



KENO To Go Policy

1. Purpose

KENO To Go allows customers to purchase KENO tickets from any licensed Lottery Sales Agent and then view the game results remotely, as opposed to purchasing and viewing the results from a Lottery Sales Agent location with a KENO monitor. Due to the need for increased flexibility to effectuate KENO sales, the Massachusetts State Lottery Commission (“MSLC” or “Lottery”) will continue to activate Sales Agents to offer and sell KENO via KENO To Go in the same manner that it activates those Sales Agents to sell other Lottery draw games.

Definitions:

- KENO To Go - The sale of the game of KENO at Sales Agent locations that do not directly operate KENO (i.e., Sales Agent locations that do not have a KENO monitor and are not contemplated to have floor space devoted solely to KENO sales).
- License to operate KENO. Issued by the Lottery to Sales Agents to sell KENO at locations with a KENO monitor and an appropriate amount of floor space devoted to KENO sales.

2. Policy

In alignment with prior policy and current practice, the Lottery will continue to activate new Sales Agents to offer and sell KENO via KENO To Go without providing the notification and notice that is required before issuing licenses to operate KENO. This is consistent with how the Lottery enables its new Sales Agents to offer and sell Lottery draw games.

A Sales Agent’s sale, and a customer’s purchase, of a KENO ticket via KENO To Go is the functional equivalent of a transaction of a Lottery draw game (e.g., Mega Millions, Powerball, Mass Cash), and is distinguishable from a KENO transaction involving a KENO sales location that has a license to operate KENO.

If the Lottery is made aware of applicable zoning by-laws, ordinances, special permits, etc., that restrict KENO To Go, the Lottery will review and abide by such restrictions where appropriate. Municipalities that are aggrieved by a Sales Agent selling KENO via KENO To Go may utilize G.L. c. 10, § 27 to object to a Sales Agent’s Lottery license by having “[any three persons [object]]” to the Lottery license and requesting a public hearing by the Commission under the provisions of G.L. c. 30A.



3. Background

The Lottery has offered the game KENO since September 1993. The traditional operation of KENO required a Lottery Sales Agent to utilize a KENO monitor and have an appropriate amount of devoted floor space for KENO sales. The Lottery issues licenses to Sales Agents to operate KENO and, prior to any such issuance, the Lottery is statutorily obligated to send appropriate notification to the municipality where the Sales Agent is located and, as of 2024, to publish additional notice on the Lottery's website that an application for a license to operate KENO has been submitted. A local licensing authority may object to the issuance of a license to operate KENO, and, in such instance, the license may not be issued unless the MSLC Chairperson or designee determines that the license is in public interest.

The Lottery has offered KENO To Go since March 2008. Since 2021, the Lottery does not provide any separate notification related to KENO To Go. The Lottery is continuing this practice through this version of the policy.

The Lottery is modifying this policy due to 2024 statutory changes which allow for certain notifications related to licenses to operate KENO Monitors to be placed on the Lottery's website in lieu of being published in an appropriate newspaper.

The effective date of this version of the policy is December 5, 2024. This replaces the original KENO To Go policy issued January 28, 2021.

4. Policy Approval

I have reviewed and approved this version of the KENO To Go Policy.

X Mark William Bracken

Date: 12/9/2024

Mark William Bracken

Executive Director