

RESPONSIBLE GAMING REGULATIONS & STATUTES

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AMERICAN
GAMING
ASSOCIATION

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INTRODUCTION

Responsible gaming programs are a critical part of everyday business practices in the U.S. casino industry. The central goal of these programs is universal - to ensure that patrons safely and responsibly enjoy casino games as a form of entertainment.

The industry has in place numerous policies and initiatives to achieve this goal including support for best practices research, the development and distribution of educational materials for customers and other stakeholders, and extensive and ongoing employee training, among other things.

Responsible gaming programs operate in compliance and in parallel with state laws and regulations on responsible gaming, including the funding and provision of problem gambling services. In addition, many gaming businesses voluntarily implement programs with a range of responsible gaming measures that go beyond what is required by law or regulation.

This resource, which is a collection of the statutes and regulations addressing responsible gaming in the twenty-four states that have commercial casinos, is intended to increase interested parties' knowledge of responsible gaming policies and to elevate the public discourse around them.

The compilation and release of this publication is reflective of the industry's ongoing commitment to responsible gaming.

Viewed holistically, across the many jurisdictions in which commercial casinos now operate in the U.S., this compendium underscores the degree to which common approaches to responsible gaming have emerged across the various states. Whether driven by improved information sharing or increased knowledge based on research and real world experience, consensus is forming with respect to which policies, programs and initiatives are most effective in the area of responsible gaming.

State requirements throughout this document are organized by subject – such as self-exclusion, or credit restrictions. Each state's chapter presents the applicable law and regulation on a topic in the same sequence: constitutional provision, statutory provisions, and then administrative regulations.

It should also be noted that some states have separate regulatory provisions for different types of gaming venues (e.g., video lottery outlets, land-based casinos, water-based casinos).

As illustrated in the table overleaf, we have identified the following broad categories of state responsible gaming policy requirements:

- ◆ Required responsible gaming plan – As a condition of licensing, commercial casino states may mandate that casinos prepare and submit for approval a wide-ranging plan for addressing responsible gaming issues. Required elements of the plan often include employee training and public awareness efforts and other policies that other states have addressed specifically through stand-alone statutes or regulations that address only a single subject. For states that require an overall plan, readers should be sure to examine the specific elements that must be included in each plan.

- ◆ Patron self-exclusion program – Under this approach, patrons may authorize a casino to refuse to allow them to gamble there, and to expel them if they are found gambling on the premises. State statutes may vary in the length of the self-exclusion available and in the procedures for reversing self-exclusion. Some state laws specify that the casino must also eliminate direct promotional outreach to these individuals, and also must exclude them from complimentary services or access to credit.
- ◆ Restrictions on alcoholic beverages -- States may require casinos to limit alcoholic beverage service on the gaming floor, or to limit access to gambling services for patrons who are visibly intoxicated.
- ◆ Employee training -- States may specify that casino employees who work on the gaming floor should receive training on disordered and problem gambling; some states require the training to include instruction on the complex question of how to identify problem gamblers on the gaming floor.
- ◆ Treatment and research funding – States have announced commitments to support treatment for problem gamblers, education services concerning disordered or problem gambling, and research related to problem gambling. Most of those states earmark certain state revenues from gaming for these programs.
- ◆ Property signage -- States may require that casinos post signs and offer brochures identifying the risks of problem and disordered gambling, and disclosing toll-free phone numbers and other resources for counseling and assistance.
- ◆ Advertising disclosures -- States may require that casino advertising (in print, on billboards, or on electronic media) include a responsible gaming message, including a toll-free helpline number.
- ◆ Credit restrictions -- By banning casinos from offering credit advances to patrons, certain state laws aim to deter patrons from betting more than they can afford to lose. For the same reason, states may block or limit the use of credit or debit cards to secure cash on the gaming floor.
- ◆ Restrictions on financial instruments -- States may specify that casinos may not accept government-issued checks or stored-value cards that represent public benefits, or ATM transactions or credit or debit cards; New York also bans acceptance of paychecks and public benefit checks.
- ◆ Other -- Three states require that their gaming regulators create a statewide responsible gaming program (Kansas, Maryland, Pennsylvania). Colorado imposes a limit on the maximum bet that may be placed, while Louisiana requires responsible gambling education in its schools. Massachusetts requires that licensees provide space on the casino floor for the dissemination of responsible gaming information to patrons.

¹Although the AGA strives to address the totality of the U.S. gaming industry, currently this resource only covers commercial state requirements due to the complexity and volume of Tribal State gaming compacts. However, further information regarding the applicable responsible gaming requirements for Tribal casino operations can be found in the AGA's 'By the Book' online resource, which is available at GetToKnowGaming.org. Finally, this publication does not endeavor to detail responsible gaming measures in legalized Internet gaming markets in the U.S. Special note: This publication details regulations and statutes that are relevant to responsible gaming. We have not included the entire provisions of some statutes and regulations, rather, we have only included the relevant provisions pertaining to responsible gaming.

OVERVIEW OF STATUTES AND REGULATIONS (AS OF AUGUST 2016)

	Advertising Disclosures	Alcoholic Beverage Restrictions	Credit Restrictions	Employee Training	Financial Instruments Restrictions	Property Signage	Responsible Gaming Plan Required	Self-Exclusion	Treatment and Research Funding
CO		✓	✓						✓
DE		✓						✓	✓
FL	✓			✓		✓	✓	✓	✓
IL						✓		✓	✓
IN						✓		✓	✓
IA						✓	✓	✓	✓
KS	✓		✓			✓	✓	✓	✓
LA	✓		✓	✓		✓	✓	✓	✓
ME			✓				✓	✓	✓
MD	✓	✓			✓	✓	✓	✓	✓
MA		✓	✓		✓	✓	✓	✓	✓
MI	✓		✓			✓		✓	✓
MS				✓				✓	
MO		✓	✓					✓	✓
NV				✓		✓		✓	✓
NJ	✓					✓		✓	✓
NM		✓	✓	✓			✓	✓	✓
NY	✓	✓	✓	✓	✓	✓	✓	✓	✓
OH							✓		✓
OK				✓			✓		✓
PA	✓	✓	✓	✓	✓	✓	✓	✓	✓
RI		✓		✓			✓	✓	✓
SD			✓						✓
WV					✓			✓	✓

¹ Complimentaries prohibited.

² Applies only to promotional marketing, credit, and check-cashing.



**STATE
STATUTES AND
REGULATIONS**

Restrictions on alcoholic beverages

Regulation: 471-415 -- Visibly Intoxicated persons.

- (1) No licensee shall permit:
 - (a) Persons who are visibly intoxicated to participate in gaming activity; or
 - (b) Service of alcoholic beverages in the licensed premises to persons who are visibly intoxicated.

- (2) No person shall participate in a limited gaming activity when such person is intoxicated.

Treatment and research funding

Constitution: Article XVIII, § 9(5)(b)(II). Limited gaming permitted.

At the end of each state fiscal year, the state treasurer shall distribute the balance remaining in the limited gaming fund, except for an amount equal to all expenses of the administration of this section 9 for the preceding two-month period, according to the following guidelines: fifty percent shall be transferred to the state general fund or such other fund as the general assembly shall provide.

Statute: CRS § 12-471-1601. Local government limited gaming impact fund - repeal.

- (1) (a) There is hereby created in the office of the state treasurer the local government limited gaming impact fund, referred to in this part 16 as the “fund”, and within the fund, there is created the limited gaming impact account and the gambling addiction account. Of the moneys transferred to the fund pursuant to subsection (2) of this section, ninety-eight percent shall be allocated to the limited gaming impact account and two percent shall be allocated to the gambling addiction account. Moneys in the limited gaming impact account shall be used to provide financial assistance to designated local governments for documented gaming impacts, and moneys in the gambling addiction account shall be used to award grants for the provision of gambling addiction counseling, including prevention and education, to Colorado residents.

- (2) Out of the fifty percent share to be transferred to the general fund pursuant to section 9(5)(b)(II) of article XVIII of the state constitution, an aggregate total of thirteen percent shall be transferred annually to the fund.

- (4) (a) After considering the recommendations of the local government limited gaming impact advisory committee created in section 12-471-1602, the moneys from the limited gaming impact account shall be distributed at the authority of the executive director of the department of local affairs to eligible local governmental entities upon their application for grants to finance planning, construction, and maintenance of public facilities and the

provision of public services related to the documented gaming impacts. At the end of any fiscal year, all unexpended and unencumbered moneys in the limited gaming impact account shall remain available for expenditure in any subsequent fiscal year without further appropriation by the general assembly.

