wagering Operator's chief financial officer that the submitted Internal Controls provide adequate and effective controls, establish a consistent overall system of internal procedures and administrative and accounting controls, and conform to generally accepted accounting principles and 205 CMR; ~~and~~
 - ~~(k)~~ A plan to ensure compliance with the Operator's House Rules, including House Rules issued in conformance that comply with 205 CMR 243.00;
 - ~~(l)~~ A plan, as required by 205 CMR 2XX, to safeguard Confidential Information and Personally Identifiable Information and to ensure compliance with the requirements of 205 CMR 2XX.00, G.L. c. 93H, G.L. c. 93I, 201 CMR 17, and any other applicable law, regulation or order of a governmental body regarding data privacy and security; and
 - ~~(m)~~ A plan describing the Operator's use of computerized algorithms, automated decision-making, machine learning, artificial intelligence, or any similar system, which shall include, at a minimum a description of permissible and impermissible uses of such practices and capabilities, the purposes for which they are used and the types of input and output data and an accounting of the source of each.
- (8) If the Sports Wagering Operator intends to utilize any new technology not identified in its initial Internal Controls proposal, it shall submit the changes to its system of Internal Controls to incorporate the use of any such new technology to

the Commission, which shall refer the proposed change to the Executive Director who shall review the proposal in accordance with 205 CMR 238.02(4).

- (9) (a) If a Sports Wagering Operator seeks to incorporate a provision in its Internal Controls that is not permitted under 205 CMR 238.00, or to exclude a provision required by 205 CMR 238.00, it may petition the Executive Director for permission to do so by including, in its Internal Controls filing, its proposal or petition to change a provision of the Internal Controls in accordance with 238.02(5), along with a citation to the applicable provision of 205 CMR 238.00 and a written explanation as to why the exemption is appropriate. The Executive Director may allow the exemption upon a finding that the proposal is at least equivalent to the relevant provision contained in 205 CMR 238.00. If the Executive Director grants such exemption, the Executive Director shall issue a written approval of the exemption in accordance with 205 CMR 238.02(3), and shall file with the Commission a report describing the exemption, identifying the provision of 205 CMR 238.00 from which an exemption was granted and providing the general reason for granting the exemption.
- (b) In the event that a Sports Wagering Operator is temporarily unable to abide by a provision of its Internal Controls, the Bureau may, upon written request by the Sports Wagering Operator, grant a limited temporary exemption from a provision of the Sports Wagering Operator's Internal Controls, provided that: (i) such exemption shall not to exceed 48 hours; (ii) the provision relates to the operation of Sports Wagering; and (iii) the exemption is supported by good cause showing that the health, safety or welfare of the public or the integrity of Sports Wagering will not be adversely impacted by the exemption. Where the circumstances warrant, such an exemption may be renewed by the Bureau for one additional 48 hour period. All such requests and determinations shall be documented and submitted to the Executive Director for review as promptly as possible.
- (10) The Commission and the Bureau may take any steps necessary to investigate and enforce a Sports Wagering Operator's Internal Controls for compliance with 205 CMR 238.00. The Sports Wagering Operator shall, through either independent or internal auditors, periodically compare its approved system of Internal Controls, as written, to the system actually in place and operating for the purpose of identifying areas of non-compliance, if any, so as to take immediate corrective action.
- (11) The Commission or its designee may perform any inspection necessary in order to determine conformance with the approved Internal Controls.
- (12) The Sports Wagering Operator shall maintain in its records a complete set of its system of Internal Controls in effect at that time.

- (13) The Sports Wagering Operator shall submit all filings and records required pursuant to 205 CMR 238.00 electronically to the Commission, unless otherwise directed by the Commission.
- (14) To the extent a third-party is involved in or provides any of the Internal Controls required pursuant to 205 CMR 238.00, the Sports Wagering Operator's Internal Controls shall document the roles and responsibilities of the third-party and shall include procedures to evaluate the adequacy of and monitor compliance with the third-party's system of Internal Controls.

238.03: Records Regarding Company Ownership

The Sports Wagering Operator shall maintain all records regarding the Sports Wagering Operator's ownership, as described in 205 CMR at a location determined by the Sports Wagering Operator, provided that the Commission shall be notified of such location. The Commission shall be granted prompt and unfettered access to all such records upon request.

238.04: Sports Wagering Operator's Organization

- (1) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include tables of organization, which shall include the provisions required in 205 CMR 138.04(1).
- (2) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include provisions detailing the structure, function, and area of responsibility for the following mandatory departments and supervisory positions:
 - (a) For Category 1 Sports Wagering Operators or Category 2 Sports Wagering Operators, a surveillance department as described in 205 CMR 138.04(2)(a);
 - (b) An internal audit department as described in 205 CMR 138.04(2)(b);
 - (c) An IT department as described in 205 CMR 138.04(2)(c);
 - (d) A Sports Wagering department supervised by an executive who shall be responsible for the management of the Sports Wagering department. The Chief Sports Wagering Executive shall be responsible for the operation and conduct of all Sports Wagering;
 - (e) For Category 1 Sports Wagering Operators or Category 2 Sports Wagering Operators, a security department as described in 205 CMR 138.04(2)(e);
 - (f) An accounting department as described in 205 CMR 138.04(2)(f);
 - (g) A compliance committee as described in 205 CMR 138.04(2)(g); and

- (h) An independent audit committee as described in 205 CMR 138.04(2)(h).

Each of the mandatory departments and supervisors shall cooperate with, yet perform its functions independently of, all other mandatory departments and supervisors.

- (3) All departments required pursuant to 205 CMR 138.04(2) and the Sports Wagering Department shall be supervised at all times by at least one individual who has been licensed in accordance with 205 CMR 235.00, or is exempt from such licensure under 205 CMR 235.01.
- (4) The chief executives of the surveillance and internal audit departments required by 205 CMR 238.04(2) shall comply with the reporting requirements of 205 CMR 138.04(4).
- (5) In the event of a vacancy in the chief executive officer position, the Chief Sports Wagering Executive, or any executive position responsible for management of one of the mandatory departments set forth in 205 CMR 238.04(2)(a) through (f), the Sports Wagering Operator shall continue to meet the requirements of 205 CMR 138.00 and 205 CMR 238.00.
- (6) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include, and a Sports Wagering Operator shall maintain on file, a current table of organization delineating the lines of authority for all personnel engaged in the operation of Sports Wagering. The table of organization shall, for each department and division, include direct and indirect lines of authority within the department or division.
- (7) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include a plan for ensuring that all Sports Wagering employees employed by the Sports Wagering Operator are properly trained in their respective professions. Proper training of a Sports Wagering employee in the respective field for which the Sports Wagering employee is or shall be employed by the Sports Wagering Operator may be established as set forth in 205 CMR 138.04(7).

238.05: System for Ensuring Employees Are Properly Licensed or Registered

- (1) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include a plan for ensuring that all individuals employed by an Operator to perform duties directly related to the operation of Sports Wagering in the Commonwealth in a supervisory role are properly licensed in accordance with 205 CMR 235.00: *Sports Wagering Occupational Licensing*. The system of Internal Controls shall include, without limitation, the procedures outlined in 205 CMR 138.05(1).

- (2) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include a plan for reporting to the Commission on a bi-monthly basis and in a format as directed by the Commission, the information required by 205 CMR 138.05(2) for each individual licensed in accordance with 205 CMR 235.00: *Sports Wagering Occupational Licensing*.

238.06: System for Business Dealings with Sports Wagering Vendors

- (1) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include a plan for ensuring that all Persons conducting business with a Sports Wagering Operator as a Sports Wagering Vendor are properly licensed or registered in accordance with 205 CMR 234.00: *Sports Wagering Vendors*, if necessary. The system of Internal Controls shall include, without limitation, the procedures outlined in 205 CMR 138.06(1).
- (2) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include a plan for providing a Disbursement Report to the Commission on a bi-monthly basis and in a format as directed by the Commission. The Disbursement Report shall reflect, for each Sports Wagering Vendor licensed or registered in accordance with 205 CMR 234.00: *Sports Wagering Vendors*, the information required by 205 CMR 138.06(2)
- (3) Each Sports Wagering Operator shall maintain a fully signed copy of every written agreement and records. With respect to every unwritten agreement to which it a Sports Wagering Operator is a party, the Sports Wagering Operator shall provide, at a minimum, the information required by 205 CMR 138.06(3).

238.07: Information Security Responsibilities

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall ensure that an Information Security Management System (ISMS) is effectively implemented and information security function responsibilities are effectively allocated.

- (1) The Sports Wagering Operator shall implement, maintain, and comply with a comprehensive ISMS, the purpose of which shall be to take reasonable steps to protect the confidentiality, integrity, and availability of ~~personally identifiable information~~ Personally Identifiable Information of individuals that place a Sports Wager or have an account with the Sports Wagering Operator, including all measures required by 205 CMR 2XX.00, G.L. c. 93H, G.L. c. 93I, 201 CMR 17, and any other applicable law, regulation or order of a governmental body regarding data privacy and security.
- (2) The ISMS shall contain administrative, technical, and physical safeguards appropriate to the size, complexity, nature, and scope of the operations and the sensitivity of the ~~personally identifiable information~~ Personally Identifiable Information owned, licensed, maintained, handled, or otherwise in the possession of the Sports Wagering Operator.

- (3) The Sports Wagering Operator shall establish an information security forum or other organizational structure to monitor and review the ISMS to ensure its continuing suitability, adequacy and effectiveness. The information security forum or other organization structure shall maintain formal minutes of meetings, and convene at least every six (6) months.
- (4) The Sports Wagering Operator shall maintain an information security department responsible for developing a security strategy in accordance with the overall operation of the Sports Wagering Operation in the Commonwealth. The information security department shall subsequently work with the other departments of the Sports Wagering Operator to implement any plans relative to the protection of ~~personally identifiable information~~ Personally Identifiable Information of individuals that place a Sports Wager or have an account with the Sports Wagering Operator. The information security department shall be involved in reviewing all tasks and processes that are necessary for the Sports Wagering Operator to maintain the security of ~~personally identifiable information~~ Personally Identifiable Information of individuals that place a Sports Wager or have an account with the Sports Wagering Operator, including, but not limited to, the protection of information and data, communications, physical, virtual, personnel, and overall business operational security.
- (5) The information security department shall report to executive level management or higher and shall be independent of the IT department with regard to the management of security risk.
- (6) The information security department shall have access to all necessary resources to enable the adequate assessment, management, and reduction of risk.
- (7) The head of the information security department shall be a full member of the information security forum and be responsible for recommending information security policies and changes to the Sports Wagering Operator.

238.08: Accounting Records

- (1) A Sports Wagering Operator shall maintain complete, accurate, and legible records of all transactions pertaining to the revenues and costs for the Sports Wagering Operation, including those required in accordance with M.G.L. c. 23N and 205 CMR.
- (2) A Sports Wagering Operator shall maintain general accounting records on a double entry system of accounting with transactions recorded on the accrual basis. A Sports Wagering Operator shall also maintain detailed, supporting, subsidiary records sufficient to meet the requirements of M.G.L. c. 23N and 205 CMR.

238.09: Retention, Storage and Destruction Records

- (1) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include a records retention schedule, and

provisions related to the storage and destruction of records that, at a minimum, incorporates the provisions specified in 205 CMR 138.09(1). In addition, the Operator's records retention schedule shall include provisions by category relative to all Sports Wagering related records and records relative to Sports Wagering Vendors.

- (2) (a) A Sports Wagering Operator may petition the Commission at any time for approval of a facility to be used to generate or store records required to be retained in accordance with 205 CMR 138.09(1). Such petition shall include:
 1. A detailed description of the proposed facility, including location, security and fire safety systems; and
 2. The procedures pursuant to which Commission agents will be able to gain access to the records retained at the proposed facility.
- (b) A Sports Wagering Operator may store any records electronically or via other suitable medium approved by the Commission.
- (3) A Sports Wagering Operator shall, except as otherwise provided, notify the Commission and the Gaming Enforcement Division of the Massachusetts Attorney General's Office in writing at least 60 days prior to the scheduled destruction of any record required to be retained in accordance with 205 CMR 238.09(1). Such notice shall list each type of record scheduled for destruction, including a description sufficient to identify the records included, the retention period and the date of destruction.
- (4) The Commission or the Gaming Enforcement Division of the Massachusetts Attorney General's Office may prohibit the destruction of any record required to be retained in accordance with 205 CMR 238.09(1) by notifying the Sports Wagering Operator in writing within 45 days of receipt of the notice of destruction pursuant to 205 CMR 238.09(3) or within the specified retention period. Such original record may thereafter be destroyed only with the consent of the Commission, the Bureau, and the Massachusetts Attorney General's Office.
- (5) The Sports Wagering Operator may utilize the services of a disposal company for the destruction of any records required to be retained in accordance with 205 CMR 238.09(1). Any cash complimentary coupons to be destroyed by a disposal company shall be cancelled with a void stamp, hole punch or similar device, or must contain a clearly marked expiration date which has expired.
- (6) Nothing in 205 CMR 238.00 shall be construed as relieving a Sports Wagering Operator from meeting any obligation to prepare or maintain any book, record or document required by any other federal, state or local governmental body, authority or agency or as otherwise required in its capacity as a Gaming Licensee pursuant to M.G.L. c. 23K and 205 CMR.

238.10: Jobs Compendium Submission

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include a jobs compendium detailing job descriptions, chains of command, and lines of authority for all personnel engaged in the operation of Sports Wagering, which meets the provisions specified in 205 CMR 138.10: *Jobs Compendium Submission*.

238.11: Personnel Assigned to the Operation and Conduct of Sports Wagering

Each Sports Wagering Operator shall be required to employ the following personnel in the following manner in the operation of its Sports Wagering regardless of the position titles assigned to such personnel by the Operator in its approved jobs compendium:

- (1) Each Sports Wagering Operator shall at all times maintain a level of staffing that ensures the proper operation and effective supervision of all Sports Wagering.
- (2) Each Category 1 Sports Wagering Operator or Category 2 Sports Wagering Operator shall be required to employ a Sports Wagering manager. The Sports Wagering manager shall be the executive assigned the responsibility and authority for the supervision and management of Sports Wagering employees in a Sports Wagering Area or Sports Wagering Facility, including, without limitation, the hiring and termination of all Sports Wagering employees within a Sports Wagering Area or Sports Wagering Facility.
- (3) The following personnel shall be used to operate Sports Wagering in a Sports Wagering Area or Sports Wagering Facility:
 - (a) Ticket Writers shall be the Persons assigned the responsibility for the operation of a Ticket Writer Station;
 - (b) Sports Wagering supervisors shall be the first level supervisors assigned the responsibility for directly supervising the operation of Sports Wagering in a Sports Wagering Area or Sports Wagering Facility;
 - (c) Sports Wagering shift managers shall be the second level supervisor with the responsibility for the overall supervision of Sports Wagering in a Sports Wagering Area or Sports Wagering Facility for each shift; and
 - (d) The Sports Wagering department manager shall be the executive assigned the responsibility and authority for the supervision and management of the overall operation of the Operator's Sports Wagering Operation. In the absence of the Sports Wagering department manager, the Sports Wagering shift manager shall have the authority of the Sports Wagering department manager.

238.12: Reserve Requirement

- (1) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include a plan 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 the outstanding Sports Wagering liability, including the amounts accepted by the Sports Wagering Operator on Sports Wagers whose outcomes have not been determined and amounts owed but unpaid on winning Sports Wagering tickets or vouchers. The reserve must be in the form of Cash, Cash Equivalents, payment processor reserves, payment processor receivables, an irrevocable letter of credit, a bond, or a combination thereof.

- (2) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall ensure funds in Sports Wagering Accounts, including pending withdrawals, are either held:
- (a) In trust for the patron in a Segregated Account managed in accordance with 205 CMR 248.00; or
 - (b) In a special purpose Segregated Account that is maintained and controlled by a properly constituted corporate entity that is not the Sports Wagering Operator and whose governing board includes one or more corporate directors who are independent of the Sports Wagering Operator and any affiliated Gaming Licensee and of any corporation related to or controlled by either. Said corporate entity must require a unanimous vote of all corporate directors to file bankruptcy and must have articles of incorporation that prohibit the commingling of its funds with those of the Sports Wagering Operator except as necessary to reconcile the Sports Wagering Accounts. Said special purpose corporate entity must also be:
 - 1. Restricted from incurring debt other than to patrons pursuant to the rules that govern the patrons' Sports Wagering Accounts;
 - 2. Restricted from taking on obligations of the Sports Wagering Operator other than obligations to patrons pursuant to the rules that govern the patrons' Sports Wagering Accounts; and
 - 3. Prohibited from dissolving, merging or consolidating with another company (other than a special purpose corporate entity established by another Sports Wagering Operator that meets the requirements of this section) while there are unsatisfied obligations to patrons.
- (3) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall implement procedures that are reasonably designed to:
- (a) Ensure that the funds in the Segregated Account do not belong to the Sports Wagering Operator and are not available to creditors other than the patron whose funds are being held; and
 - (b) Prevent commingling of funds in the Segregated Account with other funds including, without limitation, funds of the Sports Wagering Operator.

