

**HOUSE . . . . . No. 361**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

*Adrian C. Madaro*

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act extending simulcasting and horse racing authorization.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>	<i>1/20/2023</i>

**HOUSE . . . . . No. 361**

By Representative Madaro of Boston, a petition (accompanied by bill, House, No. 361) of Adrian C. Madaro relative to extending simulcasting and horse racing authorization. Consumer Protection and Professional Licensure.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Third General Court  
(2023-2024)**

An Act extending simulcasting and horse racing authorization.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. The first paragraph of section 12A of chapter 494 of the acts of 1978 is  
2 hereby amended by striking out the words “and until July 31, 2023”, inserted by section 1 of  
3 chapter 128 of the acts of 2022, and inserting in place thereof the following words:- and until  
4 July 31, 2028.

5 SECTION 2. The last paragraph of said section 12A of said chapter 494 is hereby  
6 amended by striking out the words “July 31, 2023”, inserted by section 2 of said chapter 128, and  
7 inserting in place thereof the following words:- July 31, 2028.

8 SECTION 3. The introductory paragraph of section 13 of said chapter 494 is hereby  
9 amended by striking out the words “and until July 31, 2023”, inserted by section 3 of said  
10 chapter 128, and inserting in place thereof the following words:- and until July 31, 2028.

11 SECTION 4. Section 15 of said chapter 494 is hereby amended by striking out the words  
12 “and until July 31, 2023”, inserted by section 4 of said chapter 128, and inserting in place thereof  
13 the following words:- and until July 31, 2028.

14 SECTION 5. The first paragraph of section 9 of chapter 277 of the acts of 1986 is hereby  
15 amended by striking out the words “and until July 31, 2023”, inserted by section 5 of said  
16 chapter 128, and inserting in place thereof the following words:- and until July 31, 2028.

17 SECTION 6. The first sentence of the first paragraph of section 3 of chapter 114 of the  
18 acts of 1991 is hereby amended by striking out the words “and until July 31, 2023.”, inserted by  
19 section 6 of said chapter 128, and inserting in place thereof the following words:- and until July  
20 31, 2028.

21 SECTION 7. The last paragraph of said section 3 of said chapter 114 is hereby amended  
22 by striking out the words “July 31, 2023”, inserted by section 7 of said chapter 128, and inserting  
23 in place thereof the following words:- July 31, 2028.

24 SECTION 8. The first paragraph of section 4 of said chapter 114 is hereby amended by  
25 striking out the words “and until July 31, 2023”, inserted by section 8 of said chapter 128, and  
26 inserting in place thereof the following words:- and until July 31, 2028.

27 SECTION 9. The last paragraph of said section 4 of said chapter 114 is hereby amended  
28 by striking out the words “July 31, 2023”, inserted by section 9 of said chapter 128, and inserting  
29 in place thereof the following words:- July 31, 2028.

30 SECTION 10. The first paragraph of section 5 of said chapter 114 is hereby amended by  
31 striking out the words “and until July 31, 2023, inserted by section 10 of said chapter 128, and  
32 inserting in place thereof the following words:- and until July 31, 2028.

33 SECTION 11. Section 45 of chapter 139 of the acts of 2001 is hereby amended by  
34 striking out the words “July 31, 2023”, inserted by section 11 of said chapter 128, and inserting  
35 in place thereof the following words:- July 31, 2028.

36 SECTION 12. Section 20 of chapter 449 of the acts of 2006 is hereby amended by  
37 striking out the words “July 31, 2023”, inserted by section 12 of said chapter 128, and inserting  
38 in place thereof the following words:- July 31, 2028.

39 SECTION 13. Section 92 of chapter 194 of the acts of 2011 is hereby amended by  
40 striking out the words “July 31, 2023”, inserted by section 13 of said chapter 128, and inserting  
41 in place thereof the following words:- July 31, 2028.

42 SECTION 14. Section 112 of said chapter 194 is hereby amended by striking out the  
43 words “July 31, 2023”, inserted by section 14 of said chapter 128, and inserting in place thereof  
44 the following words:- July 31, 2028

45 SECTION 15. Section 74 of chapter 10 of the acts of 2015 is hereby amended by striking  
46 out the words “July 31, 2023”, inserted by section 15 of said chapter 128, and inserting in place  
47 thereof the following words:- July 31, 2028.

48 SECTION 16. Section 17 of said chapter 128 is hereby repealed.

49 SECTION 17. Notwithstanding section 2 of chapter 128A of the General Laws, sections  
50 1, 2, 2A and 4 of chapter 128C of the General Laws, section 6 of chapter 173 of the acts of 2022

51 or section 9 of chapter 128C of the General Laws to be inserted by said section 6, or any other  
52 general or special law to the contrary, the running race horse meeting licensee located in Suffolk  
53 county licensed to conduct live racing pursuant to said chapter 128A and simulcast wagering  
54 pursuant to said chapter 128C in calendar year 2023 shall remain licensed as a running horse  
55 racing meeting licensee and shall remain authorized to conduct simulcast wagering pursuant to  
56 said chapter 128C, without any requirement to conduct live racing, until the later of July 31,  
57 2028 or the expiration of the term of a category 2 license held by such licensee as of July 31,  
58 2028 or any renewal thereof; provided, however, that the days between January 1, 2023 and  
59 December 31, 2028 shall be dark days pursuant to said chapter 128C and the licensee shall be  
60 precluded from conducting live racing during that period unless it applies for and is granted a  
61 supplemental live racing license pursuant to said chapter 128A; provided further that the licensee  
62 shall not simulcast or accept a wager on greyhound dog racing on or after August 1, 2023;  
63 provided further, that all simulcasts shall comply with the Interstate Horse Racing Act of 1978,  
64 15 U.S.C. 3001 et seq. or other applicable federal law; provided further, that all simulcasts from  
65 states which have racing associations that do not require approval in compliance with the  
66 Interstate Horse Racing Act of 1978, 15 U.S.C. 3004(a)(1)(A) shall require the approval of the  
67 New England Horsemen's Benevolent & Protective Association prior to being simulcast to a  
68 racing meeting licensee within the commonwealth; and provided further, that if the association  
69 agrees to approve the simulcast for 1 racing meeting licensee, it shall approve the simulcast for  
70 all otherwise eligible racing meeting licensees.

71 SECTION 18. Section 5 of chapter 128A of the General Laws is amended in subsection  
72 (g) by striking out the words “for the conduct of racing” and inserting in place thereof the

73 following words:- for the conduct of racing, simulcasting under chapter 128C or sports wagering  
74 under chapter 23N.

75 SECTION 19. Notwithstanding any general or special law to the contrary, the expiration  
76 or repeal of Chapter 128A or Chapter 128C of the General Laws or any other law related to  
77 racing or simulcasting, or any resulting cessation of simulcasting by the holder of a category 2  
78 license for sports wagering under chapter 23N of the General Laws, shall not be cause for  
79 suspension or termination of or other adverse effect on said category 2 license, and the holder of  
80 such a category 2 license shall be deemed for purposes of Chapter 23N to be authorized by law  
81 to conduct simulcasting for the duration of the term of the category 2 license and any renewal  
82 thereof.