(a.5) (I) For the 2008-09 fiscal year and each fiscal year thereafter, the Executive Director of the department of human services shall use the moneys in the gambling addiction account to award grants for the purpose of providing gambling addiction counseling services to Colorado residents. The Department of Human Services may use a portion of the moneys in the gambling addiction account, not to exceed ten percent in the 2008-09 fiscal year and five percent in each fiscal year thereafter, to cover the department's direct and indirect costs associated with administering the grant program authorized in this paragraph (a.5). The Executive Director of the Department of Human Services shall award grants to state or local public or private entities or programs that provide gambling addiction counseling services and that have or are seeking nationally accredited gambling addiction counselors. The Executive Director of the Department of Human Services shall award ten percent of the moneys in the gambling addiction account in grants to addiction counselors who are actively pursuing national accreditation as gambling addiction counselors. In order to qualify for an accreditation grant, an addiction counselor applicant shall provide sufficient proof that he or she has completed at least half of the counseling hours required for national accreditation. The Executive Director of the Department of Human Services shall adopt rules establishing the procedure for applying for a grant from the gambling addiction account, the criteria for awarding grants and prioritizing applications, and any other provision necessary for the administration of the grant applications and awards. Neither the entity, program, or gambling addiction counselor providing the gambling addiction counseling services nor the recipients of the counseling services need to be located within the jurisdiction of an eligible local governmental entity in order to receive a grant or counseling services. At the end of any fiscal year, all unexpended and unencumbered moneys in the gambling addiction account shall remain in the account and shall not revert to the general fund or any other fund or account.

Credit restrictions

Statute: CRS § 12-471-815. Extension of credit prohibited.

No person licensed under this article may extend credit to another person for participation in limited card games and slot machines.

Other

Statute: CRS § 12-471-816.

Maximum amount of bets. The amount of a bet made pursuant to this article shall not be more than five dollars on the initial bet or subsequent bet, subject to rules promulgated by the commission.

Self-Exclusion

Statute: 29 Del. C. § 4834. List of persons self-excluded from gaming activity.

- (a) The Director shall provide by regulation for the establishment of a list of persons self-excluded from gaming activity at video lottery facilities or through the Internet lottery. A person may request placement on the list of self-excluded persons by acknowledging in a manner to be established by the Director that the person is a problem gambler and by agreeing that, during the period of voluntary exclusion, the person may not collect any winnings or recover any losses resulting from any gaming activity at a video lottery facility or through the Internet lottery.
- (b) A person may request placement on the list of self-excluded persons for any of the following periods:
 - (1) Lifetime;
 - (2) Five years;
 - (3) One year.
- (c) The Director shall establish procedures for placements on and removals from the list of self-excluded persons and procedures for the transmittal to operators of a video lottery facility of identifying information concerning self-excluded persons.
- (d) Director shall require licensed agents of video lottery facilities to establish procedures designed to:
 - (1) Prevent self-excluded persons from engaging in any gaming activity;
 - (2) Remove them from any forms of advertising or promotions; and
 - (3) Deny self-excluded persons access to credit, complimentaries, check cashing privileges, and similar benefits.

Statute: 29 Del. C. § 4836. Penalties for wagering by excluded persons

- (b) Any person whose name has been placed on the self-exclusion list, who thereafter knowingly enters a gaming area or engages in the Internet lottery, is guilty of a class A misdemeanor.

Restrictions on alcoholic beverages

Statute: 4 Del. C. § 706. Sale or service of alcoholic liquors to intoxicated person.

Any licensee, or employee of a licensee, or person in charge of a licensed premises shall refuse to sell or serve alcoholic liquors to any individual if such individual is intoxicated or appears to be intoxicated. Such licensee, employee of a licensee or person in charge of

the licensed premises shall not be liable to any individual for damages claimed to arise from the refusal to sell alcoholic liquors if such refusal is based upon this section.

Treatment and research funding

Statute: 29 Del. C. § 4815. Funding for treatment.

- (c) Application of funds retained by the state lottery. The funds retained by the state lottery shall be applied as follows: first, to the administrative costs and expenses in respect of the video lottery including, but not limited to, administrative expenses including payroll and other employment costs attributable to the operation of the video lottery by the State Lottery Office, law-enforcement and security expenses, including payroll and other employment costs of the state lottery, the Office of the Attorney General and the Delaware State Police, attributable to the operation by the state lottery of a video lottery; second, \$1,000,000 or 1%, whichever is greater, of the proceeds returned to the State under this paragraph (b)(2), to the Division of Substance Abuse and Mental Health of the Department of Health and Social Services for funding programs for the treatment, education and assistance of compulsive gamblers and their families; third, costs of the Administrator of Racing and racing inspectors referenced in Chapters 100 and 101 of Title 3; fourth, the State's contribution to the Delaware Standardbred Breeder's Program and Delaware Certified Thoroughbred Program (DCTP); and fifth, the remainder shall be paid into the State's General Fund.

Required responsible gaming plan

Statute: § 551.118, Fl. Stat. Compulsive or addictive gambling prevention program.

- (1) The slot machine licensee shall offer training to employees on responsible gaming and shall work with a compulsive or addictive gambling prevention program to recognize problem gaming situations and to implement responsible gaming programs and practices.
- (2) The division shall, subject to competitive bidding, contract for provision of services related to the prevention of compulsive and addictive gambling. The contract shall provide for an advertising program to encourage responsible gaming practices and to publicize a gambling telephone help line. Such advertisements must be made both publicly and inside the designated slot machine gaming areas of the licensee's facilities. The terms of any contract for the provision of such services shall include accountability standards that must be met by any private provider. The failure of any private provider to meet any material terms of the contract, including the accountability standards, shall constitute a breach of contract or grounds for nonrenewal. The division may consult with the Department of the Lottery in the development of the program and the development and analysis of any procurement for contractual services for the compulsive or addictive gambling prevention program.
- (3) The compulsive or addictive gambling prevention program shall be funded from an annual nonrefundable regulatory fee of \$250,000 paid by the licensee to the division.

Regulation: Rule § 61D-14.019, F.A.C. Compulsive or Addictive Gambling Prevention Program.

- (1) A slot machine licensee shall work with a compulsive or addictive gambling prevention program and provide training for its employees on responsible gaming in accordance with the requirements of Sections 551.104(4)(i)5, and 551.118(1), F.S. The compulsive gambling prevention program shall include, but is not limited to, the following elements:
 - (a) Identification of a program manager or other person responsible for ensuring that a program is implemented and administered by the slot machine licensee and monitored to maintain the minimum standards established by this rule;
 - (b) Printed materials to educate patrons about compulsive gambling and inform them of local and statewide resources available to compulsive gamblers and their families. The materials can include signs and posters located inside the licensed premises and brochures discussing compulsive gambling issues and sources of treatment and information. A plan shall also specify sources of the printed materials and proposed distribution methods;
 - (c) Completion of a log detailing employee names, dates, and training certifying that each employee required to obtain the training has done so within the time period specified by these regulations; and
 - (d) An annual follow-up training program to reinforce employee training.

- (2) The employee training program shall include training and materials on the following topics:
 - (a) Characteristics and symptoms of compulsive gambling behavior;
 - (b) Identification of vulnerable populations, including women, low-income patrons, the elderly and persons who abuse drugs and alcohol;
 - (c) Techniques to be employed where a compulsive gambling problem is identified or suspected; and
 - (d) Assistance and referral programs, including specific resources and training on how to discuss compulsive gambling with a patron and give advice concerning access to available services.
- (3) Training shall be conducted within thirty (30) days of the employee's hire date. Certification of such training shall be maintained onsite.
- (4) The program shall provide for notification to compulsive or addictive gamblers of the availability to request voluntary exclusion from the slot machine licensee's facility.

Self-exclusion

Regulation: Rule 61D-14.020, F.A.C. Excluded Persons.

- (1) The slot machine licensee's internal controls shall set forth the criteria for exclusion of individuals from the slot machine licensee's facility.
- (2) Each slot machine licensee shall maintain a database of persons entitled "Exclusion List." The Exclusion List shall contain information on:
 - (a) Persons the slot machine licensee has excluded from its facilities for a specific amount of time as determined by the licensee, including persons self-excluded as compulsive gamblers; and
 - (b) Persons who have been excluded by a final order of the division or an emergency order of suspension or exclusion by the division pursuant to Section 120.60, F.S.
- (3) The excluded person's name shall be entered on each slot machine licensee's Exclusion List, and each slot machine licensee shall make every reasonable effort to remove any listed individual from its facility.
- (4) A slot machine licensee's Exclusion List shall include the following information for each person listed:
 - (a) The full name and aliases, if known, of the person to be excluded;
 - (b) A description of the person's physical appearance, including height, weight, type, build, color of hair and eyes and other physical characteristics which would assist in the identification of the person;
 - (c) Date of birth;
 - (d) The date the person was excluded;
 - (e) A brief explanation of why the person has been excluded; and
 - (f) The length of time of exclusion that includes the start date of exclusion.