- (4) A Sports Wagering Operator must have access to all Sports Wagering Accounts and Sports Wager data to ensure the amount of its reserve is sufficient. Unless otherwise directed by the Commission, a Sports Wagering Operator must file a monthly attestation with the Commission, in the form and manner prescribed by the Commission, that funds have been safeguarded in accordance with 205 CMR 238.12.
- (5) The Commission may audit a Sports Wagering Operator's reserve at any time and may direct a Sports Wagering Operator to take any action necessary to ensure the purposes of 205 CMR 238.12 are achieved, including but not limited to, requiring the Sports Wagering Operator to modify the form of its reserve or increase the amount of its reserve.

238.13: Complimentary Services or Items and Promotional Gaming Credits

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include a detailed complimentary distribution program consistent with 205 CMR 138.13: *Complimentary Services or Items and Promotional Gaming Credits*, and a description of its proposed use and distribution of promotional gaming credits, provided that Sports Wagering Operators shall not be required to provide the monthly invoices required by 205 CMR 138.13(4).

238.14: Risk Management Framework

- (1) A Sports Wagering Operator must implement risk management procedures. These procedures may be provided in-house by a unit capable of performing this function with appropriate segregation of functions and reporting duties, or by a licensed Sports Wagering Vendor.
- (2) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall contain a description of the risk management framework, including but not limited to:
 - (a) Automated and manual risk management procedures;
 - (b) Employee management, including access controls and segregation of duties;
 - (c) Information regarding identifying and reporting fraud and suspicious conduct;
 - (d) Controls ensuring regulatory compliance;
 - (e) Description of Anti-Money Laundering (AML) compliance standards;
 - (f) Description of all software applications that comprise the Sports Wagering Equipment;

- (g) Description of all types of Sports Wagers available to be offered by the Sports Wagering Operator;
 - (h) Description of the method to prevent past-post Wagers from being placed;
 - (i) Description of all integrated third-party platforms; and
 - (j) Any other information which may be required by the Commission.
- (3) A Sports Wagering Operator shall file with the Commission, in a manner and form approved by the Commission, a report of any error that occurs in offering an event or Wager or if an unapproved Sporting Event or Wager category is offered to the public.

238.15: Taxation Requirements

- (1) The Sports Wagering Operator shall comply with all applicable tax laws and regulations including, without limitation, laws and regulations applicable to tax withholding, and providing information about payouts and withholdings to taxing authorities and to patrons. A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall ensure compliance with all Internal Revenue Service (IRS) requirements. The Sports Wagering Operator shall make tax withholdings and provide tax and revenue reporting as required by the IRS and Department of Revenue.
- (2) The Sports Wagering Operator shall disclose potential tax liabilities to patrons at the time of award of any payout in excess of limits set by the IRS, whether such payouts are made at a Gaming Establishment, Sports Wagering Facility or via a Sports Wagering Platform. Such disclosures shall include a statement that the obligation to pay applicable taxes on payouts is the responsibility of the patron and that failure to pay applicable tax liabilities may result in civil penalties or criminal liability. Upon written request, the Sports Wagering Operator shall provide patrons with summarized tax information on the patrons' Sports Wagering activities.

238.16: Bank Secrecy Act Compliance

- (1) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall ensure compliance with all provisions of The Bank Secrecy Act of 1970, 31 USC §§ 5311 to 5332, applicable to the operation of Sports Wagering.
- (2) A Sports Wagering Operator shall, with regard to its Sports Wagering Operation, maintain records related to its compliance with The Bank Secrecy Act of 1970, 31 USC §§ 5311 to 5332, including all currency transaction reports, suspicious activity reports, and any supporting documentation, for a minimum of five (5) years. The Sports Wagering Operator shall provide such records to the Commission and any appropriate law enforcement agencies upon request

consistent with the authorization prescribed in The Bank Secrecy Act of 1970, 31 USC §§ 5311 to 5332, and applicable regulations.

- (3) A Sports Wagering Operator shall provide written notice to the Commission as soon as the Sports Wagering Operator becomes aware of a compliance review that is conducted by the Internal Revenue Service under The Bank Secrecy Act of 1970, 31 USC §§ 5311 to 5332, and involves or impacts the Sports Wagering Operator's Sports Wagering Operation. The Sports Wagering Operator shall provide a copy of the compliance review report or the equivalent to the Commission within ten (10) days of receipt of the report by the Sports Wagering Operator.

238.17: Anti-Money Laundering (AML) Monitoring

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall implement AML procedures and policies that adequately address the risks posed by Sports Wagering for the potential of money laundering and terrorist financing. At a minimum, the AML procedures and policies shall provide for:

- (1) Controls to assure ongoing compliance with the local AML regulations and standards observed by the Commission pursuant to M.G.L. c. 23K and 23N and 205 CMR;
- (2) Up to date training of employees in the identification of unusual or suspicious transactions;
- (3) Assigning an individual or individuals to be responsible for all areas of AML by the Sports Wagering Operator, including reporting unusual or suspicious transactions;
- (4) Use of any automated data processing systems to aid in assuring compliance; and
- (5) Periodic independent tests for compliance with a scope and frequency as required by the Commission. Logs of all tests shall be maintained and available for Commission inspection upon request.

238.18: Integrity Monitoring/Suspicious Behavior

- (1) A Sports Wagering Operator shall implement integrity monitoring procedures. These procedures may be provided in-house by a unit capable of performing this function with appropriate segregation of functions and reporting duties, or by a licensed Sports Wagering Vendor.
- (2) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include provisions for a Sports Wagering Operator to, within a reasonable timeframe approved by the Commission, report the following to the Commission:

- (a) Any facts or circumstances related to the operation of a Sports Wagering Operator that constitute a violation of state or federal law and also promptly report to the appropriate state or federal authorities any suspicious betting over a threshold set by the Sports Wagering Operator, as approved by the Commission;
 - (b) Any information regarding irregularities in volume or changes in odds that could signal suspicious activities which were identified in accordance with M.G.L. c. 23N, § 12(a)(i);
 - (c) Any information relating to criminal or disciplinary proceedings commenced against the Sports Wagering Operator in connection with its operations;
 - (d) Any information relating to the following, which shall also be reported to the relevant Sports Governing Body:
 - 1. Abnormal betting activity or patterns that may indicate a concern with the integrity of a Sporting Event;
 - 2. Any potential breach of the internal rules and codes of conduct pertaining to Sports Wagering of a relevant Sports Governing Body;
 - 3. Any other conduct that corrupts a betting outcome of a Sporting Event for purposes of financial gain, including, but not limited to, match-fixing;
 - 4. Suspicious or illegal Wagering activities, including, but not limited to, use of funds derived from illegal activity, Wagers to conceal or launder funds derived from illegal activity, use of agents to place Wagers, and use of a false identification;
 - 5. Complaints of an athlete engaging in prohibited wagering conduct.
- (3) A Sports Wagering Operator shall maintain the confidentiality of information provided by a Sports Governing Body, and a Sports Governing Body shall maintain the confidentiality of information provided by a Sports Wagering Operator for purposes of investigating or preventing the conduct described in 205 CMR 238.18(2)(e), unless:
- (a) disclosure is required by M.G.L. c. 23N, the Commission, other law or court order;
 - (b) disclosure is required by agreement with an applicable Players Associations or collective bargaining unit;
 - ~~(b)~~(c) the Sports Governing Body or Sports Wagering Operator consents to disclosure;

- ~~(e)~~(d) disclosure is necessary for the Sports Governing Body to conduct and resolve integrity-related investigations; or
- ~~(d)~~(e) the Sports Governing Body deems in its reasonable judgment that disclosure is necessary to maintain the actual or perceived integrity of its sporting events.
- (4) A Sports Wagering Operator receiving a report of suspicious betting activity may suspend Wagering on Sporting Events or Wager categories identified in the report, and may place a hold on suspicious Wagers while investigating such suspicious Wagers, but may only cancel or void Sports Wagers related to the report after receiving approval from the Commission.
- (5) Upon request by the Commission or its designee, a Sports Wagering Operator shall provide remote, read-only access and the necessary software and hardware for the Commission to evaluate or monitor, at a minimum, the Sports Wagering Platform and the following:
- (a) All reports of abnormal betting activity;
 - (b) If the abnormal betting activity was subsequently determined to be suspicious or illegal Wagering;
 - (c) All reports deemed suspicious or illegal Wagering activity; and
 - (d) The actions taken by the Sports Wagering Operator according to its integrity monitoring procedures.
- (6) A Sports Wagering Operator shall use commercially reasonable efforts to cooperate with investigations conducted by Sports Governing Bodies or law enforcement agencies, including, but not limited to, using commercially reasonable efforts to provide or facilitate the provision of anonymized betting information and audio or video files relating to Persons placing Wagers pursuant to M.G.L. c. 23N, § 11(h) and (i). All disclosures pursuant to 205 CMR 238.18(5) are subject to the Sports Wagering Operator's obligation to comply with all federal, state and local laws and regulations, including, but not limited to, laws and regulations relating to privacy and ~~personally identifiable information~~Confidential Information or Personally Identifiable Information
- (7) If required pursuant to M.G.L. c. 23N, § 11(i) or (j), a Sports Wagering Operator shall share with the Commission or the Sports Governing Body or its designee, in a frequency, form and manner to be approved by the Commission, the anonymized betting information required in M.G.L. c. 23N, § 11(i) with respect to Sports Wagers on Sporting Events of the Sports Governing Body. Nothing in this section shall require a Sports Wagering Operator to provide any information that is prohibited by federal, state or local law or regulation, including, but not limited to, laws and regulations relating to privacy ~~and personally identifiable information,~~ Confidential Information and Personally Identifiable Information.

- (8) A Sports Wagering Operator shall maintain records of all integrity monitoring services and activities, including all reports of abnormal or suspicious betting activity and any supporting documentation, for a minimum of five (5) years.
- (9) The Commission may require a Sports Wagering Operator to provide to the Commission, or to an independent testing laboratory approved by the Commission, any hardware or software necessary for the evaluation of its Sports Wagering offering or to conduct further monitoring of Sports Wagering data.

238.19: Responsible Gaming and Problem Gaming Plan

- (1) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall contain a Responsible Gaming and Problem Gaming Plan as set forth in 205 CMR 233.06(6).
- (2) At least once every three (3) years, each Responsible Gaming and Problem Gaming Plan shall be subject to an independent audit, as assessed by industry standards and performed by a third-party auditor approved by the Commission, which review shall be paid for by the Sports Wagering Operator.

238.20: Protection of Minors and Underage Youth

The system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include the internal policies and procedures as required in 205 CMR 250.00: *Protection of Minors and Underage Youth*.

238.21: Patron Protection Information

- (1) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall provide for the prominent display of patron protection information outlined in 205 CMR 243.01: *Standards for Sports Wagering Equipment*, including the telephone number and website for a problem gambling hotline overseen by the department of public health approved by the Commission pursuant to M.G.L. c. 23N, § 4(d)(3).
- (2) The Sports Wagering Operator's mobile application and digital platform shall prominently display the patron protection information upon each entry into the application or platform.
- (3) The Gaming Establishment or Sports Wagering Facility shall prominently display the patron protection information in locations approved by the Commission.

238.22: Complaints Pertaining to Sports Wagering

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include procedures for receiving, investigating, responding to and reporting on complaints by patrons.

- (1) When a patron makes a complaint, the Sports Wagering Operator shall immediately issue a complaint report, setting out:
 - (a) The name of the complainant;
 - (b) The nature of the complaint;
 - (c) The name of the Persons, if any against whom the complaint was made;
 - (d) The date of the complaint;
 - (e) The action taken or proposed to be taken, if any, by the Sports Wagering Operator; and
 - (f) A numerical identifier to differentiate the Operator and date of complaint.
- (2) All complaints received by a Sports Wagering Operator from a patron, and the Sports Wagering Operator's responses to complaints, shall be retained for at least five (5) years and made immediately available to the Commission upon its request.
- (3) A Sports Wagering Operator shall investigate and attempt to resolve all complaints made by a patron.
- (4) A Sports Wagering Operator shall respond to such complaints in writing within ten (10) business days. If the relief requested in the complaint will not be granted, the response to the complaint shall state the reasons with specificity.
- (5) If the response to a complaint is that more information is needed, the form and nature of the necessary information shall be specifically stated. When additional information is received, further response shall be required within seven (7) business days.
- (6) In its response, the Sports Wagering Operator shall advise the patron of the patron's right to submit the complaint to the Commission in the form and manner prescribed by the Commission.
- (7) Unless otherwise directed by the Commission, the Sports Wagering Operator shall promptly notify the Commission of any complaints related to Sports Wagering Accounts, settlement of Sports Wagers, or illegal activity related to Sports Wagering which cannot be resolved to the satisfaction of the patron, and the Sports Wagering Operator's response. Such notification shall include the numerical identifier associated with the complaint and the date of the complaint.
- (8) Upon receipt of a complaint from a patron or notification of an unresolved complaint from a Sports Wagering Operator, the Commission may conduct an investigation and direct a Sports Wagering Operator to take any corrective action the Commission considers appropriate.

238.23: Sports Wagering Counter

The system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include policies and procedures relative to the Sports Wagering Counter.

- (1) Each Sports Wagering Counter shall:
 - (a) Be designed and constructed to provide adequate security for the materials stored and the activities performed therein. Such design and construction shall be approved by the Commission;
 - (b) Include manually triggered silent alarm systems, which shall be connected directly to the monitoring rooms of the surveillance and the security departments;
 - (c) Include one or more Ticket Writer Stations, each of which shall contain:
 1. A Ticket Writer's drawer and interface through which financial transactions related to Sports Wagering will be conducted;
 2. A permanently affixed number, which shall be visible to the closed circuit television system;
 3. Manually triggered silent alarm systems, which shall be connected directly to the monitoring rooms of the surveillance and the security departments; and
 4. Full enclosures, unless funds in excess of \$30,000 are either secured in a drop safe approved by the Commission or transferred to the vault or cage.
 - (d) Include closed circuit television cameras capable of accurate visual monitoring and recording of any activities, including the capturing of the patron's facial image when conducting transactions at the counter;
 - (e) Have an alarm for each emergency exit door that is not a mantrap; and
 - (f) Include a secure location, such as a vault, for the purpose of storing funds issued by a cage to be used in the operation of Sports Wagering. The vault shall:
 1. Be a fully enclosed room, located in an area not accessible to the public;
 2. Have a metal door with a locking mechanism that shall be maintained and controlled by the Sports Wagering manager;

3. Have an alarm device that signals the surveillance department whenever the door to the vault is opened; and
 4. Have closed circuit television cameras capable of accurate visual monitoring and recording of all activities in the vault.
- (2) A Sports Wagering Counter shall have an operating balance not to exceed an amount described in the system of internal controls submitted by a Sports Wagering Operator in accordance with 205 CMR 138.02. Funds in excess of the operating balance shall be transferred to the cage in a secured container by an employee of the counter accompanied by a security officer. Prior to transporting the funds, the security department shall notify the surveillance department that the transfer will take place. The surveillance department shall monitor the transfer. The funds shall be transferred with appropriate documentation.

238.24: Gaming Day

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall incorporate a “gaming day” for accounting purposes.

