



## NOTICE OF MEETING AND AGENDA

*Revised 11/10/22*

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

**Monday | November 14, 2022**

**10:00 a.m. – 12:00 p.m.**

**VIA REMOTE ACCESS: 1-646-741-5292**

**MEETING ID/ PARTICIPANT CODE: 111 477 4177**

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

This meeting will also be streamed live on [www.massgaming.com](http://www.massgaming.com). All documents and presentations related to this agenda will be available for your review on the morning of the meeting date by visiting our website and clicking on the News header, under the Meeting Archives drop-down.

### **PUBLIC MEETING - #401**

1. Call to Order
2. Welcome and Opening Remarks – Cathy Judd-Stein, Chair
3. Commissioners' Round Table related to Sports Wagering Advertising and Media
  - a. Participant Introductions:
    - American Gaming Association
    - Massachusetts Broadcasting Association
    - Boston 25
    - New England Sports Network
    - Major League Baseball
  - b. Anderson & Kreiger: Setting the Stage- High- level guidance on constitutional limits, restricting advertising
  - c. Roundtable Framework:

The Massachusetts Gaming Commission is interested in learning about the legal guardrails as we approach our responsibilities in implementing MGL Chapter 23N, Section 4.



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*(c) The commission shall promulgate regulations to prohibit: (i) the purchase or other use of any personal biometric data of an athlete for sports wagering or aiding a patron in placing a wager with sports wagering operators; and (ii) the following advertising, marketing and branding activities: (A) advertisements, marketing and branding in such a manner that it is deceptive, false, misleading, or untrue, or tends to deceive or create a misleading impression whether directly, or by ambiguity or omission; (B) use of unsolicited pop-up advertisements on the internet or by text message directed to an individual on the list of self-excluded persons established pursuant to paragraph (2) of subsection (e) of section 13; (C) any form of advertising, marketing or branding that the commission deems unacceptable or disruptive to the viewer experience at a sports event; (D) advertising, marketing and branding deemed to appeal directly to a person younger than 21 years old; and (E) advertising on any billboards, or any other public signage, which fails to comply with any federal, state or local law.*

- Help the Commission understand the mechanics of sports wagering advertising in the national, regional, and local media markets.
- Understanding the media markets cross state borders, how are varying state sports wagering laws reconciled for national and regional advertising campaigns?
- The Commission has identified that the frequency and intensity of sports wagering ads may be disruptive and pose concerns for viewers – how does your company or organization address marketing saturation? The Commonwealth could very well see up to 15 online sports wagering companies active in this space, in addition to the three Category 1 and two Category 2 licensees.
- Have you seen any regulatory or industry innovations used in sports venues to mitigate sports wagering overload on or disruption of consumers/viewers?
- What measures do sportsbooks and online sports wagering operators apply to ensure that vulnerable populations, including minors, are not targeted in their advertising campaigns?
- Massachusetts is a thought leader in responsible gaming; how should marketing needs of sports wagering operators be balanced with RG priorities?

4. Other Business - Reserved for matters the Chair did not reasonably anticipate at the time of posting.



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I certify that this Notice was posted as “Massachusetts Gaming Commission Meeting” at [www.massgaming.com](http://www.massgaming.com) and emailed to [regs@sec.state.ma.us](mailto:regs@sec.state.ma.us). Posted to Website: November 9, 2022 | 10:00 a.m. **Reposted: Nov. 10, 2022 at 11:00am**

November 9, 2022

*Cathy Judd-Stein*

*Cathy Judd-Stein, Chair*



Massachusetts Gaming Commission

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