- (5) If obtainable, a photograph of the excluded person shall be kept on file in the surveillance department.
- (6) If the slot machine licensee withholds winnings from any excluded person, such withheld winnings shall be included in the slot machine licensee's revenues pursuant to subsection Rule 61D-14.081(5), F.A.C.
- (7) The slot machine licensee's agents or employees shall immediately inform the slot machine licensee's security department whenever an excluded person enters or attempts to enter, or is found present at a slot machine licensee's facility from which that person has been excluded. The security department shall:
 - (a) Request such excluded person to not enter or if on the premises to immediately leave; and
 - (b) Notify the appropriate law enforcement agency and the division if such excluded person fails to comply with the request of the licensee, its agents or employees.
- (8) If a slot machine licensee seeks to remove an individual from the Exclusion List who has excluded himself or herself, the licensee must notify the division at 1400 W. Commercial Blvd., Ft. Lauderdale, FL 33309, at least 14 days prior to the requested removal date. The request shall be delivered on the date of the request to the division. The slot machine licensee shall submit a request to the division that includes the following information on the individual the licensee seeks to remove from the Exclusion List:
 - (a) The full name and any aliases, if known, of the individual currently excluded from the facility;
 - (b) A description of the individual's physical appearance, including height, weight, type of build, color of hair and eyes, and other physical characteristics which would assist in the identification of the individual;
 - (c) The individual's date of birth;
 - (d) The date the individual was originally excluded;
 - (e) The original term of the individual's exclusion;
 - (f) If obtainable, a photograph, and the date of the photo;
 - (g) A brief description of why the individual was originally excluded from the slot machine licensee facility; and
 - (h) A statement signed by the slot machine licensee president or general manager justifying removing the excluded individual from the slot machine licensee Exclusion List and stating that the slot machine licensee internal control requirements have been observed.

Employee training

Statute: § 551.104, Fla. Stat. License to Conduct slot machine gaming.

- (4) As a condition of licensure, the slot machine licensee shall:
 - (i) Create and file with the division a written policy for:
- (5) Training for employees on responsible gaming and working with a compulsive or addictive gambling prevention program to further its purposes as provided for in s. 551.118.

Treatment and research funding

Statute: § 551.118, Fla. Stat. Compulsive or addictive gambling prevention program.

- (2) The compulsive or addictive gambling prevention program shall be funded from an annual nonrefundable regulatory fee of \$250,000 paid by the licensee to the division.

Property signage

Statute: § 551.114.3, Fla. Stat. Slot machine gaming areas.

The division shall require the posting of signs warning of the risks and dangers of gambling, showing the odds of winning, and informing patrons of the toll-free telephone number available to provide information and referral services regarding compulsive or problem gambling.

Advertising disclosures

Statute: § 551.118, Fla. Stat.: Compulsive or addictive gambling prevention program.

- (3) The division shall, subject to competitive bidding, contract for provision of services related to the prevention of compulsive and addictive gambling. The contract shall provide for an advertising program to encourage responsible gaming practices and to publicize a gambling telephone help line. Such advertisements must be made both publicly and inside the designated slot machine gaming areas of the licensee's facilities. The terms of any contract for the provision of such services shall include accountability standards that must be met by any private provider. The failure of any private provider to meet any material terms of the contract, including the accountability standards, shall constitute a breach of contract or grounds for nonrenewal. The division may consult with the Department of the Lottery in the development of the program and the development and analysis of any procurement for contractual services for the compulsive or addictive gambling prevention program.

Self-exclusion

Regulation: Ill. Admin. Code, Tit. 86, pt. 3000, § 3000.745. Voluntary Self-Exclusion Policy.

The Board shall provide a procedure whereby a person who acknowledges that he or she has a gambling problem may self-identify and self-exclude himself or herself from the area within the admission turnstiles of Illinois riverboat gaming operations. The procedure shall require self-excluded persons to agree not to enter the area within the admission turnstiles of any riverboat gaming operations and agree to be removed voluntarily from all mailing, marketing and promotional lists and databases.

Regulation: Ill. Admin. Code, Tit. 86, pt. 3000, § 3000.750. Establishment of a Self-Exclusion List.

- (a) Any person who acknowledges that he or she has a gambling problem may request of the Board that he or she be excluded voluntarily from the area within the admission turnstiles of all riverboat gaming operations in Illinois on a permanent basis, except as limited by Section 3000.780. A person shall be placed on the Self-Exclusion List upon submission of all information and completion and execution of all forms required under Section 3000.755, as enforced by the Administrator.
- (b) Any person placed on the Self-Exclusion List shall be prohibited for a minimum of 5 years from entering the area within the admission turnstiles of any riverboat gaming operation in the State of Illinois. Any gaming operation in the United States owned or operated by an affiliate of an Illinois riverboat gaming operation may, in its sole discretion, prohibit a person placed on the Self-Exclusion List from entering its affiliated gaming operations. Any gaming regulatory agency in any state with which the Board enters into an agreement to share confidentially the information contained in the Self-Exclusion List may, in its sole discretion, prohibit a person placed on the Self-Exclusion List from entering any gaming operation within its jurisdiction.
- (c) The Administrator shall maintain the Self-Exclusion List in a confidential manner.

Regulation: Ill. Admin. Code, Tit. 86, pt. 3000, § 3000.751. Locations To Execute Self-Exclusion Forms.

Any person may seek placement on the Self-Exclusion List by contacting any agent of the Board on any riverboat gaming operation at any time when gaming is conducted, appearing at the offices of the Board in Chicago or Springfield, Illinois during regular business hours, or appearing before a designated registration agent. Persons who are unable to travel to a Board office due to employment, financial or medical reasons may request, in writing, a reasonable accommodation in a manner or at a site and time designated at the sole discretion of the Administrator. Nothing in this Section shall require that an accommodation be granted.

Regulation: Ill. Admin. Code, Tit. 86, pt. 3000, § 3000.755. Information Required for Placement on the Self-Exclusion List.

- (a) The Administrator shall determine the information and forms to be required of a person

seeking placement on the Self-Exclusion List. Such information shall include, but not be limited to, the following:

- (1) Full name, including maiden name and alias information;
 - (2) Home Street Address and/or P.O. Box;
 - (3) Date of Birth;
 - (4) Social Security Number;
 - (5) A copy of his or her driver's license;
 - (6) A physical description; and
 - (7) A current photograph.
- (b) Failure to provide any information or to execute any forms deemed necessary by the Administrator may result in a denial of a request for placement on the Self-Exclusion List.
- (c) Such forms may include a request to waive the liability of the Board, its agents and the State of Illinois for any damages that may arise out of any act or omission related to placement on the Self-Exclusion List.

Regulation: Ill. Admin. Code, Tit. 86, pt. 3000, § 3000.756. Stipulated Sanctions for Failure to Adhere to Voluntary Self-Exclusion.

- (a) A person seeking placement on the Self-Exclusion List shall, at the time of the request to be placed on the List, agree in writing that he or she will:
- (1) Not enter the area within the admission turnstiles of any riverboat gaming operation in the State of Illinois; and
 - (2) Forfeit all claimed or unclaimed jackpots and winnings, and all chips, tokens, vouchers or electronic credits in play or in plain view in the possession or control of the self-excluded person, at the time he or she is apprehended, as a sanction for entering the area within the admission turnstiles of a riverboat gaming operation after voluntary placement on the Self-Exclusion List.
- (b) A person shall designate, at the time of his or her request for placement on the Self-Exclusion List, the duly registered charitable or governmental agency on a list of gambling support service and/or treatment providers approved by the Department of Human Services that shall receive a donation of assets forfeited by the person as provided by this Section, if the self-excluded person enters the area within the admission turnstiles of a riverboat gaming operation.

Regulation: Ill. Admin. Code, Tit. 86, pt. 3000, § 3000.760. Distribution and Availability of Confidential Self-Exclusion List.

- (a) The Board shall maintain and keep current the Self-Exclusion List. The List shall be updated and distributed in its entirety to each riverboat casino on a regular basis.
- (b) Upon placement on the Self-Exclusion List by the Administrator, the name and identifying information of the self-excluded person shall be distributed to each riverboat gaming operation.
- (c) No riverboat gaming operation may disclose the name of any person on the Self-Exclusion List to any third party unless specifically authorized by this Part or required by a court

order specifically requiring the release of mental health records and information.