238.25: Accounting Controls within the Sports Wagering Counter

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall detail the accounting controls for the Sports Wagering Counter, which shall include the following:

- (1) The assets for which each Ticket Writer is responsible shall be maintained on an imprest basis. A Ticket Writer shall not permit any other person to access the Ticket Writer’s imprest inventory.
- (2) A Ticket Writer shall begin a shift with an imprest amount of currency and coin to be known as the “wagering inventory.” No funds shall be added to or removed from the Wagering inventory during such shift except:
 - (a) In collection of Sports Wagers;
 - (b) In order to make change for a patron placing a Sports Wager;
 - (c) In collection for the issuance of Sports Wagering vouchers;
 - (d) In payment of winning or properly cancelled or refunded Wagers;
 - (e) In payment of Sports Wagering vouchers;
 - (f) To process deposits or withdrawals to or from a patron's Sports Wagering Account; or

- (g) In exchanges with the cashier's cage, a satellite cage, or vault supported by proper documentation which documentation shall be sufficient for accounting reconciliation purposes.
- (3) A "Wagering Inventory Slip" shall be completed and signed by the Wagering shift manager, and the following information, at a minimum, shall be recorded thereon at the commencement of a shift:
- (a) The date, time, and shift of preparation;
 - (b) The denomination of currency and coin in the Wagering inventory issued to the Ticket Writer;
 - (c) The total amount of each denomination of currency and coin in the Wagering inventory issued to the Ticket Writer;
 - (d) The Ticket Writer station to which the Ticket Writer is assigned; and
 - (e) The signature of the Wagering shift manager.
- (4) A Ticket Writer assigned to a Ticket Writer station shall count and verify the Wagering inventory at the vault or other approved location and shall agree the count to the Wagering Inventory Slip. The Ticket Writer shall sign the count sheet attesting to the accuracy of the information recorded thereon. The Wagering inventory shall be placed in a Ticket Writer's drawer and transported directly to the appropriate Ticket Writer station by the Ticket Writer.
- (5) Whenever funds are transferred from the vault to a Ticket Writer, the Wagering shift manager responsible for the vault shall prepare a two-part Writer Transfer-Out form. Upon completion of the form, the original shall be retained by the vault manager and the duplicate shall be retained by the Ticket Writer. The form shall include, at a minimum, the:
- (a) Date and time of the transfer;
 - (b) Designation of the vault location;
 - (c) Ticket Writer Station to where the funds are being transferred to;
 - (d) Amount of each denomination being transferred;
 - (e) Total amount of the transfer;
 - (f) Signature of the preparer of the transfer;
 - (g) Signature of the manager verifying and issuing the funds; and
 - (h) Signature of the Ticket Writer verifying and receiving the funds.

- (6) Whenever funds are transferred from the Ticket Writer to a vault, a two-part Writer Transfer-In form shall be prepared. Upon completion of the form, the original shall be retained by the Ticket Writer and the duplicate shall be immediately returned with the funds to the vault. The form shall include, at a minimum, the:
 - (a) Date and time of the transfer;
 - (b) Designation of the vault location where the funds are being transferred to;
 - (c) Ticket Writer station to where the funds are being transferred from;
 - (d) Amount of each denomination being transferred;
 - (e) Total amount of the transfer;
 - (f) Signature of the Ticket Writer verifying and sending the funds to the vault; and
 - (g) Signature of the manager verifying and receiving the funds.
- (7) At the conclusion of a Ticket Writer's shift, the Ticket Writer's drawer and its contents shall be transported directly to the vault or to a location approved by the Commission in the Sports Wagering Counter, where the Ticket Writer shall count the contents of the drawer and record the following information, at a minimum, on the Wagering Inventory Slip:
 - (a) The date, time, and shift of preparation;
 - (b) The denomination of currency, coin, gaming chips, where applicable, and coupons in the drawer;
 - (c) The total amount of each denomination of currency, coin, gaming chips, and coupons in the drawer;
 - (d) The total of the Writer Transfer-Out forms;
 - (e) The total of the Writer Transfer-In forms;
 - (f) The total amount in the drawer; and
 - (g) The signature of the Ticket Writer.
- (8) The Wagering shift manager shall compare the Ticket Writer closing balance to the Wagering Inventory Slip total, record any over or short amount, and sign the Wagering Inventory Slip.
- (9) If the Wagering Inventory Slip lists an overage or shortage, the Ticket Writer and the Wagering shift manager shall attempt to determine the cause of the discrepancy in the count. If the discrepancy cannot be resolved, such discrepancy shall be

reported to the surveillance department and the Wagering manager or department supervisor in charge at such time. Any discrepancy in excess of \$500.00 shall be reported to the Commission. Such report shall include the following:

- (a) Date on which the discrepancy occurred;
 - (b) Shift during which the discrepancy occurred;
 - (c) Name of the Ticket Writer;
 - (d) Name of the Wagering shift manager;
 - (e) Ticket Writer Station number; and
 - (f) Amount of the discrepancy.
- (10) Whenever funds are transferred from the vault to the cashier's cage, the Wagering shift manager responsible for the vault shall prepare a two-part Vault Transfer-Out form. Upon completion of the form, the original shall be retained by the vault manager and the duplicate shall be transferred with the funds to the cashier's cage. The form shall include, at a minimum, the:
- (a) Date and time of the transfer;
 - (b) Designation of the vault location;
 - (c) Designation of the cage location;
 - (d) Amount of each denomination being transferred;
 - (e) Total amount of the transfer;
 - (f) Signature of the preparer of the transfer;
 - (g) Signature of the vault manager verifying and issuing the funds; and
 - (h) Signature of the cage cashier verifying and receiving the funds.
- (11) Whenever funds are transferred from the cashier's cage to a vault, a two-part Vault Transfer-In form shall be prepared. Upon completion of the form, the original shall be retained by the cage cashier and the duplicate shall be transferred with the funds to the vault. The form shall include, at a minimum, the:
- (a) Date and time of the transfer;
 - (b) Designation of the vault location where the funds are being transferred to;
 - (c) Cashier location where the funds are being transferred from;

- (d) Amount of each denomination being transferred;
- (e) Total amount of the transfer;
- (f) Signature of the cage cashier verifying and sending the funds to the vault;
and
- (g) Signature of the vault manager verifying and receiving the funds.

238.26: Procedures for Acceptance of Tips or Gratuities from Patrons

- (1) An employee of a Sports Wagering Operator, other than an Occupational Licensee, may accept a Sports Wagering ticket as a tip Wager so long as the employee did not solicit the Sports Wagering ticket, did not participate in the selection of the Wager and the Sports Wagering ticket is placed into a tip pool.
- (2) A tip or gratuity may be provided electronically to a dealer or employee of a Sports Wagering Operator upon initiation and authorization by a patron. A Sports Wagering Operator shall include in its Internal Controls the method utilized for the distribution of electronic tips or gratuities and ensure that a report listing all electronic tips shall be available from the system where the transaction occurred.
- (3) An Occupational Licensee may not accept a tip or gratuity from a patron of the Sports Wagering Operator.

238.27: Prohibition of Credit Extension

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include controls relating to the prohibition of a Sports Wager, issuance of cash, or deposit of funds into a Sports Wagering Account that is derived from the extension of credit by affiliates or agents of the Sports Wagering Operator pursuant to M.G.L. c. 23N, § 4(d)(2)(viii). For purposes of 205 CMR 238.27, credit shall not be deemed to have been extended where, although funds have been deposited into a Sports Wagering Account, the Sports Wagering Operator is awaiting actual receipt of such funds in the ordinary course of business.

- (1) Credit providers such as small amount credit contracts (payday lending) shall not be advertised or marketed to patrons.
- (2) A patron shall not be referred to a credit provider to finance their Sports Wagering activity.
- (3) Confidential Information and Personally ~~identifiable information~~Identifiable Information related to a patron shall not be provided to any credit provider.

238.28: Events, Odds and Result Management

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include procedures regarding the selection of the events and for setting and

updating the odds, wagering margins or blocking events, as well as for receiving the results from reliable sources. Procedures shall exist for validating accuracy and preventing fraudulent activities. Such procedures shall be based on the respect of integrity, responsible gaming, and ensuring transparency.

238.29: Monitoring the Sports Wagering Activities

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include procedures for monitoring all changes to odds or blocking throughout a Sporting Event, monitoring of the Wager category, events and patron transactions for the detection of irregularities, monitoring of winners over a certain amount of gains, and deposits over a certain size. Such procedures shall also specify thresholds of payment and methods of collection.

238.30: Acceptance of Sports Wagers

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include procedures relative to the Sporting Events and their Wager categories offered for Sports Wagering pursuant to 205 CMR 247.00: *Uniform Standards of Sports Wagering*. Such procedures shall include the following:

- (1) The adoption, maintenance and updating of House Rules;
- (2) Processes for submitting or receiving approval for Sporting Events and Wager categories;
- (3) Descriptions of the processes for accepting Wagers and issuing payouts, plus any additional controls for accepting Wagers and issuing payouts in excess of \$10,000;
- (4) Descriptions of the processes for accepting multiple Wagers from one patron in a 24-hour cycle, including the process to identify structuring of Wagers to circumvent recording and reporting requirements;
- (5) Identification of all data sources used in a Sports Wager determination;
- (6) Description of the processes for line setting and line moving;
- (7) Procedures to review the completeness, accuracy, reliability, timeliness, and availability of any data feeds used to offer or settle Sports Wagers;
- (8) Processes for submitting or receiving approval for Sports Wagering tournaments, contests, or pools;
- (9) Procedures for issuance and acceptance of promotional gaming credits for Sports Wagering; and

- (10) Procedures to identify a Wager or an attempt to Wager above any maximum Wager threshold set by the Sports Wagering Operator that qualifies as unusual or suspicious Wagering.

238.31: In-Game or In-Play Wagering

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include procedures to assure and monitor the integrity of the in-game or in-play Wagering offering, the results handling and patron protection. Indicative areas for consideration in the procedure for results handling shall include, but not be limited to, time delays, sources of results, and reversal of results. The procedures shall also account for courtsiding prevention mechanisms including a delay in live pictures.

238.32: Restricted Patrons

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall meet the requirements of 205 CMR 243.01(1)(t) and include the following in accordance with M.G.L. c. 23N, § 11(a):

- (1) No Sports Wagering Operator, directors, officers, owners, employees, subcontractors, or Qualifiers of the Sports Wagering Operator, as well as those within the same household as any such Person, may place Sports Wagers with the Sports Wagering Operator, or with any other Sports Wagering Operator tethered to the Operator, on any event, except in private pools where the player's association with the Sports Wagering Operator is clearly disclosed. Nor may such individual place Sports Wagers through another person as a proxy or agent. However, Sports Wagering Operator employees may use clearly marked test accounts for testing purposes such as evaluating a Sports Wagering Platform. Sports Wagering Operators shall make these restrictions known to all affected individuals and corporate entities.
- (2) No individual with proprietary or non-public information held by the Sports Wagering Operator may place Sports Wagers with the Sports Wagering Operator, or with any other Sports Wagering Operator tethered to the Operator. Nor may such individual place Sports Wagers through another person as a proxy or agent. Sports Wagering Operators shall make these restrictions known to all affected individuals and corporate entities.
- (3) No Sports Wagering Operator shall allow a professional or athlete, coach, referee, team owner, employee of a Sports Governing Body or its member teams and patron and referee union personnel, place Sports Wagers on events in the sport in which the individual participates, or in which the athlete the individual represents participates. Nor may such athlete, sports agent, team official, team representative, referee or league official place Wagers through another person as a proxy or agent. A Sports Wagering Operator may not be held liable for a violation of 205 CMR 238.32(3) if:

- (a) The Sports Wagering Operator makes commercially reasonable efforts to obtain lists of such Persons for the purpose of implementing 205 CMR 238.32, such as by monitoring for and restricting accounts of such Persons;
 - (b) The Sports Wagering Operator makes these restrictions known to all affected individuals and corporate entities;
 - (c) The Sports Governing Body in which the athlete, sports agent, team official, team representative, referee or league official participates, maintains and enforces a policy that excludes such individuals from placing Wagers in that sport;
 - (d) The Commission has previously used the list of barred employees from the Sports Wagering Operator in accordance with M.G.L. c. 23N, § 11(a)(ii), and worked directly with a member team to determine the risk posed by certain employees for obtaining nonpublic confidential information on a Sporting Event and removed an employee without knowledge of team strategy or game operations from such a list after the Commission determined any such risk is de minimis; and
 - (e) The Sports Wagering Operator, upon learning of a violation of 205 CMR 238.48(3), informs the Commission, immediately bars the individual committing the violation from Sports Wagering by suspending such individual's Sports Wagering Account and banning such individual from further Sports Wagering, terminates any existing promotional agreements with such individual and refuses to make any new promotional agreements that compensate such individual.
- (4) The Sports Wagering Operator shall prevent persons from placing Sports Wagers as agents or proxies for others.

238.33: Prohibited Persons

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include commercially reasonable methods to prevent a prohibited person from placing a Sports Wager.

- (1) For the purposes of 205 CMR 238.33, a prohibited person refers to:
 - (a) Any individual prohibited from Sports Wagering pursuant to 205 CMR 152.00;
 - (b) Any individual prohibited from Sports Wagering pursuant to 205 CMR 250.00;
 - (c) Any individual who is self-excluded from Sports Wagering pursuant to 205 CMR 233.00;

- (d) Any individual who is prohibited from or subject to limitations regarding Sports Wagering pursuant to 205 CMR 254.00 and 255.00;
 - (e) Any individual Wagering while not in the authorized geographic boundaries within the Commonwealth;
 - (f) Any individual placing Sports Wagers as agents or proxies for others;
 - (g) Any restricted patron Wagering in violation of their restrictions established in 205 CMR 238.32;
 - (h) Any individual Wagering in violation of state, local or federal law; or
 - (i) Other prohibited Persons as determined by the Commission.
- (2) If a Sports Wagering Operator detects, or is notified of, an individual suspected of being a prohibited Person who has engaged or is engaging in prohibited Sports Wagering, the Sports Wagering Operator, shall use reasonable measures to verify whether the individual is prohibited or not.
 - (3) If the Sports Wagering Operator establishes, by reasonable measures, that the individual is prohibited, the Sports Wagering Operator shall cancel the individual's Sports Wager and confiscate any resulting funds.
 - (4) If the Sports Wagering Operator is unable to establish, by reasonable measures, that the individual is prohibited, then the individual is presumed to not be a prohibited Person for the purposes of 205 CMR 238.33.

238.34: Layoff Wagers

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include procedures for a Sports Wagering Operator to accept layoff Wagers placed by other Sports Wagering Operators and place layoff Wagers with other Sports Wagering Operators for the purpose of offsetting patron Sports Wagers.

- (1) The Sports Wagering Operator placing a layoff Wager shall inform the Sports Wagering Operator accepting the Wager that the Wager is being placed by a Sports Wagering Operator and shall disclose the Operator's identity pursuant to M.G.L. c. 23N, § 13(c).
- (2) The Sports Wagering Operator may decline to accept a layoff Wager in its sole discretion.
- (3) Layoff wagers shall be reported to the Commission.

238.35: Cancelled or Voided Wagers

For any transaction where a Sports Wagering Operator may cancel or void a Wager, with or without prior authorization of the Commission, the Sports Wagering Operator shall submit a system of Internal Controls in accordance with 205 CMR 238.02 for voiding Wagers and subsequent allocation of patron funds. Such system shall include, at a minimum, the following:

- (1) Cancellation of an otherwise validly placed Wager by a Sports Wagering Operator shall be nondiscretionary. A Sports Wagering Operator shall cancel or void a Wager without prior authorization of the Commission under the following circumstances:
 - (a) Any Wager where after a patron has placed a Sports Wager, the Sporting Event is cancelled, postponed or rescheduled to a different date prior to completion of the Sporting Event;
 1. In the case of a Wager on a portion of a Sporting Event, that Wager shall be valid when the event is canceled, postponed, or rescheduled if the outcome of the affected portion was determined prior to the cancelation, postponement or rescheduling; or
 2. A Sports Wagering Operator may establish a timeframe in which an event may be rescheduled or postponed without canceling the wager. This timeframe shall be tied to specific Sporting Events, subject to the approval of the Commission, and documented in the system of Internal Controls.
 - (b) A change in the venue where a Sporting Event was scheduled to be held occurs after a patron has placed a Sports Wager;
 - (c) Any tier 1 Sports Wager in a non-team event when an individual athlete or competitor fails to participate in a Sporting Event and the outcome of the Wager is solely based upon the individual athlete or competitor's performance;
 - (d) Any tier 2 Sports Wager when an individual athlete or competitor fails to participate in a Sporting Event and the outcome of the wager is solely based upon that individual athlete or competitor's performance;
 - (e) Any Sports Wager received for an act, or set of acts, to be performed during a Sporting Event when such act or acts does not occur and the ability to Wager on the non-occurrence of the event was not offered. For example, a Sports Wager on punt return yardage in an American football game where no punts occur and zero was not an available Wager;
 - (f) Any Wager received on whether a team will qualify to participate in post-season competitions when the number of teams allowed to participate in the post-season changes after a patron has placed a Wager;

- (g) Changes to rules by a Sports Governing Body regarding the format or number of athletes or competitors scheduled to participate in a defined phase of a sporting event or that particular phase is not played at all;
- (h) A material change in circumstances for a given Sporting Event or Wager category occurs, provided:
 - 1. The Commission approves the material change;
 - 2. The Sports Wagering Operator documents the material change in its system of Internal Controls; and
 - 3. The Sports Wagering Operator displays the material change to a patron at the time of placement of the Sports Wager.

