



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:

Monday | July 1, 2024 | 11:00 a.m.
VIA REMOTE ACCESS: 1-646-741-5292
MEETING ID/ PARTICIPANT CODE: 112 530 9181
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 - #523

1. Call to Order – Jordan Maynard, Interim Chair
2. Legislative Update – Commissioner Brad Hill
3. Sports Wagering Division – Bruce Band, Director of Sports Wagering
 - a. Operations Certificate for Launch of Category 3 Operator Bally Bet **VOTE**
4. Commissioner Updates
5. Other Business - Reserved for matters the Chair did not reasonably anticipate at the time of posting.



Massachusetts Gaming Commission

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: June 27, 2024 | 11:00 a.m. EST

June 27, 2024



Jordan M. Maynard, Interim Chair

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



Massachusetts Gaming Commission



TO: Interim Chair Jordan Maynard
Commissioner Eileen O'Brien
Commissioner Brad Hill
Commissioner Nakisha Skinner

FROM: Crystal Beauchemin, Sports Wagering Business Manager
Bruce Band, Director

DATE: June 28, 2024

RE: Bally's Interactive (BallyBet) Certificate of Operations / Launch

OVERVIEW:

Prior to conducting sports wagering in Massachusetts, a sports wagering operator must request and obtain an Operation Certificate from the Commission, per 205 CMR 251.01 (1). The regulation states,

The Operation Certificate shall not issue until the Commission has conducted all reviews, including, for Category 1 Sports Wagering Operators and Category 2 Sports Wagering Operators, on-site tests and inspections required in accordance with 205 CMR 251.00 or otherwise deemed necessary by the Commission.

Bally's Interactive has requested the Commission approve a sports wagering Operation Certificate to be able to officially launch BallyBet Sportsbook in the Commonwealth as a Category 3 (mobile) licensee.

COMMISSION REVIEW:

205 CMR 251.01 (3) prescribes the minimum conditions which must be met for a sports wagering Operation Certificate to be issued. For Category 3 operators, only (a), (b), and (f) apply.

The staff have reviewed the conditions for each and have found Bally's meets each condition.

(3)(a) Approval of its system of internal controls including implementation of all approved policies and procedures required;

Joseph Bunevith, VP of Government and Regulatory Affairs at GLI, confirmed with the Sports Wagering (SW) division on June 25, 2024 that GLI's review of Bally's' internal controls was complete, and they had attained 100% compliance.

The internal control process also includes approval of the house rules (205 CMR 238.02(7)(k)) and the terms and conditions (205 CMR 220.01 (b)) which were reviewed and verified by Operations Manager, Andrew

Steffen; as well the required problem gambling plan (205 CMR 238.19/ 205 CMR 238.02) including voluntary self-exclusion protocols (205 CMR 233.06(6)) which was reviewed and approved by the research and responsible gaming team. Executive Director, Dean Serpa, has signed off on the ICs as required by 205 CMR 238.02 (3).

(b) Provision of a current list of all Sports Wagering employees, Sports wagering Vendors, and Non-Sports Wagering Vendors;

On June 26, 2024, Kathleen Kramer, Interim Chief Enforcement Counsel, confirmed that all temporary occupational licenses had been approved for Bally's. Karalyn O'Brien, Chief of the Licensing division also confirmed that the review of vendors was complete.

(f) Compliance with any other condition imposed by the Commission to secure the objectives of M.G.L. c. 23N and 205 CMR.

For this section, there were several weekly meetings with Bally's which included members from all imperative divisions including licensing, IEB, legal, research and responsible gaming, finance, etc. The checklist of items submitted, reviewed and approved included:

- Confirmation of a plan to utilize the DOR intercept has been approved by the DOR, and the MOU has been signed by Executive Director Dean Serpa.
- Director Bruce Band has obtained documentation that Bally's has ensured functionality for credit card deposits are deactivated in the Commonwealth
- The finance team has reviewed and approved Bally's' banking structure and Bally's has set up the necessary reporting protocols
- The KYC process reviewed to ensure it is inclusive of the KBA requirement per 238.04 (4), which was confirmed by Cristian Taveras of MGC's Gaming Compliance Team (GTC) and Kevin Gauvreau, MGC's Information & Network Security Manager.
- Compliance with the Voluntary Self Exclusion policy per 205 CMR 233.06 (6) was reviewed and confirmed by Program Manager, Long Banh.
- As noted under 3(a), the required problem gambling plan was reviewed by Director Mark Vander Linden and Program Manager Long Banh, and approved. As required by Chapter 23N Section 4. (d)(2)(vii), the plan was also sent to the Department of Public Health for consultation and requires no revision.
- Bally's' proposed marketing plan and launch assets were reviewed by SW Business Manager, Crystal Beauchemin to ensure the proper responsible gaming guidance had been adhered to and there were no issues per 205 CMR 256
- The Mandatory Exclusion policy was submitted by Bally's and reviewed by both SW and IEB. Executive Director Dean Serpa signed off on the plan as required by 205 CMR 152.06 (5).
- Per stipulation by the Commission during the application review, Bally's has confirmed they have had an initial meeting with MA Lottery to discuss potential enhancement and support for the agency, and have a post-launch follow-up call set for July.
- Reporting requirements, templates and deadlines, including Change Management reporting have been submitted to Bally's by SW, RG and GTC.

- Compliance Officer, Griffin Miniutti, confirmed on June 28, 2024 that the required updated House Rules had been posted to the app, per 205 CMR 247.02 (2).
- The licensing team has confirmed that the required fees have been paid

Further, 205 CMR 251.02 requires that the operator *“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 M.G.L. c. 23N and 205 CMR 251.00”* prior to receiving the operations certificate.

A majority of the testing was conducted by GLI and included a review of Bally’s’ geofencing capabilities, the Player Management system, and the requirements for technical reporting under GLI-33. Certification letters and GLI’s final report have been received.

Bally’s has also provided the required test accounts and “backend” access to the player account management (PAM) system and reporting portals.

RECOMMENDATION:

Due to the completion of the requirements above and the extensive review by MGC staff, the SW Division recommends the Commission vote to approve a Certificate of Operations for Bally’s Interactive (BallyBet), effective July 1st, 2024.

Note that if approved, the Certificate of Operations will remain conditional upon Bally’s’ completion of the 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.