- (d) No owner licensee, occupational licensee or applicant or approved Key Person or Key Person applicant who obtains identifying information about a person on the Self-Exclusion List from any source may disclose the name or identifying information of the self-excluded person, except as necessary to effectuate, or as specifically permitted by, this Part.
- (e) Any licensee or applicant for license and any approved Key Person or Key Person applicant who knowingly discloses, authorizes disclosure, permits a disclosure, or otherwise assists in the disclosure of the identity of a person on the Self-Exclusion List shall be subject to discipline for each disclosure, including but not limited to any disclosure by any of its officers, directors, employees, attorneys, agents and contractors, unless the disclosure complies with the following provisions:
 - (1) The disclosure is made on the same need to know basis restriction applicable to mental health information to staff for the sole purpose of effectuating the approved Internal Control responsibilities.
 - (2) The disclosure is made for the sole purpose of effectuating the Self-Exclusion program and this Part as to any customer tracking system, customer identification system, chips and token exchange system, financial transactions, or check and credit system.
 - (3) The disclosure is made in compliance with the approved Internal Controls.
- (f) Disclosure may be made to affiliate gaming operations with the prior written approval of the Administrator. A licensee seeking such approval must provide to the Administrator an explanation of the manner in which the identity of the self-excluded persons will be maintained confidentially by the affiliate gaming operations.
- (g) Nothing in this Section prohibits disclosure of the name of a person on the Self-Exclusion List to the Board or its staff or to a person authorized in writing by the self-excluded person on the Self-Exclusion List to receive such information.

Regulation: Ill. Admin. Code, Tit. 86, pt. 3000, § 3000.770. Duties of Owner Licensees.

- (a) No licensee shall knowingly allow any person placed on the Self-Exclusion List pursuant to Section 3000.750 to enter the area within the admission turnstiles of, or engage in gambling at, the riverboat gaming operation. The riverboat gaming operation shall cause the name and address of any person on the Self-Exclusion List to be flagged on all mailing, marketing or promotional lists or databases, except as provided in this Part. No licensee shall knowingly send marketing or promotional materials to any person placed on the Self-Exclusion List.
- (b) Owner licensees shall maintain, pursuant to Section 3000.760, a system designed to detect persons on the Self-Exclusion List so as to enforce this Part.
- (c) Forfeiture
 - (1) A licensee must immediately notify a Board agent upon making a determination that a person listed on the Self-Exclusion List has entered the area within the admission turnstiles of a riverboat gaming operation and remove the person from the riverboat gaming operation.
 - (2) Upon ascertaining that a person on the Self-Exclusion List is present in the area within the admission turnstiles of a riverboat gaming operation, a licensee must inventory, in

the presence of an IGB agent, all claimed or unclaimed jackpots and winnings, and all chips, tokens, vouchers or electronic credits in play or in plain view in the possession or control of the self-excluded person, at the time he or she is apprehended. The owner licensee shall provide a receipt to the self-excluded person for all items inventoried.

- (3) Owner licensees shall refrain from knowingly paying out jackpots under \$1,200 and from paying out all jackpots in amounts of \$1,200 or over won by patrons on the Self-Exclusion List.
- (d) The riverboat gaming operation shall cause the name and address of any person on the Self-Exclusion List to be flagged on all check-cashing, credit issuance, and other financial eligibility lists or databases utilized by the riverboat gaming operation for any purposes, except as authorized by this Part. Owner licensees shall not knowingly cash checks for, extend gaming operation credit to, or otherwise assist a person on the Self-Exclusion List to obtain funds for gambling purposes.

Regulation: Ill. Admin. Code, Tit. 86, pt. 3000, § 3000.780. Request for Removal from the Self-Exclusion List.

- (a) Upon the expiration of 5 years from the date of placement on the Self-Exclusion List, any person who has been placed on the Self-Exclusion List may request the Administrator to remove his or her name from the Self-Exclusion List. The request must be in writing, state with specificity the reason for the request and be submitted to the Administrator at the Board's Chicago office. The request must be based on the elimination of a mental health or medical condition underlying the person's acknowledgment that he or she has been a problem gambler and unable to gamble responsibly. Information as to mental health or medical conditions will be maintained pursuant to the Mental Health and Developmental Disabilities Confidentiality Act [740 ILCS § 110] and other applicable federal and State laws.
- (b) If the Administrator approves the request, the Administrator shall inform all riverboat gaming operations of the removal no later than 10 days after approval. If the Administrator denies the request, the Administrator shall send to the person who has requested removal a Notice of Denial of Removal from the Self-Exclusion List by certified mail. Owner licensees may continue to deny gambling privileges to self-excluded persons who have been removed from the List.
- (c) A decision whether to remove a person from the Self-Exclusion List shall be within the discretion of the Administrator, subject to the fulfillment of all requirements under Section 3000.782 and further subject to the process provided by Section 3000.785.

Regulation: Ill. Admin. Code, Tit. 86, pt. 3000, § 3000.782. Required Information, Recommendations, Forms and Interviews.

- (a) A person requesting removal from the Self-Exclusion List must, in connection with the request, provide the Administrator with all of the following:
 - (1) Documentation as to treatment received for the person's gambling problem, length of treatment, and names and qualifications of treatment providers.
 - (2) A written recommendation, from a treating physician or qualified mental health professional who is a certified gambling counselor, as to the self-excluded person's capacity to participate in gambling without adverse health and mental health risks or

consequences related to gambling. For purposes of this Subpart, “certified gambling counselor” means an individual who has completed a specific course of study in the treatment of problem gambling and has been certified by a certification organization acceptable to the Board and listed on the Board’s website.

- (3) Upon request of the Administrator, a written recommendation, from a second or subsequent physician or qualified mental health professional who is a certified gambling counselor, as to the self-excluded person’s capacity to participate in gambling without adverse health and mental health risks or consequences related to gambling.
 - (4) All information required under Section 3000.755(a).
 - (5) A statement informing the Administrator whether the person has been present at any riverboat gaming operations while on the Self-Exclusion List and, if so, the names of the riverboat operations at which the person was present and dates and times of attendance.
 - (6) A waiver of liability of the Board, its agents and the State of Illinois for any damages that may arise out of any act or omission committed by the person as a consequence of his or her removal from the Self-Exclusion List, including any monetary or other damages sustained in connection with the person’s renewal of any gaming activities.
 - (7) A verified, written consent to the release of all of the person’s medical and counseling records related to the proposed removal from the Self-Exclusion List.
 - (8) Any additional information, forms, recommendations, or other materials necessary, as determined by the Administrator, to demonstrate the elimination of the mental health or medical condition underlying the person’s acknowledgement that he or she has been a problem gambler and unable to gamble responsibly.
- (b) Upon request of the Administrator, a person seeking removal from the Self-Exclusion List shall appear for an interview at an office of the Board designated by the Administrator during regular business hours. Persons who are unable to travel to a Board office due to employment, financial or medical reasons may request, in writing, a reasonable accommodation in a manner or at a site and time designated at the sole discretion of the Administrator. Nothing in this Section shall require that an accommodation be granted.
 - (c) The Administrator shall ascertain to the extent possible whether a person requesting removal from the Self-Exclusion List was ever present in the area within the admission turnstiles of a riverboat gaming operation while on the list.
 - (d) The Administrator shall not rule on a request for removal from the Self-Exclusion List until all requirements of this Section have been fulfilled.

Regulation: Ill. Admin. Code, Tit. 86, pt. 3000, § 3000.785. Appeal of a Notice of Denial of Removal.

- (a) A denial by the Administrator of a request by a self-excluded person to be removed from the Self-Exclusion List pursuant to Section 3000.780 shall be subject to review by the Board upon a verified written petition submitted to the Board within 10 days after the issuance of the Notice of Denial of Removal.
- (b) The petition shall state with specificity facts believed by the petitioner to constitute clear and convincing evidence for removal of his or her name from the Self-Exclusion List. The petition shall be notarized and shall include a certification in the following form:

The undersigned certifies that the statements set forth in this petition are true and correct, except as to matters in the petition stated to be on information and belief. As to matters stated to be on information and belief, the undersigned certifies that he or she believes these matters to be true and correct.