~~(i) Where the Sports Wagering Operator has reasonable basis to believe there was an obvious error in the placement or acceptance of the Wager, including, but not limited to:~~

~~0. The Wager was placed with incorrect odds;~~

~~0. Human error in the placement of the Wager;~~

~~0. The Sports Wagering ticket does not correctly reflect the Wager; or~~

~~0. Sports Wagering Equipment failure rendering a Sports Wagering ticket unreadable.~~

~~(n)(i)~~ When a patron requests a Sports Wager be cancelled or voided prior to the commencement of the Sporting Event due to:

- 1. An error in communicating the type, amount or parameters of the Wager; or
- 2. An error of a Ticket Writer entering such transaction in the Sports Wagering Equipment, in such case the ticket writer must call a supervisor to cancel or void the Wager; or

~~(o)(j)~~ When authorized or ordered by the Commission ~~pursuant to this section.~~

(2) For all circumstances that are not set forth in 205 CMR 238.35(1), a Sports Wagering Operator may request the Commission authorize the cancellation or voiding of all Wagers of a specific type, kind, or subject. A Sports Wagering Operator shall submit its request to cancel or void the Wager in writing, and such request shall contain the following:

- (a) A description of the type, kind, or subject of Wager the Sports Wagering Operator is requesting to cancel or void;

- (b) A description of any facts relevant to the request; and
 - (c) An explanation why cancelling or voiding the Wager is in the best interests of the Commonwealth or ensures the integrity of the Sports Wagering industry.
- (3) The Sports Wagering Operator shall provide any additional information requested by the Commission to review and approve the request.
- (4) The Commission shall issue a written order granting or denying the request to cancel or void the Wager. In determining whether to grant or deny the request, the Commission shall consider any relevant factors, including:
 - (a) Whether the alleged facts implicate the integrity of the Sporting Event subject to the Wager or the Sports Wagering industry;
 - (b) Whether the alleged facts implicate possible illegal activity relating to the Sporting Event or the Sports Wagering industry;
 - (c) Whether allowing the Wager would be unfair to patrons; or
 - (d) Whether allowing the Wager is contrary to public policy.
- (5) No Wager subject to the request to cancel or void shall be redeemed, cancelled, or voided, until the Commission or its designee issues an order granting or denying the request to cancel.
- (6) If the Commission or its designee grants the request to cancel or void, the Sports Wagering Operator shall make commercially reasonable efforts to notify patrons of the cancellation or voiding of the Wager.
- (7) The Commission or its designee has discretion to order all Sports Wagering Operators to cancel or void all Wagers on a specific Sporting Event or Wagers of a specific type or kind on a specific Sporting Event. In exercising its discretion, the Commission shall apply the same factors described in 205 CMR 238.35(1).
- (8) A patron may request the Commission or its designee review any Wager declared cancelled or voided by a Sports Wagering Operator. If the Commission or its designee concludes there is no reasonable basis to believe there was obvious error in the placement or acceptance of the Wager, the Commission or its designee may order the Sports Wagering Operator to honor the Wager.
- (9) If a Wager is declared canceled or voided, the Wager shall be refunded to the patron and that amount shall be deducted from the Adjusted Gross Sports Wagering Receipts. For cancelled or voided Wagers not tied to a Sports Wagering Account, the following shall apply:

- (a) Any cancelled or voided Wager shall be refunded upon request by a patron prior to the expiration of the original redemption period and shall be deducted from Adjusted Gross Sports Wagering Receipts; and
 - (b) At the expiration of any outstanding cancelled or voided Wager which has not been refunded, the original amount of the outstanding Wager shall be deducted from Adjusted Sports Wagering Receipts and remitted to the Sports Wagering Fund.
- (10) All voided or cancelled Wagers and all refunds of any voided or cancelled Wager pursuant to 205 CMR 238.35 shall be logged at the time they occur and such log must be made available to the Commission upon request.

238.36: Accounting Controls for Sports Wagering Kiosks

- (1) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include provisions governing a Sports Wagering Kiosk for the acceptance of Sports Wagers and redemption of winning Sports Wagering tickets and vouchers that comports with 205 CMR 243.00: *Sports Wagering Equipment*.
- (2) The Sports Wagering Operator shall ensure Sports Wagering Kiosks are configured to prohibit the following:
 - (a) Issue or redeem a Sports Wagering Voucher or payout with a value in excess of \$10,000;
 - (b) Issue or redeem a Sports Wagering Voucher or payout in excess of limits set by the IRS.

238.37: Sports Wagering Equipment

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include procedures relative to Sports Wagering Equipment that include, at a minimum, provisions to ensure that all Sports Wagering Equipment comport with 205 CMR 243.00: *Sports Wagering Equipment*. Such procedures shall include the following:

- (1) The location of the servers used for Sports Wagering, including any third-party remote location servers, and what controls will be in place to ensure security of the servers; and
- (2) The procedures and security standards as to receipt, handling, and storage of Sports Wagering Equipment, including within a Sports Wagering Area, Sports Wagering Facility, or Gaming Establishment.

238.38: Change Management

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include change management processes which detail evaluation procedures for identifying the criticality of updates to Sports Wagering Equipment and determining the updates that must be submitted to the approved independent testing laboratory for review and certification. The processes shall be subject to the provisions of 244.03: *Change Management and Integration Requirements*.

238.39: Sports Wagering Accounts

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include procedures relative to Sports Wagering Accounts that include, at a minimum, provisions to ensure that all Sports Wagering Accounts comport with 205 CMR 248.00: *Sports Wagering Account Management*.

238.40: Test Accounts

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include the procedures for establishing test accounts to be used by the Operator and the Commission to test the various components and operation of Sports Wagering Equipment. Such procedures shall include, at a minimum:

- (1) The procedures for issuing funds used for testing, including the identification of who may issue the funds and the maximum amount of funds that may be issued;
- (2) The procedures for assigning each test account for use by only one individual. However, a Sports Wagering Operator may establish a specific scenario or instance of a test account that may be shared by multiple users if each user's activities are separately logged;
- (3) The maintenance of a record for all test accounts, to include when they are active, to whom they are issued, and the employer of the individual to whom they are issued;
- (4) The procedures for auditing testing activity by the Sports Wagering Operator to ensure the accountability of funds used for testing and proper adjustments to gross Sports Wagering receipts; and
- (5) The procedures for authorizing and auditing out-of-state test activity.

238.41: Sports Wagering Accounting Requirements

The system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include Sports Wagering accounting procedures designed to ensure that the Sports Wagering Operator's wagering activities are accurately and timely recorded and reported. Specifically, the policies and procedures shall comport with 205 CMR 243.01: *Standards for Sports Wagering Equipment* and must address:

- (1) The procedures and security for the daily calculation and recording of gross Sports Wagering receipts, Adjusted Gross Sports Wagering Receipts and winnings.
- (2) The policies and procedures in connection with the internal audit department of its Sports Wagering Operations.
- (3) The procedure for the recording of and reconciliation of Sports Wagering transactions.

238.42: Commission Access to Sports Wagering Data

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall detail the controls to assure that all data the Commission requires to be maintained under M.G.L. c. 23N or 205 CMR is appropriately segregated and controlled to prevent unauthorized access. Sports Wagering Operators must provide the Commission with access to all such data, upon request, within a time provided for by the Commission. A Sports Wagering Operator must retain such data for a minimum of five (5) years.

238.43: Reports of Sports Wagering Operations

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall detail the Sports Wagering Operator's ability to maintain daily records and must be able to prepare reports supporting gross Sports Wagering receipts and Adjusted Gross Sports Wagering Receipts, wagering liability, payouts, and any other reports considered necessary by the Commission. The Sports Wagering Operator shall timely file with the Commission any additional reports required by M.G.L. c. 23N or by any rule or regulation.

238.44: Data and Network Security Requirements

- (1) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall ensure compliance with all applicable state and federal requirements for data and network security: including 205 CMR 2XX.00, G.L. c. 93H, G.L. c. 93I, 201 CMR 17, and any other applicable law, regulation or order of a governmental body.
- (2) Pursuant to M.G.L. c. 23N, § 11(a)(v), a Sports Wagering Operator shall employ commercially reasonable methods to maintain the security of Wagering data, patron data and other confidential information from unauthorized access and dissemination; provided, however, that nothing in M.G.L. c. 23N or 205 CMR shall preclude the use of internet or cloud-based hosting of such data and information or disclosure as required by court order, other law or M.G.L. c. 23N; and provided further, that such data and information shall be hosted in the United States.
- (3) Internal and external network vulnerability scans shall be run at least quarterly and after any significant change to the Sports Wagering Platform or network infrastructure. Testing procedures must verify that four quarterly internal and scans took place in the past twelve (12) months and that re-scans occurred until all

“Medium Risk” (CVSS 4.0 or Higher) vulnerabilities were resolved or accepted via a formal risk acceptance program. Internal scans should be performed from an authenticated scan perspective. External scans can be performed from an unauthenticated perspective.

- (a) The quarterly scans may be performed by either a qualified employee of the Sports Wagering Operator or a qualified independent technical expert selected by the Sports Wagering Operator and subject to approval of the Commission in accordance with 205 CMR 243.01: *Standards for Sports Wagering Equipment*.
- (b) Verification of scans must be submitted to the Commission on a quarterly basis and must include a remediation plan and any risk mitigation plans for those vulnerabilities not able to be resolved.

238.45: Confidential Information and Personally Identifiable Information Security

- (1) Any information obtained in respect to Sports Wagering or the Sports Wagering Account, including ~~personally identifiable information~~ Confidential Information and Personally Identifiable Information and authentication credentials, shall be ~~collected, maintained, stored and secured~~ in compliance with the privacy policies and 205 CMR138.73 and 2XX, G.L. c. 93H, G.L. c. 93I, 201 CMR 138.73: *Personally Identifiable Information Security*17, and any other applicable laws, law, regulation or order of a governmental body. Both ~~personally identifiable information~~ Confidential Information and Personally Identifiable Information and the Sports Wagering Account funds shall be considered as critical assets for the purposes of risk assessment.
- (2) No employee or agent of the Sports Wagering Operator shall divulge any ~~personally identifiable information~~ Confidential Information or Personally Identifiable Information related to a Sports Wagering Account, the placing of any Wager or any other sensitive information related to the operation of Sports Wagering ~~without the consent of the patron,~~ except as required by this section or 205 CMR 2XX, the Commission or other authorized governmental agencies, including:
 - (a) The amount of money credited to, debited from, withdrawn from, or present in any particular Sports Wagering Account;
 - (b) The amount of money Wagered by a particular patron on any event or series of events;
 - (c) The unique patron ID or username and authentication credentials that identify the patron;
 - (d) The identities of particular Sporting Events on which the patron is Wagering or has Wagered; and

- (e) Unless otherwise authorized by the patron, the name, address, and other ~~personally identifiable information~~ Personally Identifiable Information in the possession of the Sports Wagering Operator that would identify the patron to anyone other than the Commission or the Sports Wagering Operator, provided, however, that such authorization must be clear, conspicuous, and received apart from any other agreement or approval of the patron. Acceptance of general or broad terms of use or similar documents that purport to permit the sharing of Personally Identifiable Information in the same document shall not constitute adequate authorization, not shall hovering over, muting, pausing, pre-selecting, or closing a given piece of content without affirmatively granting consent; or purported agreement. Further, no authorization shall be deemed to be a waiver of any of the patron's other rights.

238.46: Reprints of Sports Wagering Tickets and Vouchers

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall detail procedures to reprint tickets or vouchers that fail to print at either a Ticket Writer Station or Sports Wagering Kiosk. Such procedures shall include a requirement of supervisory authorization for the reprint.

238.47: Validation and Payout of Sports Wagering Tickets and Vouchers

A system of Internal Controls submitted by a Sports Wagering Licensee in accordance with 205 CMR 238.02 shall include the necessary controls in place for validation and payment of prizes and to prevent fraud related to unclaimed winning Sports Wagering tickets and vouchers.

- (1) Validation Process. The Sports Wagering Operator shall define and implement procedures to ensure the validity of winning Sports Wagering tickets and vouchers, and process payouts thereof.
 - (a) No Sports Wagering ticket or voucher recorded or reported as previously paid, canceled, or non-existent shall be deemed a valid ticket or voucher by the Sports Wagering Operator. The Sports Wagering Operator may withhold payment and refuse to cash any Sports Wagering ticket or voucher deemed not valid.
 - (b) The Sports Wagering Operator shall not satisfy claims on lost, mutilated, or altered Sports Wagering tickets without authorization of the Commission.
- (2) Security of Unclaimed Ticket and Voucher Data. The Sports Wagering Operator shall implement technical and procedural controls to ensure the confidentiality, integrity, and availability of unclaimed winning Sports Wagering ticket and voucher data. This shall include as a minimum, files containing information on specific winning Sports Wagering tickets and vouchers yet to be claimed and any validation files. Specific consideration shall be given to access control to restrict access to the data, monitoring of user interaction with the data, and a process for dealing with unauthorized access or export of the data.

- (3) Payout Procedure. A Sports Wagering Operator's Internal Controls shall include a winning Sports Wagering ticket and voucher payout procedure that:
 - (a) Defines a maximum payout period;
 - (b) Includes a process to audit final transfers upon Wager settlement;
 - (c) Details the rules and due diligence required prior to making a decision on payout for a lost, stolen or damaged ticket or voucher;
 - (d) Details the procedure with regard to inquiries into the validity of claims;
 - (e) Includes a procedure with regard to late or last minute payouts; and
 - (f) Addresses whether or not a winning ticket may be redeemed by mail and, if so, the procedures for such redemption.
- (4) Fraud Detection. There shall be adequate audit records kept and reviewed as part of the winning Sports Wagering ticket and voucher payout procedure to identify unusual patterns of late payouts and any claims made by personnel that might require investigation.

238.48: Expiration of Sports Wagering Tickets and Vouchers; Payment to the Sports Wagering Control Fund

- (1) The system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include provisions governing the expiration of winning Sports Wagering tickets and vouchers that provide, at a minimum, that:
 - (a) Any money that is owed to a patron by a Sports Wagering Operator as a result of a winning Sports Wagering ticket or voucher must be claimed within one year of the date of the Sporting Event for which the Wager was won or the obligation of the Sports Wagering Operator to pay the patron will expire. Upon expiration of the obligation, the involved funds must be transferred to the Sports Wagering Control Fund in accordance with M.G.L. c. 23N, § 13(h). In calculating the one year period referenced in 205 CMR 238.48(1)(a) and in M.G.L. c. 23N, § 13(h), any period of time for which the Gaming Establishment or Sports Wagering facility was not in operation shall be excluded; and
 - (b) A Sports Wagering Operator shall maintain a record of all unclaimed winning Sports Wagering tickets and vouchers that have expired.
- (2) Before the end of each calendar month, the Sports Wagering Operator shall report the total value of winning Sports Wagering tickets and vouchers owed to its patrons that expired during the preceding calendar month in a format prescribed by the Commission.

- (3) Each Sports Wagering Operator shall submit a check with its monthly report payable to the Sports Wagering Control Fund in accordance with M.G.L. c. 23N, § 13(h) in the amount of the winning Sports Wagering tickets and vouchers owed to its patrons that expired during the preceding month as stated in the report.
- (4) Upon the payment of the expired debt, the Sports Wagering Operator shall post the payment and remove the amount from its records as an outstanding debt.
- (5) Failure to make the payment to the Sports Wagering Control Fund by the due date shall result in the imposition of penalties and interest as prescribed by 205 CMR.
- (6) Nothing in 205 CMR 238.68 shall preclude the Sports Wagering Operator from, in its discretion, issuing cash or other form of complimentary to a patron to compensate the patron for a winning Sports Wagering ticket or voucher that has expired.