- (c) The Board shall either deny the petition or set the petition for hearing. The Board may deny a petition if:
 - (1) The petition fails to comply with any of the requirements of subsection (a) or (b) of this Section;
 - (2) The facts contained in the petition are the same or substantially the same facts that the petitioner set forth in a previous petition filed under this Section; or
 - (3) The petition, assuming all facts contained in it are true and correct, does not establish a prima facie case.
- (d) In the event the Board elects to set the petition for hearing, the procedures specified in Subpart D of this Part, with the exception of Section 3000.405(a), (b), (c) and (d), shall apply.
- (e) For purposes of hearings conducted under this Section, all information, recommendations, forms, records of interviews and other materials, formal and informal, obtained by the Administrator in accordance with Section 3000.782 shall be considered official Gaming Board records under Section 3000.430 and therefore admissible into evidence.
- (f) All proceedings related to an administrative hearing on a Notice of Denial of Removal shall be closed to members of the public unless otherwise consented to in writing by the self-excluded person or allowed by federal or State law.
- (g) The Board's denial of a petition brought under this Section is a final decision of the Board. Judicial review of the final order of the Board shall be conducted under the Administrative Review Law [735 ILCS 5/Art. III], in accordance with Section 17.1(b) of the Riverboat Gambling Act [230 ILCS 10/17.1(b)].

Regulation: Ill. Admin. Code, Tit. 86, pt. 3000, § 3000.786. Duties of Owner Licensees to Persons Removed from the Self-Exclusion List.

- (a) Each owner and manager licensee shall establish its own policies and procedures for allowing or disallowing any person removed from the Self-Exclusion List to enter or game on its riverboat gaming operation subsequent to the person's removal from the Self-Exclusion List. The policies and procedures of owner and manager licensees developed in compliance with this Section shall not be subject to appeal under this Part.
- (b) Nothing in this Part shall require any licensee under the Act to provide assistance to a person removed from the Self-Exclusion List.

Regulation: Ill. Admin. Code, Tit. 86, pt. 3000, § 3000.787. Placement on the Self-Exclusion List Following Removal.

A person whose name has been removed from the Self-Exclusion List may subsequently request to be placed again on the list. The procedure for placement on the Self-Exclusion List

under this Section shall be the same as that for a person requesting placement on the list for the first time. A placement of a person on the Self-Exclusion List under this Section shall be permanent, notwithstanding any other provision of this Subpart.

Regulation: Ill. Admin. Code, Tit. 86, pt. 3000, § 3000.790. Duties of the Board.

The Board shall assist a person who acknowledges that he or she has, or has had, a gambling problem as provided in this Part. The Administrator shall provide to a person seeking placement on, or removal from, the Self-Exclusion List pertinent information about the Illinois Department of Human Services, including any information about problem gambling and post-treatment assistance, deemed appropriate for distribution by the Department of Human Services. The Administrator may refer any inquiries for assessment, evaluation, treatment or post-treatment assistance from a person seeking to be placed on, or removed from, the Self-Exclusion List to the Department of Human Services or another appropriate source of information.

Treatment and research funding

Statute: 20 ILCS 301/ § 5-20. Compulsive gambling program.

- (a) Subject to appropriation, the Department shall establish a program for public education, research, and training regarding problem and compulsive gambling and the treatment and prevention of problem and compulsive gambling. Subject to specific appropriation for these stated purposes, the program must include all of the following:
- (1) Establishment and maintenance of a toll-free “800” telephone number to provide crisis counseling and referral services to families experiencing difficulty as a result of problem or compulsive gambling.
 - (2) Promotion of public awareness regarding the recognition and prevention of problem and compulsive gambling.
 - (3) Facilitation, through in-service training and other means, of the availability of effective assistance programs for problem and compulsive gamblers.
 - (4) Conducting studies to identify adults and juveniles in this State who are, or who are at risk of becoming, problem or compulsive gamblers.
- (b) Subject to appropriation, the Department shall either establish and maintain the program or contract with a private or public entity for the establishment and maintenance of the program. Subject to appropriation, either the Department or the private or public entity shall implement the toll-free telephone number, promote public awareness, and conduct in-service training concerning problem and compulsive gambling.
- (c) Subject to appropriation, the Department shall produce and supply the signs specified in Section 10.7 of the Illinois Lottery Law, Section 34.1 of the Illinois Horse Racing Act of 1975, Section 4.3 of the Bingo License and Tax Act, Section 8.1 of the Charitable Games Act, and Section 13.1 of the Riverboat Gambling Act.

Property signage

Statute: 230 ILCS 10/ § 13.1. Compulsive gambling.

- (a) Each licensed owner shall post signs with a statement regarding obtaining assistance with gambling problems, the text of which shall be determined by rule by the Department of Human Services, at the following locations in each facility at which gambling is conducted by the licensed owner:
 - i. Each entrance and exit.
 - ii. Near each credit location.

The signs shall be provided by the Department of Human Services.

- (b) Each licensed owner shall print a statement regarding obtaining assistance with gambling problems, the text of which shall be determined by rule by the Department of Human Services, on all paper stock that the licensed owner provides to the general public.

Self-exclusion

Statute: IC 4-33-4-3. Rules; violations; fees and taxes; inspectors; voluntary exclusion program.

(a) The commission shall do the following:

- (9) Adopt rules to establish and implement a voluntary exclusion program that meets the requirements of subsection (c).

(c) Rules adopted under subsection (a)(9) must provide the following:

- (1) Except as provided by rule of the commission, a person who participates in the voluntary exclusion program agrees to refrain from entering a riverboat or other facility under the jurisdiction of the commission.
- (2) That the name of a person participating in the program will be included on a list of persons excluded from all facilities under the jurisdiction of the commission.
- (3) Except as provided by rule of the commission, a person who participates in the voluntary exclusion program may not petition the commission for re-admittance to a facility under the jurisdiction of the commission.
- (4) That the list of patrons entering the voluntary exclusion program and the personal information of the participants are confidential and may only be disseminated by the commission to the owner or operator of a facility under the jurisdiction of the commission for purposes of enforcement and to other entities, upon request by the participant and agreement by the commission.
- (5) That an owner of a facility under the jurisdiction of the commission shall make all reasonable attempts as determined by the commission to cease all direct marketing efforts to a person participating in the program.
- (6) That an owner of a facility under the jurisdiction of the commission may not cash the check of a person participating in the program or extend credit to the person in any manner. However, the voluntary exclusion program does not preclude an owner from seeking the payment of a debt accrued by a person before entering the program.

Statute: IC 4-33-4-7. Ejection or expulsion from facilities.

(a) The commission may eject or exclude or authorize the ejection or exclusion of a person from riverboat gambling facilities if:

- (1) The person's name is on the list of persons voluntarily excluding themselves from all riverboats in a program established under the rules of the commission;
- (2) A person, other than a person participating in a voluntary exclusion program, may petition the commission for a hearing on the person's ejection or exclusion under this section.

Regulation: 68 IAC 6-3-1. General provisions.

- (a) This rule applies to (1) casino licensees, (2) casino license applicants, (3) casino owners, and (4) persons in casinos where gambling operations are conducted.
- (b) The following definitions apply throughout this rule:
 - (1) “Request for removal” means a request submitted by a voluntarily excluded individual stating that the individual wishes to be removed from the voluntary exclusion list.
 - (2) “Request for voluntary exclusion” means a request completed by an individual for placement on the voluntary exclusion list.
 - (3) “Voluntarily excluded person” means a person who has successfully completed the procedures outlined in this rule to effectuate his or her own exclusion from the gaming areas of facilities under the jurisdiction of the commission.
 - (4) “Voluntary exclusion list” means a list of names of persons and necessary identifying information of individuals who have elected to voluntarily exclude themselves from the gaming areas of facilities under the jurisdiction of the commission.
- (c) Nothing in this rule shall prohibit anyone on the voluntary exclusion list from accessing the gaming areas of a casino for the purpose of carrying out the duties of their employment. An individual who is on the voluntary exclusion list who is hired by a casino must notify the commission office in Indianapolis prior to starting the job. The individual must provide the following information:
 - (1) Name.
 - (2) Date of birth.
 - (3) Name of the casino that will employ the voluntarily excluded individual.
- (d) Nothing in this rule shall prohibit a casino licensee from following the procedures outlined in 68 IAC 6-2 to evict a voluntarily excluded person.

Regulation: 68 IAC 6-3-2. Request for placement on the voluntary exclusion list.

- (a) Except as provided in section 1(c) of this rule, a person who participates in the voluntary exclusion program agrees to refrain from entering a gaming area of all casinos.
- (b) Any person may make a request to have his or her name placed on the voluntary exclusion list by following the procedures set forth in this section. The request may be made only by the individual and not by any other person. An individual must not be under the influence of alcohol or drugs at the time he or she makes a request for placement on the voluntary exclusion list.
- (c) Any person requesting placement on the voluntary exclusion list must submit a completed request for voluntary exclusion as outlined in subsection (d). The individual must appear in person at a commission office or another location designated by the executive director to complete the request for voluntary exclusion. Commission offices are located on the property of each casino in addition to an office located in Indianapolis.
- (d) A request for voluntary exclusion must be on a form prescribed by the commission.
- (e) The personal information of a person who participates in the voluntary exclusion program is confidential. An individual who elects to participate in the program must agree that

in order to enforce the VEP, casinos must have access to the individual's personal information. Before placement on the voluntary exclusion list, an individual shall authorize the commission staff to provide any identifying information contained in the person's request for exclusion to the casinos to be able to enforce the exclusion.

- (f) A voluntarily excluded individual shall have the following ongoing obligations regarding the voluntary exclusion list:
 - (1) Refrain from entering the gaming areas of riverboats and other facilities under the jurisdiction of the commission until such time as a request for removal has been processed by the commission.
 - (2) Each time the personal information of a voluntarily excluded individual changes, he or she must provide the commission with the updated information.
 - (3) Notify the commission if direct mailing items are received addressed to a voluntarily excluded person at his or her residence.

- (g) A voluntarily excluded individual who violates the terms of the voluntary exclusion list and enters the gaming area of a casino agrees to forfeit any jackpot or thing of value won as a result of a wager made at a casino. The forfeited jackpots or items will be withheld by the casino licensee and remitted to the commission. The commission shall collect such items and funds as a fine levied against the voluntarily excluded individual for violating this rule. Voluntarily excluded individuals may appeal a forfeiture under this rule by following the procedures outlined in 68 IAC 7.

- (h) Voluntarily excluded individuals agree to forfeit all points or complimentaries earned by the individual on or before the individual completes his or her request for placement on the voluntary exclusion list. Points or complimentaries refer to credits earned by a person under the terms of a casino licensee's marketing program as approved by the commission and shall include, but not be limited to:
 - (1) Food coupons;
 - (2) Coupons or vouchers for chips or tokens;
 - (3) Hotel complimentaries; or
 - (4) Any other such noncash benefit owing to the individual.

However, if at the time an individual makes a request for placement on the voluntary exclusion list he or she is owed a cash amount from a casino licensee, the individual shall have the right to receive that amount from the casino licensee after placement on the voluntary exclusion list. To the extent that complimentaries or points described above may be redeemed for cash under the casino licensee's marketing program, the individual shall be entitled to receive that amount.

- (i) Nothing in this rule shall prohibit a casino licensee from alerting local law enforcement authorities of a voluntarily excluded person's presence in a facility under the jurisdiction of the commission to effect an arrest for trespassing.

Regulation: 68 IAC 6-3-3. Voluntary exclusion list.

- (a) The executive director or his or her designee shall maintain the voluntary exclusion list, which shall contain the names and personal information of the persons participating in the program. Such persons shall be excluded from gaming areas at all facilities under the jurisdiction of the commission. The executive director or his or her designee shall notify each riverboat licensee or operating agent of each facility under the jurisdiction of the commission of each addition to the list or deletion from the list in a timely manner.
- (b) The voluntary exclusion list is confidential and may be disseminated only to a riverboat licensee or operating agent for purposes of enforcement or to any other entity designated by statute.

Regulation: 68 IAC 6-3-4. Rights and duties of casino licensees.

- (a) Each casino licensee and casino license applicant shall establish internal control procedures for compliance with this rule, which shall be submitted and approved by the commission under 68 IAC 11-1-3.
- (b) The internal controls must, at a minimum, address the following:
 - (1) Procedures must provide a plan for distributing the list of persons who have voluntarily excluded and their personal information to appropriate personnel of the facility for purposes of enforcing the program. The plan must allow, to a reasonable extent, appropriate employees of a riverboat licensee or operating agent to identify a voluntarily excluded person when that person is present in a casino or other facility under the jurisdiction of the commission. Such information shall not be released to casinos in other jurisdictions. However, nothing in this rule shall prohibit a riverboat licensee or operating agent from effectuating the eviction of a voluntarily excluded person from other properties within their corporate structure so that the person will be denied gaming privileges at casinos under the same parent company in other jurisdictions.
 - (2) Provide a process whereby enforcement agents and security and surveillance are notified immediately when a voluntarily excluded person is detected in the gaming area of a casino.
 - (3) Refuse wagers from and deny gaming privileges to any voluntarily excluded person.
 - (4) Make all reasonable attempts to ensure that voluntarily excluded persons do not receive direct marketing. A casino licensee will satisfy this requirement if the casino licensee removes the individual's name from the list of patrons to whom direct marketing materials are sent, and the individual does not receive direct marketing materials more than forty-five (45) days after the casino licensee receives notice, under section 3(a) of this rule, that voluntarily excluded individual has entered the VEP.
 - (5) Ensure that voluntarily excluded persons do not receive check cashing privileges or extensions of credit, whether directly through the casino licensee or operating agent, or through a supplier contracting with a casino licensee on property hired for the purpose of check cashing or extension of credit, or both.
- (c) Nothing in this rule shall prohibit a casino licensee from seeking payment of a debt from a voluntarily excluded person if the debt was accrued by a person before his or her name was placed on the voluntary exclusion list.

- (d) A casino licensee shall post signs at the turnstiles marking the entrance to the gaming area that will inform and educate patrons about the voluntary exclusion program. The text that will appear on the signs must be submitted to the commission staff for approval before posting.
- (e) A casino licensee shall be subject to disciplinary action under 68 IAC 13 for failure to comply with the requirements of this section and the internal control procedures outlined pursuant to this section, including, but not limited to, the following:
 - (1) Release of confidential information for a purpose other than enforcement.
 - (2) Knowingly refusing to withhold direct marketing, check cashing, and credit privileges.
 - (3) Failure to follow internal control procedures adopted under this rule.

Regulation: 68 IAC 6-3-5. Removal from voluntary exclusion list.

- (a) This section does not apply to those voluntarily excluded individuals who elected lifetime exclusion under section 2(d) of this rule.
- (b) A person may, upon the expiration of the selected term of voluntary exclusion, request removal of his or her name from the voluntary exclusion list. A person making a request for removal must do so by:
 - (1) Presenting to a commission office or other location designated by the executive director; and
 - (2) Declaring, in writing, on a form provided by the commission, the intent to remove his or her name from the voluntary exclusion list.
- (c) A request for removal from the voluntary exclusion list shall contain the following information:
 - (1) Name, including aliases or nicknames.
 - (2) Date of birth.
 - (3) Address of current residence.
 - (4) Telephone number of current residence.
 - (5) The signature of the person requesting removal from the VEP.
 - (6) The signature of the enforcement agent or other individual authorized by the executive director to accept a request for removal, verifying that the individual requesting removal is the voluntarily excluded individual.
- (d) Upon receipt of a request for removal, the commission shall effectuate the removal of the name of the individual requesting removal from the voluntary exclusion list. The commission shall act upon a request for removal within thirty (30) days of receipt of the request.
- (e) The commission shall notify each casino licensee each time an individual is removed from the VEP. Once an individual's name has been removed from the voluntary exclusion list, nothing in this rule shall prohibit a casino licensee from:
 - (1) Marketing directly to that individual;
 - (2) Cashing checks of such a person; or
 - (3) Extending credit to the individual.

Treatment and research funding.

Statute: IC 4-35-8.8-2 (Dept. of Mental Health and Addiction). Problem gaming fee imposed.

A licensee that offers slot machine wagering at racetracks under this article shall annually pay to the division a problem gambling fee equal to five hundred thousand dollars (\$500,000) for each racetrack at which the licensee offers slot machine wagering.

Statute: IC 4-35-8.8-3. Use of problem gaming fees.

The division may use problem gambling fees paid to the division under this chapter only for the prevention and treatment of compulsive gambling that is related to slot machine wagering and other gambling allowed under IC 4-33.

Statute: IC 4-35-8.8-4. Problem gaming fees are in addition to riverboat admissions taxes used by the division for the prevention and treatment of compulsive gambling.

The problem gambling fees used by the division under this chapter for the prevention and treatment of compulsive gambling are in addition to any admissions tax revenue allocated by the division under IC 4-33-12-6 for the prevention and treatment of compulsive gambling.

Statute: IC 4-33-12-6. Disposition of tax revenue.

- (a) The department shall place in the state general fund the tax revenue collected under this chapter.
- (b) Except as provided by subsections (c) and (d) and IC 6-3.1-20-7, the treasurer of state shall quarterly pay the following amounts:
 - (5) Except as provided in subsection (k), ten cents (\$0.10) of the admissions tax collected by the licensed owner for each person:
 - (A) Embarking on a gambling excursion during the quarter; or
 - (B) Admitted to a riverboat during the quarter that has implemented flexible scheduling under IC 4-33-6-21; shall be paid to the division of mental health and addiction. The division shall allocate at least twenty-five percent (25%) of the funds derived from the admissions tax to the prevention and treatment of compulsive gambling.
- (c) This subsection applies to tax revenue collected from a riverboat that operates in Lake County. Except as provided by IC 6-3.1-20-7, the treasurer of state shall quarterly pay the following amounts:
 - (10) Except as provided in subsection (j), ten cents (\$0.10) of the admissions tax collected by the licensed owner for each person admitted to a riverboat during the preceding calendar quarter shall be paid to the division of mental health and addiction. The division shall allocate at least twenty-five percent (25%) of the funds derived from the admissions tax to the prevention and treatment of compulsive gambling.