238.49: Entertainment, Filming or Photography within the Sports Wagering Area or Sports Wagering Facility

Any entertainment, filming or photography within the Sports Wagering Area of the Gaming Establishment or Sports Wagering Facility shall not disrupt or interfere with the:

- (1) Efficient operations of Sports Wagering;
- (2) The security of the Gaming Establishment or any portion thereof;
- (3) Surveillance operations; or
- (4) The security or integrity of Sports Wagering Operations or any authorized Sports Wagering.

238.50: Policies and Procedures for Ensuring a Workplace Free from Unlawful Discrimination, Harassment and Retaliation

The Sports Wagering Operator, as well as their submitted system of Internal Controls, shall comply with 205 CMR 138.72: *Policies and Procedures for Ensuring a Workplace Free from Unlawful Discrimination, Harassment and Retaliation*.

REGULATORY AUTHORITY
M.G.L. 23N, §§ 4, 6, and 10



SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission (“Commission”) hereby files this Small Business Impact Statement in accordance with G.L. c. 30A, §2 relative to the proposed amendment of **205 CMR 238 UNIFORM STANDARDS OF ACCOUNTING PROCEDURES AND INTERNAL CONTROLS**.

This regulation was amended as part of the process of promulgating regulations governing sports wagering in the Commonwealth, and is primarily governed by G.L. c. 23N, §4. These amendments are intended to establish the internal surveillance and security standards for Category 2 Sports Wagering Operators, and standards regarding the safeguarding and protection of confidential and personally identifiable patron information.

The regulation applies to potential sports wagering operators and the Commission. Accordingly, this regulation is unlikely to have an impact on small businesses. Under G.L. c.30A, §2, the Commission offers the following responses to the statutory questions:

1. Estimate of the number of small businesses subject to the proposed regulation:

This regulation is unlikely to have an impact on small businesses.

2. State the projected reporting, recordkeeping, and other administrative costs required for compliance with the proposed regulation:

There are no projected reporting, recordkeeping, or other administrative costs required for small businesses to comply with this regulation.

3. State the appropriateness of performance standards versus design standards:

No standards applicable to small businesses are set forth. Provided standards are performance standards.

4. Identify regulations of the promulgating agency, or of another agency or department of the Commonwealth, which may duplicate or conflict with the proposed regulation:

There are no conflicting regulations in 205 CMR, and the Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth.

5. State whether the proposed regulation is likely to deter or encourage the formation of new businesses in the Commonwealth:



Massachusetts Gaming Commission

This amendment is unlikely to have any impact on the formation of new businesses in the Commonwealth.

Massachusetts Gaming Commission
By:

/s/ Caitlin Monahan
Caitlin Monahan, Deputy General Counsel

Dated: April 24, 2022

DRAFT



Massachusetts Gaming Commission

205 CMR 247: UNIFORM STANDARDS OF SPORTS WAGERING

Section

- 247.01: Authorized and Prohibited Sporting Events and Wager Categories
- 247.02: House Wagering Rules and Patron Access
- 247.03: Petition for a Sporting Event or Wager Category
- 247.04: Prohibiting Wagers for Good Cause
- 247.05: Data Sources and Official League Data
- 247.06: Sports Wagering Tournaments/Contests/Pools
- 247.07: Acceptance of Sports Wagers
- 247.08: Minimum and Maximum Wagers; Additional Wagering Requirements
- 247.09: Promotional Offers
- 247.10: Exchange Wagering and Other Peer-to-Peer Wagering

247.01: Authorized and Prohibited Sporting Events and Wager Categories

- (1) A Sports Wagering Operator may offer Sports Wagering only for those Sporting Events and Wager Categories authorized by the Commission and posted on the Commission's website.
- (2) An Operator shall not offer Sports Wagering on:
 - (a) Any Collegiate Sport or Athletic Event:
 - 1. With an outcome dependent on the performance of an individual athlete, including, but not limited, to in-game or in-play wagers;
 - 2. Involving any collegiate teams from the Commonwealth, unless the teams are involved in a Collegiate Tournament.
 - (b) Any eSports event that:
 - 1. Is not sanctioned by an approved Sports Governing Body or equivalent as authorized by the Commission; and
 - 2. Has not been endorsed by the Commission pursuant to the procedures set forth in 205 CMR 247.03;
 - (c) Any virtual sports event unless:
 - 1. A Random Number Generator (RNG), certified by an independent testing laboratory, is used to determine the outcome(s);

2. A visualization of the virtual sports event is offered to all patrons which displays an accurate representation of the result(s) of the virtual sports event; and
 3. The virtual sports event is approved pursuant to the procedures set forth in 205 CMR 247.03;
- (d) Any horse or greyhound races;
 - (e) Any injuries, penalties, player discipline, or replay review;
 - (f) Any high school or youth sports or athletic events;
 - (g) Any fantasy contest unless offered pursuant to M.G.L. c. 12, § 11M½ and 940 CMR 34.00: *Daily Fantasy Sports Contest Operators in Massachusetts*;
 - (h) Any Sporting Event or Wager Category in which the outcome has already been determined and is publicly known; or
 - (i) Any other Sporting Event or Wager Category until the Sporting Event or Wager Category has been approved by the Commission in accordance with 205 CMR 247.03.

247.02: House Wagering Rules and Patron Access

- (1) In accordance with M.G.L. c. 23N, § 10(a), the Sports Wagering Operator shall adopt comprehensive House Rules for Sports Wagering. The Sports Wagering Operator shall not conduct Sports Wagering until the Commission has approved the House Rules and the Sports Wagering Operator shall not conduct Sports Wagering in a manner inconsistent with approved House Rules.
- (2) In accordance with M.G.L. c. 23N, § 10(b), the Sports Wagering Operator shall make copies of its House Rules readily available to patrons and shall post the same as required by the Commission, including on a prominent place on the Sports Wagering Operator's public website, mobile application or other digital platform, and where applicable, prominently within the Sports Wagering Facility or Sports Wagering Area. Said copies of the Sports Wagering Operator's House Rules shall state the date on which they became effective. The Sports Wagering Operator shall provide previous versions of its House Rules to any patron upon written request.
- (3) The House Rules must address the following items regarding Sports Wagers, at a minimum:
 - (a) Types of Sports Wagers accepted;
 - (b) Minimum and maximum Sports Wagers;

- (c) Description of the process for handling incorrectly posted events, odds, Sports Wagers, or results;
 - (d) Methods for the calculation and payment of winning Sports Wagers;
 - (e) Effect of schedule changes;
 - (f) Methods of notifying patrons of odds or proposition changes;
 - (g) Whether the Operator accepts Sports Wagers at other than posted terms;
 - (h) Procedures related to pending winning Sports Wagers;
 - (i) Methods of contacting the Sports Wagering Operator for questions and complaints including information explaining how complaints can be filed, how complaints are resolved, and how the patron may submit a complaint to the Commission;
 - (j) Description of prohibited persons pursuant to 205 CMR 238.33, restricted patrons pursuant to 205 CMR 238.32, and Sporting Events and Wager Categories on which Sports Wagers may not be accepted under M.G.L. c. 23N and 205 CMR 247.02;
 - (k) Methods of funding a Sports Wager;
 - (l) Maximum payouts; however, such limits must only be established through limiting the amount of a Sports Wager and cannot be applied to reduce the amount paid to a patron as a result of a winning Sports Wager;
 - (m) Parlay-Wager-related rules;
 - (n) The Operator's policy for canceling or voiding Sports Wagers, ~~including for obvious errors~~ in accordance with 205 CMR 238.35;
 - (o) The Operator's policy for when an event or any component of an event on which Sports Wagers are accepted is canceled or suspended, including the handling of Sports Wagers with multiple selections, such as parlays, where one or more of these selections is canceled; and
 - (p) Any additional content for House Rules outlined in 205 CMR 243.01: *Standards for Sports Wagering Equipment*.
- (4) The Sports Wagering Operator shall not change or modify the House Rules without the prior written approval of the Commission. Failure by an Operator to act in accordance with its House Rules may result in disciplinary action.

- (1) Any Person may petition the Commission for approval of a new Sporting Event or Wager Category.
- (2) A proposed new Sporting Event or Wager Category may be a variation of an authorized Sporting Event or Wager Category, a composite of authorized Sporting Events or Wager Categories, or a new Sporting Event or Wager Category.
- (3) A petition for a proposed new Sporting Event or Wager Category shall be in writing and must include, at a minimum, the following information:
 - (a) The name(s) and address(es) of petitioner(s);
 - (b) The name of the Sporting Event or Wager Category;
 - (c) Whether the Sporting Event or Wager Category is a variation of an authorized Sporting Event or Wager Category, a composite of authorized Sporting Events or Wager Categories, or a new Sporting Event or Wager Category;
 - (d) The name of any Sports Wagering Operator sponsoring the petition;
 - (e) A complete and detailed description of the Sporting Event or Wager Category for which approval is sought, including:
 1. A summary of the Sporting Event or Wager Category and the manner in which Sports Wagers would be placed and winning Sports Wagers would be determined;
 2. A draft of the proposed House Rules, including a description of any technology that would be utilized to offer Sports Wagering on the Sporting Event or Wager Category;
 3. Any rules or voting procedures related to the Sporting Event or Wager Category;
 4. Assurance that the Sporting Event or Wager Category meets the requirements of 205 CMR 247.03(4);
 5. Whether and to what extent the outcome of the Sporting Event or Wager Category is determined solely by chance;
 - (f) If the proposed Sporting Event or Wager Category is based on eSports activities, complete information about:
 1. The proposed location(s) of the eSports event(s);
 2. The video game used for the eSports event, including, without limitation, the publisher of the video game;

3. The eSports event operator, whether the eSports event operator is approved to host events by the video game publisher, and whether the eSports event operator has any affiliation with the video game publisher;
 4. The manner in which the eSports event is conducted by the eSports event operator, including, without limitation, eSports event rules and certification from a third party, such as an eSports event operator or the game publisher, that the eSports event meets the Commission's event integrity requirements;
- (g) The name of any Sports Governing Body or equivalent organization, as authorized by the Commission;
 - (h) To the extent known by the petitioner(s), a description of policies and procedures regarding event integrity;
 - (i) Any other information or material requested by the Bureau or Commission.
- (4) The Commission shall not grant the petition and authorize the Sporting Event or Wager Category unless the following minimum criteria are met:
 - (a) The outcome can be verified;
 - (b) The Sporting Event generating the outcome is conducted in a manner that ensures sufficient integrity controls exist so the outcome can be trusted;
 - (c) The outcome is not likely to be affected by any Sports Wager placed; and
 - (d) The Sporting Event is conducted in conformity with all applicable laws.
 - (5) The Commission will consider the request, all provided materials, and any relevant input from the Sports Governing Body ~~or~~, the conductor of the Sporting Event or related Players Associations, prior to authorizing a Sporting Event or Wager Category.
 - (6) In its sole discretion, the Commission may require an appropriate test or experimental period, under such terms and conditions as the Commission may reasonably require, before granting final approval to a Sporting Event or Wager Category.
 - (7) In its sole discretion, the Commission may subject any technology that would be used to offer a Sporting Event or Wager Category to testing, investigation, and approval.

- (8) The Commission may grant, deny, limit, restrict, or condition a request made pursuant to this rule, and may revoke, suspend, or modify any approval granted under this rule.
- (9) The Commission shall notify all Sports Wagering Operators of any changes to authorized Sporting Events and Wager Categories.
- (10) The Commission may prohibit the acceptance of any Sports Wagers, and may order the cancellation of Sports Wagers and require refunds on any Sporting Event or Wager Category, for which wagering would be contrary to the interests of the Commonwealth.
- (11) If a Sports Wagering Operator offers an unauthorized or prohibited Sporting Event or Wager Category, the Sports Wagering Operator must immediately cancel and refund all Sports Wagers associated with the unauthorized or prohibited Sporting Event or Wager Category: provided, however, that where only a portion of a Sports Wagers with multiple selections, such as a parlay, is unauthorized, the Sports Wagering Operator may cancel only that portion of the Sports Wager in accordance with the provisions of their House Rules if properly disclosed in accordance with 205 CMR 247.02(3)(o). The Sports Wagering Operator must notify the Commission promptly after cancelling ~~and any Sports Wager and again after~~ refunding ~~the any~~ Sports Wagers.
- (12) The Commission may use any information it considers appropriate, including, but not limited to, information received from a Sports Governing Body, in determining whether to authorize or prohibit wagering on a particular Sporting Event or Wager Category.

247.04: Prohibiting Wagers for Good Cause

- (1) Pursuant to M.G.L. c. 23N, § 11(b), a Sports Governing Body, equivalent organization, as authorized by the Commission, or related Players Association may request in writing that the Commission restrict, limit or exclude a certain type, form or category of Sports Wagering with respect to Sporting Events of the Sports Governing Body, if the Sports Governing Body or Players Association believes that such type, form or category of Sports Wagering with respect to Sporting Events of the Sports Governing Body:
 - (a) Is contrary to public policy;
 - (b) Is unfair to patrons;
 - (c) May undermine the perceived integrity of the Sports Governing Body, Sporting Events of the Sports Governing Body, or the athletes participating therein; or

- (d) Affects the integrity of the Sports Governing Body, Sporting Events of the Sports Governing Body, or the integrity health or welfare of the athletes participating therein.
- (2) The request must be submitted in the form and manner prescribed by the Commission and must include, at a minimum, all of the following:
 - (a) The identity of the requestor, and contact information for at least one individual who shall be the primary point of contact for questions related to the request;
 - (b) A description of the Sporting Event or Wager Category that is the subject of the request;
 - (c) Information explaining why the requestor believes the requirements of 205 CMR 247.04(1) are met; and
 - (d) Any other information required by the Commission.
- (3) The Commission shall grant the request upon good cause shown, or deny the request otherwise; provided, however, that if the Commission determines that the requestor is more likely than not to make a showing of good cause, the Commission may provisionally grant the request until the Commission makes a final determination as to whether the requestor has shown good cause.
- (4) If the request concerns a particular Sporting Event, it must be sent to the Commission at least ten days before the event, unless the request involves allegations of match-fixing, the manipulation of an event, misuse of inside information, or other prohibited activity, in which case it must be sent to the Commission as soon as is reasonably practical.
- (5) The Commission shall grant or deny any request concerning a particular Sporting Event, received at least ten days before the event, before the event. Otherwise, the Commission shall grant or deny any request within fourteen days;
- (6) Upon receiving a complete request under 205 CMR 247.04(1), the Commission shall request comment from Sports Wagering Operators on all such requests in writing. The request shall include the date by which any written responses must be submitted to the Commission. All Sports Wagering Operators must be given an opportunity which is reasonable under all the circumstances to respond to the request.
- (7) A Sports Wagering Operator may continue to offer Sports Wagering on any Sporting Event that is the subject of a request until the Commission provisionally grants or grants the request.