- (g) Money received by the division of mental health and addiction under subsections (b)(5) and (c)(10):
 - (1) Is annually appropriated to the division of mental health and addiction;
 - (2) Shall be distributed to the division of mental health and addiction at times during each state fiscal year determined by the budget agency; and
 - (3) Shall be used by the division of mental health and addiction for programs and facilities for the prevention and treatment of addictions to drugs, alcohol, and compulsive gambling, including the creation and maintenance of a toll free telephone line to provide the public with information about these addictions. The division shall allocate at least twenty-five percent (25%) of the money received to the prevention and treatment of compulsive gambling.

Statute: IC 12-23-2-7. Administrative costs associated with use of money from fund; limitation; reimbursing Indiana gaming commission.

- (a) For each state fiscal year, the division may not spend more than an amount equal to five percent (5%) of the total amount received by the division from the fund established under section 2 of this chapter for the administrative costs associated with the use of money received from the fund.
- (b) The division shall allocate at least twenty-five percent (25%) of the funds derived from the riverboat admissions tax under IC 4-33-12-6 to the prevention and treatment of compulsive gambling.
- (c) The division shall reimburse the Indiana gaming commission for the costs incurred in administering a voluntary exclusion program established under the rules of the Indiana gaming commission. The division shall pay the reimbursement from funds derived from the riverboat admissions tax under IC 4-33-12-6.

Property signage

Statute: IC 4-33-4-21.2. Display and maintenance of toll free telephone number.

- (a) The Indiana gaming commission shall require a licensed owner or an operating agent to conspicuously display the number of the toll free telephone line described in IC 4-33-12-6 in the following locations:
 - (1) On each admission ticket to a riverboat if tickets are issued.
 - (2) On a poster or placard that is on display in a public area of each riverboat where gambling games are conducted.
- (b) The toll free telephone line described in IC 4-33-12-6 must be:
 - (1) Maintained by the division of mental health and addiction under IC 12-23-1-6; and
 - (2) Funded by the addiction services fund established by IC 12-23-2-2.
- (c) The commission may adopt rules under IC 4-22-2 necessary to carry out this section.

Required responsible gaming plan

Regulation: 491 IAC 5.4(12). Gambling treatment program.

- (e) The holder of a license to operate gambling games shall adopt and implement policies and procedures designed to:
 - (1) Identify problem gamblers; and
 - (2) Prevent previously identified problem gamblers from gambling at the licensee's facility or other facilities licensed by the state of Iowa.

- (f) The policies and procedures shall be developed in cooperation with the gambling treatment program and shall include without limitation the following:
 - (1) Training of key employees to identify and report suspected problem gamblers;
 - (2) Procedures for recording and tracking identified problem gamblers;
 - (3) Policies designed to prevent serving alcohol to intoxicated casino patrons;
 - (4) Steps for removing problem gamblers from the casino; and
 - (5) Procedures for preventing reentry of problem gamblers.

- (g) A licensee shall include information on the availability of the gambling treatment program in a substantial number of its advertisements and printed materials.

Self- exclusion

Statute: I.C.A. § 99F.4. Powers of the Iowa Racing and Gaming Commission.

The commission shall have full jurisdiction over and shall supervise all gambling operations governed by this chapter. The commission shall have the following powers and shall adopt rules pursuant to chapter 17A to implement this chapter:

- (22) To require licensees to establish a process to allow a person to be voluntarily excluded for life from an excursion gambling boat and all other licensed facilities under this chapter and chapter 99D. The process established shall require that a licensee disseminate information regarding persons voluntarily excluded to all licensees under this chapter and chapter 99D. The state and any licensee under this chapter or chapter 99D shall not be liable to any person for any claim which may arise from this process. In addition to any other penalty provided by law, any money or thing of value that has been obtained by, or is owed to, a voluntarily excluded person by a licensee as a result of wagers made by the person after the person has been voluntarily excluded shall not be paid to the person but shall be credited to the general fund of the state.

Treatment and research funding

Statute: I.C.A. § 135.150. Gambling treatment program — standards and licensing.

1. a. The department [of Public Health] shall operate a gambling treatment program to provide programs which may include but are not limited to outpatient and follow-up treatment for persons affected by problem gambling, rehabilitation and residential treatment programs, information and referral services, crisis call access, education and preventive services, and financial management and credit counseling services.
 - b. A person shall not maintain or conduct a gambling treatment program funded through the department unless the person has obtained a license for the program from the department. The department shall adopt rules to establish standards for the licensing and operation of gambling treatment programs under this section. The rules shall specify, but are not limited to specifying, the qualifications for persons providing gambling treatment services, standards for the organization and administration of gambling treatment programs, and a mechanism to monitor compliance with this section and the rules adopted under this section.
2. The department shall report semiannually to the general assembly's standing committees on government oversight regarding the operation of the gambling treatment program. The report shall include but is not limited to information on the moneys expended and grants awarded for operation of the gambling treatment program.

Property signage

Statute: I.C.A. § 99D.7 (21). Powers of the Iowa Racing and Gaming Commission.

To cooperate with the gambling treatment program administered by the Iowa department of public health to incorporate information regarding the gambling treatment program and its toll-free telephone number in printed materials distributed by the commission. The commission may require licensees to have the information available in a conspicuous place as a condition of licensure.

Required responsible gaming plan

Regulation: K.A.R. § 112-112-3. Responsible gambling plan.

- (a) Each applicant for a facility manager certificate shall submit a responsible gambling plan to the commission with its initial application or at least 90 days before opening a racetrack gaming facility. The responsible gambling plan shall not be inconsistent with any facility manager's contractual obligation with the Kansas lottery. A responsible gambling plan shall be approved by the commission before the commission issues or renews a certificate. Each plan shall include the following:
- (1) The goals of the plan and the procedures and deadlines for implementation of the plan;
 - (3) Procedures for maintaining the confidentiality of the information regarding the persons on the self-exclusion list, as specified in K.A.R. 112-112-7;
 - (4) Procedures for informing patrons about self-exclusion programs;
 - (5) Procedures for compliance with the commission's self-transaction exclusion programs;
 - (6) Procedures for creating and disseminating promotional material to educate patrons about problem gambling and to inform patrons about treatment services available. The applicant or facility manager shall provide examples of the material to be used a part of its promotional materials, including signs, brochures, and other media, and a description of how the material will be disseminated;
 - (7) Details of the training about responsible gambling for the applicant's or facility manager's employees;
 - (8) the duties and responsibilities of the employees designated to implement or participate in the plan;
 - (9) procedures to prevent underage gambling;
 - (10) Procedures to prevent patrons impaired by drugs or alcohol, or both, from gambling;
 - (12) Any other policies and procedures to prevent problem gambling and encourage responsible gambling.
- (b) Each applicant or facility manager shall submit any amendments to the responsible gambling plan to the commission for review and approval before implementing the amendments. Each facility manager shall report to the commission semiannually on the status and success of the responsible gambling plan.

Self-exclusion

Regulation: K.A.R. § 112-112-4. Self-exclusion list.

- (a) A "self-exclusion list" shall consist of the names of those persons who have complied with the requirements of this article and have been placed on the list by the executive director.

The self-exclusion list shall provide the means for each individual with issues related to gambling to formally notify the commission that the individual has a gambling problem and that the individual will refrain from visiting gaming facilities, parimutuel licensee locations, and fair association race meets in Kansas

- (b) Each facility manager shall be notified by the executive director of the placement of any person on the self-exclusion list. Any or all information contained on the person's application may be disclosed to each facility manager and the facility manager's agents or employees by the executive director.

Regulation: K.A.R. § 112-112-9. Procedure for removal from the self-exclusion list.