- (1) Except as otherwise provided in 205 CMR 247.05, a Sports Wagering Operator may use any licensed data source to determine the results of all tier 1 Sports Wagers and tier 2 Sports Wagers, subject to all of the following conditions:
 - (a) The data source and corresponding data must be complete, accurate, reliable, timely, and available.
 - (b) The data source must be appropriate to settle the types of events and types of wagers for which it is used.
 - (c) The data is not obtained directly or indirectly from live event attendees who collect the data in violation of the terms of admittance to an event, or through automated computer programs that compile data from the Internet in violation of the terms of service of any website or other Internet platform.
 - (d) The proprietor or manager of any data source that provides data directly to a Sports Wagering Operator must be licensed by the Commission as a Sports Wagering Vendor.
 - (e) The data source and corresponding data must meet any other conditions set by the Commission.
- (2) A Sports Wagering Operator shall report to the Commission the data source that it uses to resolve Sports Wagers. The Commission may disapprove of a data source for any reason.
- (3) In accordance with M.G.L. c. 23N, § 4(c)(i), a Sports Wagering Operator shall not purchase or use any personal biometric data.
- (4) A Sports Governing Body headquartered in the United States may notify the Commission that it desires Sports Wagering Operators to use official league data to settle tier 2 Sports Wagers on the Sports Governing Body's Sporting Events. The notification shall be made in the form and manner required by the Commission and must include, at a minimum, all of the following:
 - (a) Identification information for the Sports Governing Body;
 - (b) Identification and contact information for at least one specific individual who will be the primary point of contact for issues related to the provision of official league data and compliance with the act and these rules;
 - (c) Identification and contact information for any designees that are or will be expressly authorized by the Sports Governing Body to provide official league data in Massachusetts;
 - (d) Copies of any contracts relevant to the provision of official league data in Massachusetts, including all of the following:

1. Copies of any contracts between the Sports Governing Body and any designees that are or will be expressly authorized by the Sports Governing Body to provide official league data in Massachusetts; and
 2. Copies of any contracts between the Sports Governing Body or its designees and Sports Wagering Operators in Massachusetts;
 3. A description of the official league data the Sports Governing Body desires to provide; and
- (e) Any other information required by the Commission.
- (5) A Sports Governing Body may not submit a notification under 205 CMR 247.05(4) unless the Commission has authorized Sports Wagering Operators to accept tier 2 wagers on athletic events of the Sports Governing Body.
 - (6) Within 5 days of receipt of the notification, the Commission shall notify each Sports Wagering Operator of the requirement to use official league data to settle tier 2 Sports Wagers. If a Sports Governing Body does not notify the Commission of its desire to supply official league data, a Sports Wagering Operator may use any data source for determining the results of any and all tier 2 Sports Wagers on Sporting Events of the Sports Governing Body.
 - (7) Within 60 days of the Commission issuing a notification pursuant to 205 CMR 247.05(4), or such longer period as may be agreed between the Sports Governing Body and the applicable Sports Wagering Operator, a Sports Wagering Operator shall use only official league data to determine the results of tier 2 Sports Wagers on Sporting Events of that Sports Governing Body, unless:
 - (a) The Sports Governing Body or its designee cannot provide a feed of official league data to determine the results of a particular type of tier 2 Sports Wager, in which case a Sports Wagering Operator may use any data source for determining the results of the applicable tier 2 Sports Wager until such time a data feed becomes available from the Sports Governing Body on commercially reasonable terms and conditions; or
 - (b) A Sports Wagering Operator can demonstrate to the Commission that the Sports Governing Body or its designee will not provide a feed of official league data to the Sports Wagering Operator on commercially reasonable terms and conditions.
 - (8) In evaluating whether official league data is offered on commercially reasonable terms and conditions for purposes of 205 CMR 247.05(7)(a), the Commission may consider:

- (a) The availability of official league data to a Sports Wagering Operator from more than one authorized source and whether it is offered under materially different terms;
 - (b) Market information, including, but not limited to, price and other terms and conditions of Sports Wagering Operators' purchases of comparable data in the Commonwealth and other jurisdictions;
 - (c) The characteristics of the official league data and any alternate data sources, including:
 - 1. The nature, quantity, quality, integrity, completeness, accuracy, reliability, availability, and timeliness of the data;
 - 2. The quality, complexity, integrity, and reliability of the process used to collect the data; and
 - 3. Any other characteristics the Commission deems relevant;
 - (d) The availability and cost of comparable data from other authorized data sources;
 - (e) Whether any terms of the contract or offer sheet are uncompetitive in nature, are economically unfeasible, or otherwise unduly burden the Sports Wagering Operator; and
 - (f) Any other factors the Commission deems relevant.
- (9) Notwithstanding 205 CMR 247.05(7) or any provision of 205 CMR 247.05 to the contrary, during the pendency of the determination of the Commission as to whether a Sports Governing Body or its designee may provide official league data on commercially reasonable terms, a Sports Wagering Operator may use any data source to determine the results of tier 2 Sports Wagers. The determination shall be made within 120 days of the Sports Wagering Operator notifying the Commission that it requests to demonstrate that the Sports Governing Body or its designee will not provide a feed of official league data to the Sports Wagering Operator on commercially reasonable terms.
- (10) The Commission shall maintain, and may publish, a list of all Sports Governing Bodies that provide official league data under 205 CMR 247.05.
- (11) At any time, a Sports Governing Body may give written notification to the Commission and all Sports Wagering Operators to which the Sports Governing Body or its designee provides official league data that the Sports Governing Body intends to stop providing official league data. The written notification shall specify in the date on which the Sports Governing Body shall stop providing official league data. Said date shall be no fewer than seven days later than the date of the written notification. On receipt of the written notification, a Sports Wagering Operator may

use any data source that meets the requirements of 205 CMR 247.05(1) to determine the results of tier 2 Sports Wagers on athletic events of the Sports Governing Body.

- (12) If a Sports Governing Body does not notify the Commission of its desire to supply official league data under 205 CMR 247.05, a Sports Wagering Operator may use any data source that meets the requirements of 205 CMR 247.05(1) for determining the results of any and all tier 2 Sports Wagers on Sporting Events of the Sports Governing Body.
- (13) A Sports Governing Body may enter into commercial agreements with a Sports Wagering Operator or other entity in which such Sports Governing Body may share in the amount wagered or revenues derived from Sports Wagering on Sporting Events of the Sports Governing Body. A Sports Governing Body shall not be required to obtain a license or any other approval from the Commission to lawfully accept such amounts or revenues.

247.06: Sports Wagering Tournaments/Contests/Pool

- (1) No Sports Wagering tournament, contest, or pool shall be conducted unless the Sports Wagering Operator, before the first time a given type of tournament, contest, or pool is offered, files a written request with the Commission to offer that type of tournament, contest, or pool, and the Commission grants the request.
- (2) The request must provide a detailed description of the type of tournament, contest, or pool and must include the rules of the tournament, contest, or pool, the requirements for entry, the entry fees, the rake, and potential payouts. The request must also indicate whether or not the proposed type involves a shared liquidity pool available to patrons in Massachusetts and other jurisdictions with the prize pool comprising entry fees collected from patrons in multiple jurisdictions.
- (3) Once a Sports Wagering Operator receives approval to offer a type of tournament, contest, or pool, the Sports Wagering Operator shall not be required to seek additional approvals from the Commission for each subsequent type that has only variations to the size, number of entries permitted, entry fee, or prize structure, or other minor variations as allowed by the Commission.
- (4) Each Sports Wagering Operator must maintain a record of each tournament, contest, or pool it offers, which must address, at a minimum, all of the following:
 - (a) Name or identification of the tournament, contest, or pool;
 - (b) The date and time the tournament, contest, or pool occurred or will occur (if known);
 - (c) Relevant Sporting Events and Wager Categories;
 - (d) Rules concerning play or participation in the tournament, contest, or pool;

- (e) For each registered patron:
 - 1. The patron's unique identifier;
 - 2. The amount of entry fees collected from the patron, including any Promotional Gaming Credits, and the date collected;
 - 3. The patron's scorings/rankings; and
 - 4. Any payouts to the patron, including any Promotional Gaming Credits, and the date paid;
- (f) Total rake, Commission, or fees collected;
- (g) Funding source amount or amounts comprising the prize pool, including buy-ins, re-buys, or add-ons;
- (h) Prize structure of payouts;
- (i) The methodology for determining winner or winners; and
- (j) The current status of the tournament, contest, or pool.
- (5) The Sports Wagering Operator's rake collected from patrons located within the Commonwealth who enter a tournament, contest, or pool (less any rake adjustment, if applicable), is Sports Wagering revenue subject to all taxes and tax requirements outlined in 205 CMR 240: *Sports Wagering Revenue Tax Remittance and Reporting*, and:
 - (a) At no time shall the calculation resulting from a rake or rake adjustment be negative; and
 - (b) For a tournament, contest, or pool which utilizes shared liquidity available to patrons in Massachusetts and other jurisdictions, the rake rate must be the same for all jurisdictions participating.
- (6) All Breaks from each prize pool must be transferred to the Sports Wagering Control Fund in accordance with M.G.L. c. 23N, § 15(a).

247.07: Acceptance of Sports Wagers

- (1) Available Sports Wagers must be displayed to the public. The display must include the odds and a brief description of the Sporting Event and wagering proposition.
- (2) A Sports Wagering Operator may not accept a Sports Wager on a Sporting Event unless the availability of that Wager is posted in accordance with 205 CMR 247.07(1).

- (3) A Sports Wagering Operator may not set lines or odds or offer wagering propositions designed for the purposes of ensuring that a patron will win a Sports Wager or a series of Sports Wagers, unless the lines, odds, or wagering propositions are offered in connection with a promotional offer made in accordance with 205 CMR 247.09.
- (4) Sports Wagers may only be placed from:
 - (a) A sports wagering counter or other counter locations within a Sports Wagering Facility or Sports Wagering Area as approved by the Commission;
 - (b) A Sports Wagering Kiosk, within a Sports Wagering Facility or Sports Wagering Area and in a location approved by the Commission;
 - (c) A designated counter in the cashier's cage within a Sports Wagering Facility or Sports Wagering Area for the redemption of winning sports wagering tickets or vouchers; or
 - (d) A mobile application or digital platform approved by the Commission.
- (5) Sports wagers within a Sports Wagering Facility or Sports Wagering Area may only be conducted with chips, tokens, electronic cards, or:
 - (a) Cash or cash equivalents;
 - (b) Foreign currency and coin converted to US currency;
 - (c) Digital, crypto and virtual currencies converted to cash;
 - (d) Electronic funds transfers (EFTs), including online and mobile payment systems;
 - (e) Debit instruments, including debit cards and prepaid access instruments;
 - (f) Promotional gaming credits;
 - (g) Winning sports wagering tickets or vouchers;
 - (h) Sports Wagering Accounts; or
 - (i) Any other means approved by the Commission or its designee.
- (6) Sports wagering transactions using a mobile application or other digital platform may only be conducted by a patron physically located within the Commonwealth, using their Sports Wagering Account.

- (7) A Sports Wagering Operator shall prohibit any use of credit cards, either directly or indirectly, including without limitation through an account funded by credit card, in placing Sports Wagers.
- (8) A Sports Wagering Operator shall record the personally identifiable information required to register for a Sports Wagering Account under 205 CMR 248.03(1) before accepting anonymous Sports Wagers in excess of \$10,000 or issuing payouts on anonymous Sports Wagers in excess of \$10,000.
 - (a) The Sports Wagering Operator shall not knowingly allow, and shall take reasonable steps to prevent, the circumvention of reporting requirements through a patron making a structured transaction, including multiple Sports Wagers or a series of Sports Wagers that are designed to accomplish indirectly that which could not be accomplished directly. A Sports Wager or wagers need not exceed the dollar thresholds at any single Sports Wagering Operator in any single day in order to constitute prohibited structuring.
 - (b) The Sports Wagering Operator shall not knowingly assist, encourage or instruct a player in structuring or attempting to structure Sports Wagers.
 - (c) 205 CMR 247.07(8) does not prohibit a Sports Wagering Operator from informing a player of the regulatory requirements imposed upon the Sports Wagering Operator, including the definition of structured Sports Wagers.
- (9) A Sports Wagering Operator must provide for the patron's review and finalization of a Sports Wager before the Sports Wagering Operator accepts it. The Sports Wagering Operator shall not change a Sports Wager after the patron has reviewed and finalized the wager. To the extent permitted by approved House Rules, a patron may change a Sports Wager after the patron has reviewed and finalized the wager.
- (10) A Sports Wagering Operator may, ~~in its discretion,~~ cancel an accepted Sports Wager ~~for an obvious error. An obvious error must be defined in the system of internal controls submitted by a Sports Wagering Operator only~~ in accordance with 205 CMR ~~238.02-35.~~
- (11) Except as otherwise provided in 205 CMR 238.35: *Cancelled or Void Wagers*, a Sports Wagering Operator may not unilaterally cancel an accepted Sports Wager without prior written approval of the Commission. A Ticket Writer, as defined in 205 CMR 238.01, may not cancel a Sports Wager for which the Ticket Writer assisted the patron for wager placement and must instead call a supervisor to cancel the Sports Wager.
- (12) A Sports Wagering Operator shall have no obligation to accept a Sports Wager if unable to do so due to equipment failure.

- (1) Unless otherwise directed by the Commission, there is no limitation as to the minimum or maximum wager a Sports Wagering Operator may accept. This rule does not preclude a Sports Wagering Operator from establishing its own minimum or maximum wagers or limiting a patron's Sports Wager for reasons considered necessary or appropriate by the Sports Wagering Operator.
- (2) A Sports Wagering Operator shall provide notice of the minimum and maximum wagers in effect for each Sporting Event or Wager Category and any changes thereto in accordance with 205 CMR 247.03(3).
- (3) Notwithstanding 205 CMR 247.08(2), a Sports Wagering Operator may, in its discretion, permit a player to wager below the established minimum wager or above the established maximum wager unless otherwise directed by the Commission.
- (4) Nothing in 205 CMR 247.08 shall preclude a Sports Wagering Operator from establishing additional wagering requirements that are consistent with the House Rules, provided that the Sports Wagering Operator satisfies the notice requirements of 205 CMR 247.03(3).

247.09: Promotional Offers

- (1) A Sports Wagering Operator must maintain a record of all promotional offers related to Sports Wagering. For each promotional offer, the Operator must document, at a minimum, the following:
 - (a) The name or identification of the promotional offer;
 - (b) The terms of the promotional offer, as specified in 205 CMR 247.09(2);
 - (c) The date(s) and time(s) the promotional offer was or is scheduled to be available;
 - (d) The date and time the promotional offer was or is scheduled to become discontinued; ~~and~~
 - (e) The current status of the Promotional offer; and
 - (f) The conditions or circumstances under which the promotion is displayed to a patron.

(2) Disclosure of terms

- (a) Sports Wagering Operators shall fully and accurately, clearly and conspicuously disclose the material terms of all promotional offers at the time such offers are advertised, ~~and provide full disclosures of the terms of and limitations on the offer before the patron provides anything of value in exchange for the offer.~~ If the material terms of a promotional offer cannot be fully and accurately disclosed within the constraints of a particular

advertising medium, the promotional offer may not be advertised in that medium.

~~(f)~~(b) Sports Wagering Operators shall provide full disclosures of the terms of and limitations on the offer before the patron provides anything of value in exchange for the offer. The terms disclosed according to this 205 CMR 247.09(2)(b) must include, at a minimum, all of the following:

1. The date and time advertisements for the offer are being presented;
2. The date(s) and time(s) the offer is available;
3. The date and time the offer becomes discontinued;
4. Any requirements for a patron to be eligible;
5. Any associated restriction on withdrawals of funds;
6. Wagering requirements and limitations on Sporting Events or Wager Categories;
7. How the patron will be notified when they have received an award;
8. The order in which funds are used for wagers;
9. Eligible Sporting Events or Wager Categories; and
10. Rules regarding cancellation.

~~(2)~~(3) No promotional offer available to new patrons may contain terms that delay its full implementation by the Sports Wagering Operator for a period of longer than ninety (90) days, regardless of the amount of Sports Wagering in that period by the patron.

[FOR DISCUSSION: SHOULD TIME PERIOD BE SHORTENED?]

~~(4)~~ No promotional offer may reward, be contingent upon, or otherwise relate to a patron's referral of other patrons to the Operator.

~~(5)~~ Promotional offers must comply with all applicable provisions of G.L. c. 23N, 205 CMR and all other applicable laws, including 940 CMR 3.00: *Consumer Protection, General Regulations* and 949 CMR 6.00: *Retail Advertising*, provided that 940 CMR 6.08(3)(b), 3(c), 5(b), 5(c) and (6) shall not apply.

~~(3)~~(6) A Sports Wagering Operator must provide a clear and conspicuous method for a patron to cancel their participation in a bonus or promotional offer that utilizes restricted wagering credits that cannot be cashed out until a wagering requirement or other restrictions associated with the credits is met:

- (a) Upon request for cancellation, the Sports Wagering Operator shall inform the patron of the amount of unrestricted funds that will be returned upon cancellation and the value of restricted wagering credits that will be removed from the Sports Wagering Account; and
- (b) If a patron elects to proceed with cancellation, unrestricted funds remaining in a patron's Sports Wagering Account must be returned according to the terms of a promotional offer.

~~(4)~~(7) Once a patron has met the terms of a promotional offer, a Sports Wagering Operator must not limit payouts earned while participating in the offer.

247.10: Exchange Wagering and Other Peer-to-Peer Wagering

- (1) Prior to offering exchange wagering or other peer-to-peer wagering, a Sports Wagering Operator must obtain approval from the Commission. The rake taken on such wagers shall be considered Sports Wagering revenue and is subject to all taxes and tax requirements outlined in 205 CMR 240: *Sports Wagering Revenue Tax Remittance and Reporting*.
- (2) One or more Sports Wagering Operators may, with prior approval of the Commission, participate in a sports wagering network in accordance with a written agreement that has been executed by each Sports Wagering Operator. The agreement shall:
 - (a) Designate the party responsible for the operation and administration of the network;
 - (b) Identify and describe the role, authority, and responsibilities of each participating Sports Wagering Operator and, if applicable, any Sports Wagering Vendor;
 - (c) Include a description of the process by which significant decisions that affect the operation of the network are approved and implemented by each Sports Wagering Operator; and
 - (d) Allocate the gross sports wagering receipts and tax liability between the participating Sports Wagering Operators to ensure the accurate reporting thereof.
- (3) Each party to an agreement to participate in a sports wagering network shall be jointly and severally liable for any acts or omissions in violation of M.G.L. c. 23N, 205 CMR, or the policies of the Commission.



SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission (“Commission”) hereby files this Small Business Impact Statement in accordance with G.L. c. 30A, §2, relative to the proposed amendment of **205 CMR 247 UNIFORM STANDARDS OF SPORTS WAGERING**.

This regulation was amended as part of the process of promulgating regulations governing sports wagering in the Commonwealth, and is primarily governed by G.L. c. 23N, §4. These amendments are intended to address the procedure for cancelling a portion of a parlay wager, and the parameters of permissible promotional sports wagering offers.

The regulation applies to potential sports wagering operators and the Commission. Accordingly, this regulation is unlikely to have an impact on small businesses. Under G.L. c.30A, §2, the Commission offers the following responses to the statutory questions:

1. Estimate of the number of small businesses subject to the proposed regulation:

This regulation is unlikely to have an impact on small businesses.

2. State the projected reporting, recordkeeping, and other administrative costs required for compliance with the proposed regulation:

There are no projected reporting, recordkeeping, or other administrative costs required for small businesses to comply with this regulation.

3. State the appropriateness of performance standards versus design standards:

No standards applicable to small businesses are set forth. Provided standards are performance standards.

4. Identify regulations of the promulgating agency, or of another agency or department of the Commonwealth, which may duplicate or conflict with the proposed regulation:

There are no conflicting regulations in 205 CMR, and the Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth.

5. State whether the proposed regulation is likely to deter or encourage the formation of new businesses in the Commonwealth:



Massachusetts Gaming Commission

This amendment is unlikely to have any impact on the formation of new businesses in the Commonwealth.

Massachusetts Gaming Commission
By:

/s/ Caitlin Monahan
Caitlin Monahan, Deputy General Counsel

Dated: April 24, 2023

DRAFT



Massachusetts Gaming Commission

205 CMR 248.00: SPORTS WAGERING ACCOUNT MANAGEMENT

248.01:	General Account Wagering
248.02:	Account Refusals
248.03:	Account Registration
248.04:	Age and Identity Verification
248.05:	Limitation to One Account Per Patron
248.06:	Terms and Conditions and Privacy Policies
248.07:	Account Access
248.08:	Sufficient Account Balance
248.09:	Financial Transactions
248.10:	Account Deposits
248.11:	Failed Electronic Funds Transfers (EFTs)
248.12:	Account Withdrawals
248.13:	Account Adjustments
248.14:	Account Credits
248.15:	Account Records and Statements
248.16:	Responsible Gaming Limits
248.17:	Account Suspension and Restoration
248.18:	Account Closure
248.19:	Abandoned Funds and Dormant Accounts

248.01: General Account Wagering

- (1) A Sports Wagering Operator may offer a system of account wagering to its patrons whereby Wagers are debited from and payouts credited to a sum of money, deposited in a Sports Wagering Account by the patron held by the Sports Wagering Operator.
- (2) A Sports Wagering Account may only be established in the name of a patron and is not transferable.
- (3) A Person may only place a Wager through a mobile application or other digital platform using funds from a Sports Wagering Account.
- (4) No Sports Wagering Operator may charge any fee to maintain or administer any Sports Wagering Account.

248.02: Account Refusals

A Sports Wagering Operator may reserve the right to, at any time, refuse to open a Sports Wagering Account, accept a wager, or accept a deposit. The Sports Wagering Operator shall not establish or maintain an account for any Person who has self-excluded or otherwise been excluded from Sports Wagering pursuant to M.G.L. c. 23N, § 13(e) or 205 CMR.

248.03: Account Registration

- (1) Any Person registering for a Sports Wagering Account shall provide ~~personally identifiable information~~ Personally Identifiable Information to the Sports Wagering Operator. That information shall include, at a minimum, the following:
 - (a) Full legal name;
 - (b) Date of birth;
 - (c) Physical address of the Person's principal residence, which address shall not be a post office box;
 - (d) Social Security Number, or the last four (4) digits of the Social Security Number, or an equivalent Federal Identification Number for a noncitizen patron, such as a passport or taxpayer identification number; ~~and~~
 - ~~(d)~~(e) A telephone number for the patron; and
 - ~~(e)~~(f) Any other information sufficient to verify the registrant's identity and to prove the registrant is at least twenty-one (21) years of age.
- (2) During the registration process, the registrant shall:
 - (a) Not be permitted to register for a Sports Wagering Account if they submit a birth date which indicates that they are under the age of twenty-one (21);
 - (b) Be informed on the account application which information fields are "required," which are not, and the consequences of not filling in the "required" fields;
 - (c) Be required to agree to the terms and conditions and privacy policies of the Sports Wagering Operator;
 - (d) Be required to acknowledge that they are prohibited from allowing any other person to access or use their Sports Wagering Account;
 - (e) Be required to consent to the monitoring and recording of the use of their Sports Wagering Account by the Sports Wagering Operator and the Commission; and
 - (f) Be required to affirm that the ~~personally identifiable information~~ Personally Identifiable Information provided in accordance with 205 CMR 248.03(1) is accurate.
- (3) For each Sports Wagering Account, the Sports Wagering Operator must establish and maintain an electronic patron file, which must, at a minimum, include the following for each patron:
 - (a) Unique patron ID and, if different from the patron ID, the patron's username;
 - (b) The information provided in accordance with 205 CMR 248.03(1) to register the patron and create the Sports Wagering Account;
 - (c) The date and method of identity verification, including, where applicable, the document number of the government issued identification credential

examined and its date of expiration, if applicable, or, if a government issued identification credential is not required for registration, the electronic record documenting the process used to confirm the patron's identity;

- (d) The date of the patron's agreements to the terms and conditions and privacy policies, including those in 205 CMR 248.06, and the date of the patron's agreement, acknowledgment, consent, and affirmation in accordance with 205 CMR 248.03(2)(c)-(f);
 - (e) Account details and current balance, including any incentive credits, provided, that all restricted wagering credits and unrestricted funds that may expire shall be maintained separately;
 - (f) The date on, and method by which, the Sports Wagering Account was registered;
 - (g) Every date on, time at which, and IP address from which the Sports Wagering Account is accessed; ~~and~~
 - (h) If the account is active, the debit instrument used to fund the account, the accountholder's name, and whether the debit instrument accountholder's name matches that of the patron; and
 - ~~(h)~~(i) The current status of the Sports Wagering Account (e.g., active, dormant, closed, suspended, excluded, etc.).
- (4) The following information maintained as part of the electronic patron file shall be stored in encrypted form and protected in accordance with 205 CMR 2XX:
- (a) The patron's social security number, taxpayer identification number, passport number, other government identification number(s), or portion(s) thereof;
 - (b) The patron's password(s), PIN(s), or other authentication credential(s); and
 - (c) The patron's debit instrument number(s), debit card number(s), bank account number(s) or other personal financial information.

248.04: Age and Identity Verification

- (1) No Sports Wagering Operator shall allow any individual who is either under twenty-one (21) years of age, or is a prohibited person, as defined in 205 CMR 238.49, to create a Sports Wagering Account. This section shall not be construed to prevent a restricted patron, as defined in 205 CMR 238.48, from creating a Sports Wagering Account and depositing funds to such an account.
- (2) The Sports Wagering Operator shall employ electronic verification at the time of account establishment with respect to each patron's name, date of birth and Social Security number, or the last four (4) digits of the Social Security number, or other Federal Identification Number, ~~at the time of account establishment~~, by a Commission-approved national independent reference company or another

independent technology approved by the Commission which meets or exceeds the reliability, security, accuracy, privacy and timeliness provided by individual reference service companies.

- (3) The Sports Wagering Operator shall refuse to establish an account if it finds that any of the information supplied is untrue or incomplete.
- (4) The Sports Wagering Operator shall at the time of account establishment, utilize identity authentication questions that require a patron to provide information known only to the patron through security questions, unless an alternate method of authentication is approved by the Commission.
- ~~(4)~~(5) A Sports Wagering Operator must document and use commercially reasonable standards to confirm that an individual attempting to create a Sports Wagering Account is not a prohibited Person.
- ~~(5)~~(6) Upon developing reasonable suspicion that the patron's identification has been compromised, a Sports Wagering Operator must re-verify the patron's identification immediately.

248.05: Limitation to One Account per Patron

- (1) No Sports Wagering Operator shall allow a patron to establish more than one username or more than one Sports Wagering Account with the Operator.
- (2) The system of internal controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238 shall implement procedures to terminate all accounts of any patron that establishes or seeks to establish more than one account, whether directly or by use of another Person as proxy. Such procedures may allow a patron that establishes or seeks to establish more than one username or more than one account to retain one account provided that the Sports Wagering Operator investigates and makes a good-faith determination that the patron's conduct was not intended to obtain a competitive advantage.

248.06: Terms and Conditions and Privacy Policies

- (1) All terms and conditions and privacy policies for Sports Wagering Accounts shall be readily accessible to the patron before and after registration. Sports Wagering Operators shall inform patrons of any material changes or updates to said terms and conditions or privacy policies.
- (2) All terms and conditions for Sports Wagering Accounts must address all aspects of the Sports Wagering operation, including, but not limited to all of the following:
 - (a) A statement that only individuals over the age of twenty-one (21) and located in the authorized geographic boundaries within the Commonwealth may participate in Sports Wagering;

- (b) Advice to the patron to keep their authentication credentials secure;
- (c) All processes for dealing with lost authentication credentials, forced password changes, password strength and other related items as required by the Commission;
- (d) Full explanation of all rules applicable to dormant Sports Wagering Accounts, including the conditions under which an account may be declared dormant and what actions will be undertaken on the account once this declaration is made;
- (e) Actions that will be taken on the patron's pending wagers placed prior to any exclusion or suspension, including the return of all wagers, or settling all wagers, as appropriate;
- (f) Information about timeframes and limits regarding deposits to, or withdrawals from, the Sports Wagering Account, including a clear and concise explanation of all fees, if applicable; and
- (g) Statements indicating that the Sports Wagering Operator has the right to:
 1. Refuse to establish a Sports Wagering Account for what it deems good and sufficient reason;
 2. Refuse deposits to, or withdrawals from, Sports Wagering Accounts for what it deems good and sufficient reason; and
 3. Unless there is a pending investigation or patron dispute, suspend or close any Sports Wagering Account at any time, provided such suspension or closure is in accordance with the terms and conditions between the Sports Wagering Operator and the patron, G.L. c. 23N, and 205 CMR.

(3) All privacy policies for Sports Wagering Accounts must address all aspects of ~~the personally identifiable information~~Confidential Information and Personally Identifiable Information protection, including, at a minimum any measures required by ~~M.205 CMR 2XX.00~~, G.L. c. 93H, G.L. c. 93I, 201 CMR 17, and any other applicable law, ~~and the following: regulation or order of a governmental body.~~

- (a) The ~~personally identifiable information~~Confidential Information and Personally Identifiable Information required to be collected;
- (b) The purpose and legal basis for ~~personally identifiable information~~Confidential Information and Personally Identifiable Information collection and of every processing activity for which consent is being sought;
- (c) The period in which the ~~personally identifiable information~~Confidential Information and Personally Identifiable Information is stored, or, if no period can be possibly set, the criteria used to set this. It is not sufficient for the Sports Wagering Operator to state that the ~~personally identifiable information~~Confidential Information and Personally Identifiable Information

Information will be kept for as long as necessary for the legitimate purposes of the processing;

- (d) The conditions under which ~~personally identifiable information~~the Confidential Information and Personally Identifiable Information may be disclosed;
- (e) An affirmation that measures are in place to prevent the unauthorized or unnecessary disclosure of the ~~personally identifiable information;~~and Confidential Information and Personally Identifiable Information; and
- (f) The identity and contact details on the Sports Wagering Operator who is seeking the consent, including any Sports Wagering Vendor(s) which may access and or use this ~~personally identifiable information~~Confidential Information and Personally Identifiable Information;
- (a) — That the patron has ~~a right~~certain rights with respect to:
 - 1. ~~Access, export, or transfer their personally identifiable information;~~
 - 2. ~~1. Rectify, erase, or restrict access~~Confidential Information and Personally Identifiable Information Pursuant to their personally identifiable information;205 CMR 2XX, G.L. cc. 93H and 93I and 201 CMR 17.
 - 3. ~~Object to the personally identifiable information processing;~~
 - 4. ~~To withdraw consent, if the processing is based on consent;~~
- (b)(g) The rights of a patron to file a complaint concerning the use or storage of the patron's ~~personally identifiable information~~Confidential Information and Personally Identifiable Information to the Commission, the Office of Consumer Affairs and Business Regulation, the Office of the Attorney General, or any other law enforcement entity regarding the use of the of the patron's ~~personally identifiable information~~Confidential Information and Personally Identifiable Information;
- (e)(h) ~~For personally identifiable information~~For Confidential Information and Personally Identifiable Information collected directly from the patron, whether there is a legal or contractual obligation to provide the ~~personally identifiable information~~Confidential Information and Personally Identifiable Information and the consequences of not providing that information;
- (d)(i) Where applicable, information on the Sports Wagering Operator's use of automated decision-making, including profiling, and at least in those cases, without hindering compliance with other legal obligations:
 - 1. Sufficient insight into the logic of the automated decision-making;
 - 2. The significance and the envisaged consequences of such processing for the patron; and

3. Safeguards in place around solely automated decision-making, including information for a patron on how to contest the decision and to require direct human review or intervention.

248.07: Account Access

- (1) Upon opening a Sports Wagering Account, the Sports Wagering Operator shall allow each patron to establish a password to be used in conjunction with a username, or an alternative secure authentication credential, for use by the patron to assure that only the patron has access to the Sports Wagering Account. The Operator may make more than one permitted method of authentication available for a patron to access their account.
- (2) If the system does not recognize the authentication credentials when entered, an explanatory message shall be displayed to the patron which prompts the patron to try again. The error message shall be the same regardless of which authentication credential is incorrect.
- (3) Patrons must be given the option to use a multi-factor authentication process when accessing their account. In addition, a multi-authentication process shall be employed for the retrieval or reset of a patron's forgotten or lost authentication credentials.
- (4) Current account balance information, including any restricted wagering credits and unrestricted funds, and transaction options shall be available to the patron once the patron has been authenticated. All restricted wagering credits and unrestricted funds that may expire shall be identified separately.
- (5) The Operator shall employ a mechanism allowing for an account to be locked in the event that suspicious authentication activity is detected, including (but not limited to) three consecutive failed access attempts in a thirty-minute period. A multi-factor authentication process shall be employed for the account to be unlocked.

248.08: Sufficient Account Balance

Wagers and withdrawals will not be accepted which would cause the available balance of a Sports Wagering Account to fall below \$0. Any account not updated when a transaction is completed shall be inoperable until the transaction is posted and the account balance updated.

248.09: Financial Transactions

Operators shall provide a patron written confirmation or denial of every financial transaction initiated using the patron's Sports Wagering Account, including:

- (a) The type of transaction (deposit/withdrawal);
- (b) The transaction value; and

- (c) For denied transactions, a descriptive message as to why the transaction did not complete as initiated.

248.10: Account Deposits

- (1) A Sports Wagering Account may be funded using approved methods which shall produce a sufficient audit trail for verification of the source of the wagers.
- (2) Approved methods for funding Sports Wagering Accounts include:
 - (a) Cash or cash equivalents;
 - (b) Foreign currency and coin converted to US currency;
 - (c) Digital, crypto and virtual currencies converted to cash;
 - (d) Electronic funds transfers (EFTs), including online and mobile payment systems;
 - (e) Debit instruments, including debit cards and prepaid access instruments;
 - (f) Promotional Gaming Credits;
 - (g) Sports Wager Payouts;
 - (h) Adjustments made by the Sports Wagering Operator with documented notification to the patron; and
 - (i) Any other means approved by the Commission or its designee.
- (3) No deposits may be made by credit card, either directly or indirectly, including without limitation through an account funded by credit card, and no Wagering on credit is allowed.
- (4) The Sports Wagering Account shall be credited for any deposit in accordance with the system of internal controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.
- (5) The proceeds of a check may first need banker's clearance. Holding periods will be determined by the Sports Wagering Operator and communicated to the patron.
- (6) For debit cards and EFTs, the patron may be liable for any charges imposed by the transmitting or receiving Sports Wagering Operator. Such charges may be deducted from the patron's Sports Wagering Account.

248.11: Failed Electronic Funds Transfers (EFTs)

- (1) The Sports Wagering Operator shall have security measures and controls to prevent EFT fraud where financial transactions are conducted through EFT. A failed EFT attempt is not considered fraudulent if the patron has successfully performed an EFT on a previous occasion and has no outstanding chargebacks. Otherwise, the Sports Wagering Operator shall:

- (a) Temporarily block the patron's Sports Wagering Account for investigation of fraud after five (5) consecutive failed EFT attempts within a ten-minute period. If there is no evidence of fraud, the block may be vacated; and
- (b) Suspend the patron's Sports Wagering Account after five (5) additional consecutive failed EFT attempts within any subsequent ten-minute period.

248.12: Account Withdrawals

- (1) The Sports Wagering Operator shall implement procedures that:
 - (a) Prevent unauthorized withdrawals from Sports Wagering Accounts by the Sports Wagering Operator or others;
 - (b) Establish a protocol by which patrons can withdraw funds maintained in their Sports Wagering Accounts, whether such accounts are open or closed, except as otherwise provided in 205 CMR, or any other applicable state, local or federal law.
- (2) Pursuant to M.G.L. c. 23N, § 4(d)(2)(vi), a patron must be allowed to withdraw the funds maintained in his or her Sports Wagering Account, without further solicitation or promotion, in the manner in which the funds were deposited.
- (3) A Sports Wagering Operator must employ a mechanism that can detect and prevent any withdrawal activity initiated by a patron that would result in a negative balance of the Sports Wagering Account.
- (4) A Sports Wagering Operator shall not allow a Sports Wagering Account to be overdrawn unless caused by payment processing issues outside the control of the Sports Wagering Operator.
- (5) Except as otherwise provided in 205 CMR 248.12(5)(a), requests for withdrawals must be honored by the later of five (5) business days of the request or ten (10) business days of submission of any tax reporting paperwork required by law.
 - (a) If the Sports Wagering Operator believes in good faith that the patron engaged in either fraudulent conduct or other conduct that violate or would put the Sports Wagering Operator in violation of 205 CMR, the Sports Wagering Operator may decline to honor the request for withdrawal for a reasonable investigatory period until its investigation is resolved if it provides notice of the nature of the investigation to the patron.
 - (b) For purposes of the timing requirements of 205 CMR 248.12(5), a request for withdrawal will be considered honored if it is processed by the Sports Wagering Operator but delayed by a payment processor, debit card issuer or by the custodian of a financial account.
- (6) The Sports Wagering Operator shall not be liable for any unauthorized withdrawal of funds from a Sports Wagering Account where such unauthorized withdrawal is not caused by the negligence or ~~intentional~~ misconduct of the Sports Wagering

Operator. It is the patron's responsibility to protect deposits in the account by keeping their authentication credentials strictly confidential.

248.13: Account Adjustments

The Sports Wagering Operator shall perform periodic reviews of all adjustments to Sports Wagering Accounts for amounts of five hundred dollars or less by supervisory personnel. All adjustments of more than five hundred dollars must be authorized by supervisory personnel before being entered.

248.14: Account Credits

When a Sports Wagering Account is entitled to a payout or refund, said monies will be credited to the respective account, thus increasing the credit balance. It is the responsibility of the patron to verify their balance and notify the Sports Wagering Operator of any discrepancy or dispute within the time frame specified in the terms and conditions. Unresolved disputes may be forwarded to the Commission by the Sports Wagering Operator or the patron. The Commission will consider no such claim unless submitted in writing and accompanied by supporting evidence.

248.15: Account Records and Statements

The Sports Wagering Operator must maintain complete records of every deposit, withdrawal, wager, and payout for each Sports Wagering Account. In accordance with M.G.L. c. 23N, § 4(d)(2)(iv), upon request of the patron, the Sports Wagering Operator shall offer patrons access to a statement detailing their account history and account details for the past year.

248.16: Responsible Gaming Limits

- (1) In accordance with M.G.L. c. 23N, § 13(e)(3), a Category 3 Sports Wagering Operator shall allow the patron to set self-imposed limitations on sports wagering at any time, including when the patron signs up for a Sports Wagering Account. Such limitations must include the following and must be clearly and conspicuously displayed prior to allowing registration of a new account, the first time a patron makes a deposit into an account, and the first time the patron places a from an account:
 - (a) The Operator must offer daily, weekly and monthly deposit limits, which shall specify the maximum amount of money a patron may deposit into his or her Sports Wagering Account during a particular period of time.
 - (b) The Operator must offer daily, weekly and monthly wager limits, which shall specify the maximum amount of patron funds that may be put at risk during a particular period of time.
- (2) Any decrease to these limits shall be effective immediately or at a point in time (e.g., next login, next day) that was clearly indicated to the patron. Any increase to these limits shall become effective only after the time period of the previous limit has expired, and the patron reaffirms the requested increase.

248.17: Account Suspension and Restoration

- (1) A Sports Wagering Account shall be suspended under the following conditions:
 - (a) When requested by the patron for a specified period of time, which must not be less than seventy-two hours;
 - (b) When required by the Commission;
 - (c) When a Sports Wagering Operator determines that the patron is a prohibited Person; or
 - (d) When a Sports Wagering Operator has evidence that indicates any of the following:
 1. That the account has been used for illegal activity;
 2. That the account has a negative balance; or
 3. That the patron has violated the account's terms and conditions.
- (2) When a Sports Wagering Account is suspended, the Sports Wagering Operator must do all of the following:
 - (a) Prevent the patron from placing Sports Wagers;
 - (b) Prevent the patron from depositing funds unless the account is suspended due to having a negative Sports Wagering Account balance, but only to the extent the account balance is brought back to zero dollars;
 - (c) Prevent the patron from withdrawing funds from a Sports Wagering Account, unless the Sports Wagering Operator determines that the funds have cleared, and that the reason(s) for suspension would not prohibit a withdrawal;
 - (d) Prevent the patron from making changes to his or her Sports Wagering Account;
 - (e) Prevent the patron from permanently closing their Sports Wagering Account; and
 - (f) Prominently display to the patron that the Sports Wagering Account is suspended, the restrictions placed on the Sports Wagering Account, any further course of action needed to lift the suspension, a notification of the Patron's rights under the Operator's House Rules and Internal Controls to submit a complaint, and directions on how to file such a complaint.
- (3) A suspension may be lifted for any of the following reasons:
 - (a) Upon expiration of the time period established by the patron;
 - (b) If authorized by the Commission;
 - (c) When the patron is no longer a prohibited Person; or

- (d) When the Sports Wagering Operator has investigated the evidence of illegal activity, a negative account balance, or a violation of the account's terms and conditions, and determined that the suspension should be lifted.
- (4) Each Sports Wagering Operator shall, on a monthly basis, provide the Commission with a list of suspended accounts, including the reasons why the account is in suspended mode, and an explanation of the lifting of any suspension under 205 CMR 248.17(3)(d).

248.18: Account Closure

The Sports Wagering Operator shall permit a patron to permanently close a Sports Wagering Account registered to the patron on any or all platforms owned or operated by the Sports Wagering Operator at any time and for any reason unless the account is in suspended mode pursuant to 205 CMR 248.17. The Sports Wagering Operator may also close a Sports Wagering Account when the patron makes repeated attempts to operate with an insufficient balance. Upon closing an account, the Sports Wagering Operator shall refund the remaining balance to the patron within five business days, provided that the Sports Wagering Operator acknowledges that the funds have cleared.

248.19: Abandoned Funds and Dormant Accounts

- (1) Subject to the provisions of M.G.L. c. 200A, §§ 7 and 8A, and 960 CMR 4.00: *Procedures for the Administration of Abandoned Property*, the Sports Wagering Operator shall presume that the funds in any account without any activity for a period of three years after the balance in that account became payable or deliverable to the patron to have been abandoned. For purposes of this 205 CMR 248.19(1), the term "activity" means Sports Wagers, customer-generated deposits, or customer-generated withdrawals.
- (2) The Sports Wagering Operator shall report and deliver all Sports Wagering Accounts presumed abandoned to the Treasurer of the Commonwealth as provided for by M.G.L. c. 200A, §§ 7 and 8A, and 960 CMR 4.03: *Reporting Abandoned Property*.
- (3) Subject to M.G.L. c. 200A, 7A and 960 CMR 4.03: *Reporting Abandoned Property*, at least 60 days prior to reporting any Sports Wagering Accounts to the Treasurer, the Sports Wagering Operator shall provide notice to the patron's last known address and conduct reasonable due diligence to locate the patron. During this time period the account shall be deemed dormant. In addition, the Operator shall:
 - (a) Allow access to a dormant account only after performing additional identity verifications; and
 - (b) Protect dormant accounts that contain funds from unauthorized access, changes or removal.

REGULATORY AUTHORITY

M.G.L. c. 23N, §§ 4, 11 and 13; M.G.L. c. 200A, §§ 7 and 8A

DRAFT



SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission (“Commission”) hereby files this Small Business Impact Statement in accordance with G.L. c. 30A, §2, relative to the proposed amendment of **205 CMR 248 SPORTS WAGERING ACCOUNT MANAGEMENT**.

This regulation was amended as part of the process of promulgating regulations governing sports wagering in the Commonwealth, and is primarily governed by G.L. c. 23N, §4. These amendments are intended to incorporate standards regarding the safeguarding and protection of confidential and personally identifiable patron account information.

The regulation applies to potential sports wagering operators and the Commission. Accordingly, this regulation is unlikely to have an impact on small businesses. Under G.L. c.30A, §2, the Commission offers the following responses to the statutory questions:

1. Estimate of the number of small businesses subject to the proposed regulation:

This regulation is unlikely to have an impact on small businesses.

2. State the projected reporting, recordkeeping, and other administrative costs required for compliance with the proposed regulation:

There are no projected reporting, recordkeeping, or other administrative costs required for small businesses to comply with this regulation.

3. State the appropriateness of performance standards versus design standards:

No standards applicable to small businesses are set forth. Provided standards are performance standards.

4. Identify regulations of the promulgating agency, or of another agency or department of the Commonwealth, which may duplicate or conflict with the proposed regulation:

There are no conflicting regulations in 205 CMR, and the Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth.

5. State whether the proposed regulation is likely to deter or encourage the formation of new businesses in the Commonwealth:



Massachusetts Gaming Commission

This amendment is unlikely to have any impact on the formation of new businesses in the Commonwealth.

Massachusetts Gaming Commission
By:

/s/ Caitlin Monahan
Caitlin Monahan, Deputy General Counsel

Dated: April 24, 2023

DRAFT



Massachusetts Gaming Commission



Legal Division

TO: Cathy Judd-Stein, Chair
Eileen O'Brien, Commissioner
Brad Hill, Commissioner
Nakisha Skinner, Commissioner
Jordan Maynard, Commissioner

FROM: Carrie Torrisi, Deputy General Counsel
Caitlin Monahan, Deputy General Counsel
Mina Makarious, Anderson & Kreiger

DATE: April 19, 2023

RE: 205 CMR 256.05(1): Advertising to Youth

Enclosed for the Commission's review is a proposed amendment to 205 CMR 256.05(1). In the Commission's previous discussions regarding 205 CMR 256, it concluded that sports wagering operators would be permitted to use branding materials without requiring that such branding include additional information related to responsible gaming or otherwise. The word "branding" was removed from relevant sections, but was inadvertently left in 205 CMR 256.05(1), which would require that branding state that patrons must be 21 years of age or older to participate. We propose removing the word "branding" from this section to remain consistent with the Commission's decision.



Massachusetts Gaming Commission

205 CMR 256: SPORTS WAGERING ADVERTISING

256.05: Advertising to Youth

- (1) Advertising, marketing, ~~branding~~, and other promotional materials published, aired, displayed, disseminated, or distributed by or on behalf of any Sports Wagering Operator shall state that patrons must be twenty-one years of age or older to participate.
- (2) No Sports Wagering Operator shall allow, conduct, or participate in any advertising, marketing, or branding for Sports Wagering that is aimed at individuals under twenty-one years of age.
- (3) No advertising, marketing, branding, and other promotional materials published, aired, displayed, disseminated, or distributed by or on behalf of any Sports Wagering Operator for Sports Wagering shall contain images, symbols, celebrity or entertainer endorsements or language designed to appeal primarily to individuals younger than twenty-one years of age.
- (4) No advertising, marketing, branding, and other promotional materials published, aired, displayed, disseminated, or distributed by or on behalf of any Sports Wagering Operator for Sports Wagering shall be published, aired, displayed, disseminated, or distributed:
 - (a) in media outlets, including social media, video and television platforms, where 25% of the audience is reasonably expected to be under twenty-one years of age, unless adequate controls are in place to prevent the display, dissemination or distribution of such advertising, marketing, branding or other promotional materials to individuals under twenty-one years of age including by use of age category exclusions and similar mechanisms;
 - (b) in other media outlets, including social media, video and television platforms, unless the Operator utilizes all available targeted controls to exclude all individuals under twenty-one years of age from viewing such advertising, marketing, branding, and other promotional materials;
 - (c) at events aimed at minors or where 25% or more of the audience is reasonably expected to be under twenty-one years of age;
 - (d) at any elementary, middle, and high school, or at any sports venue exclusively used for such schools;
 - (e) on any college or university campus, or in college or university news outlets such as school newspapers and college or university radio or television broadcasts, except for advertising, including television, radio, and digital advertising that is generally available, and primarily directed at an audience, outside of college and university campuses as well; or

- (f) to any other audience where 25% or more of the audience is presumed to be under twenty-one years of age.
- (5) No Sports Wagering advertisements, including logos, trademarks, or brands, shall be used, or licensed for use, on products, clothing, toys, games, or game equipment designed or intended for persons under twenty-one years of age.
- (6) No advertising, marketing, branding, and other promotional materials published, aired, displayed, disseminated, or distributed by or on behalf of any Sports Wagering Operator for Sports Wagering shall depict an individual who is, or appears to be, under twenty-one years of age, except live footage or images of professional athletes during sporting events on which sports wagering is permitted. Any individual under the age of twenty-one may not be depicted in any way that may be construed as the underage individual participating in or endorsing sports gaming.
- (7) No advertising, marketing, branding, and other promotional materials published, aired, displayed, disseminated, or distributed by or on behalf of any Sports Wagering Operator for Sports Wagering shall depict students, schools or colleges, or school or college settings.



SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission (“Commission”) hereby files this Small Business Impact Statement in accordance with G.L. c. 30A, §2, relative to the proposed amendment to **205 CMR 256 SPORTS WAGERING ADVERTISING**.

This regulation was promulgated as part of the process of promulgating regulations governing sports wagering in the Commonwealth, and is authorized by G.L. c. 23N, §4. It is intended to carry out the Commission’s mandate to promulgate regulations governing the advertising of sports wagering pursuant to G.L. c. 23N, § 4(c)(ii).

This amendment is unlikely to have an impact on small businesses as it governs the behavior of Sports Wagering Operators and removes a requirement with respect to their branding. Under G.L. c.30A, §2, the Commission offers the following responses to the statutory questions:

1. Estimate of the number of small businesses subject to the proposed regulation:

This regulation is unlikely to have an impact on small businesses.

2. State the projected reporting, recordkeeping, and other administrative costs required for compliance with the proposed regulation:

There are no projected reporting, recordkeeping, or other administrative costs required for small businesses to comply with this regulation.

3. State the appropriateness of performance standards versus design standards:

No standards applicable to small businesses are set forth. Provided standards are performance standards.

4. Identify regulations of the promulgating agency, or of another agency or department of the Commonwealth, which may duplicate or conflict with the proposed regulation:

There are no conflicting regulations in 205 CMR, and the Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth.

5. State whether the proposed regulation is likely to deter or encourage the formation of new businesses in the Commonwealth:



Massachusetts Gaming Commission

This amendment is unlikely to have any impact on the formation of new businesses in the Commonwealth.

Massachusetts Gaming Commission
By:

/s/ Carrie Torrissi
Carrie Torrissi, Deputy General Counsel

Dated: April 24, 2023

DRAFT



Massachusetts Gaming Commission