- (1) At any time after two years from the original date of application for placement on the self-exclusion list, any person on the self-exclusion list may petition the executive director for removal from the self-exclusion list. The authority to approve or deny each petition shall rest with the executive director. To be eligible for removal from the self-exclusion list, each person shall provide documentation acceptable to the commission that the applicant has met all of the following conditions:
 - (a) The person has undergone a problem gambling assessment with a gambling counselor certified by the Kansas department of social and rehabilitation services or through any other method approved by the commission.
 - (b) The person has completed a commission-approved education program on healthy lifestyle choices and problem gambling awareness.
 - (c) The person has met any other requirements deemed necessary by the commission.
 - (d) The person has executed an authorization and release to be removed from the self-exclusion list on a form provided by the commission.
- (2) Each facility manager shall retain the ability to deny gambling privileges at a gaming facility, parimutuel licensee location, or fair association race meet to the persons who have been removed from the self-exclusion list for any other reason ordinarily available to the facility manager.
- (3) Any person who has been removed from the self-exclusion list may reapply for placement on the list at any time as provided in this article.
- (4) Upon approval of a petition for removal from the self-exclusion list, a notice of removal from the self-exclusion list shall be drafted by the executive director. Each notice shall be a closed record pursuant to the Kansas open records act, including K.S.A. 45-221(a)(30) and amendments thereto, except that the notice shall be disclosed to all facility managers and their agents and employees.
- (5) A copy of the notice of removal from the self-exclusion list shall be delivered by the executive director to the petitioner by regular U.S. mail to the home address specified on the petition. The petitioner shall be deemed to be removed from the self-exclusion list when the executive director mails the approved notice to the petitioner.
- (6) If the executive director finds that a petitioner does not qualify for removal from the self-exclusion list, the petitioner shall be notified by the executive director by regular U.S. mail, using the home address specified on the petition. The petitioner shall remain on the self-exclusion list pursuant to this article.

Treatment and research funding

Statute: K.S.A. § 74-8734. Lottery gaming facilities; gaming zones; gaming facility management contract requirements; privilege fees; revenue distribution; eminent domain prohibited.

(h) Any management contract approved by the commission under this section shall:

- (13) include a provision for 2% of lottery gaming facility revenues to be paid to the problem gambling and addictions grant fund established by K.S.A. 2009 Supp. 79-4805, and amendments thereto;

Statute: K.S.A. § 79-4805. Problem gambling and addictions grant fund.

- (a) There is hereby established in the state treasury the problem gambling and addictions grant fund. All moneys credited to such fund shall be used only for the awarding of grants under this section. Such fund shall be administered in accordance with this section and the provisions of appropriation acts.
- (b) All expenditures from the problem gambling and addictions grant fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved in the manner prescribed by law.
- (c)(1) There is hereby established a state grant program to provide assistance for the direct treatment of persons diagnosed as suffering from pathological gambling and to provide funding for research regarding the impact of gambling on residents of Kansas. Research grants awarded under this section may include, but need not be limited to, grants for determining the effectiveness of education and prevention efforts on the prevalence of pathological gambling in Kansas. All grants shall be made after open solicitation of proposals and evaluation of proposals against criteria established in rules and regulations adopted by the secretary of the department of social and rehabilitation services. Both public and private entities shall be eligible to apply for and receive grants under the provisions of this section.
- (c)(2) Moneys in the problem gambling and addictions grant fund may be used to treat alcoholism, drug abuse and other addictive behaviors.
- (d) The secretary of the department of social and rehabilitation services is hereby authorized to receive moneys from any grants, gifts, contributions or bequests made for the purpose of funding grants under this section and to expend such moneys for the purpose for which received.
- (e) All grants made in accordance with this section shall be made from the problem gambling and addictions grant fund. The secretary shall administer the provisions of this section and shall adopt rules and regulations establishing criteria for qualification to receive grants and such other matters deemed necessary by the secretary for the administration of this section. Such rules and regulations shall include, but need not be limited to, a requirement that each recipient of a grant to provide treatment for pathological gamblers report at least annually to the secretary the grantee's measurable achievement of specific outcome goals.
- (f) For the purpose of this section "pathological gambling" means the disorder by that name described in the most recent edition of the diagnostic and statistical manual.
- (g) On the effective date of this act the director of accounts and reports shall transfer all moneys in the problem gambling grant fund to the problem gambling and addictions grant fund. Thereupon the problem gambling grant fund shall be and is hereby abolished.

Property signage/Advertising disclosures

Regulation: K.A.R. § 112-101-10. Advertising; promotion of responsible gaming.

- (a) As used in this regulation, the term “advertisement” shall mean any notice or communication to the public of any information concerning the gaming-related business of an applicant or facility manager through broadcasting, publication or any other means of dissemination. The following notices and communications shall be considered advertisements for purposes of this regulation:
 - (1) Any sign, notice, or other information required to be provided by the act or by regulation, including the following:
 - (A) Notices regarding the rules of the games;
 - (B) information about rules of the games, payoffs of winning wagers, and odds;
 - (C) gaming guides;
 - (D) information imprinted upon gaming table layouts; and
 - (E) information imprinted, affixed, or engraved on slot machines or bill changers;
 - (2) any signs or other directional devices contained in a gaming facility for the purpose of identifying the location of authorized games; and
 - (3) press releases.
- (e) Each on-site advertisement of a facility manager’s business shall comply with the facility manager’s responsible gaming plan that has been approved by the commission pursuant to article 112. Each advertisement shall reference the Kansas toll-free problem gambling help line in a manner approved by the executive director.
- (f) Each applicant and each facility manager shall submit all proposed text and planned signage informing patrons of the toll-free number regarding compulsive or problem gambling to the executive director with its responsible gaming plan required in article 112.

Credit restrictions

Statute: K.S.A. § 74-8756. Wager, loan and credit restrictions; criminal penalties.

- (a) Wagers shall be received only from a person at the location where the electronic gaming machine or lottery facility game is authorized pursuant to the Kansas expanded lottery act. No person present at such location shall place or attempt to place a wager on behalf of another person who is not present at such location.
- (b) No employee or contractor of, or other person who has any legal affiliation with, a racetrack gaming facility manager shall loan money to or otherwise extend credit to patrons of the parimutuel licensee.
- (c) No employee or contractor of, or other person who has any legal affiliation with, a lottery gaming facility manager shall loan money to or otherwise extend credit to patrons of a lottery gaming facility.

Other

Regulation: K.A.R. § 112-112-1. Office of responsible gambling.

A staff person shall be appointed by the executive director to direct the office of responsible gambling. This staff person shall administer all of the commission's programs to assist individuals with issues related to gambling and to help prevent problem gambling in Kansas. The office of responsible gambling shall coordinate resources to maximize the efficiency and effectiveness of the programs of other state agencies and private organizations that allocate resources to assisting individuals with issues related to gambling and preventing problem gambling.

Responsible gaming plan

Statute: LA Rev. Stat. §27:271. Uniform compulsive and problem gambling program.

- A. Problem gambling is a serious and widely recognized problem. The gaming industry through the American Gaming Association in the Responsible Gaming Resource Guide has stated that the industry recognizes that gaming entertainment companies must stand up and take responsible actions to address social problems and costs that are created when some individuals have problems handling the product or services they provide. The industry has also stated that they know that the vast majority of the men and women who are their customers can enjoy their games responsibly, but that they also know the customers expect them to act responsibly toward those who cannot. It is imperative for the health, safety, and welfare of the citizens of the state of Louisiana that all gaming licensees and the casino gaming operator develop and implement comprehensive compulsive and problem gambling programs to be approved by the board.
- C. Within one hundred twenty days from the adoption of the rules provided for in Subsection B of this Section, each holder of a license as defined in R.S. 27.44(14), R.S. 27:353(5), and the casino gaming operator shall submit for approval to the board a comprehensive program that provides policies and procedures that, at a minimum, shall cover the following areas of concern and are designed to:
1. Provide procedures designed to prevent employees from willfully permitting a person identified on a self-exclusion list from engaging in gaming activities at the licensed establishment or facility.
 2. Provide procedures to offer employee assistance programs or equivalent coverage. The procedures shall be designed to provide confidential assessment and treatment referral for gaming employees and, if covered, their dependents who may have a gambling problem.
 3. Provide procedures for the development of programs to address issues of underage gambling and unattended minors at gaming facilities.
 4. Provide procedures for the training of all employees that interact with gaming patrons in gaming areas to report suspected problem gamblers to supervisors who shall be trained as provided in this Paragraph. The training shall, at a minimum, consist of information concerning the nature and symptoms of compulsive and problem gambling behavior and assisting patrons in obtaining information about compulsive and problem gambling and available options for seeking assistance with such behavior.
 5. Provide procedures designed to prevent serving alcohol to intoxicated gaming patrons consistent with the provisions of R.S. 26:931 et. seq.
 6. Provide procedures for removing self-excluded persons from the licensed establishment or facility, including, if necessary, procedures that include obtaining the assistance of the division or local law enforcement.

7. Provide procedures preventing any person identified on the self-exclusion list from receiving any advertisement, promotion, or other targeted mailing after ninety days of receiving notice from the board that the person has been placed on the self-exclusion list.
8. Provide procedures for the distribution or posting within the gaming establishment of information that promotes public awareness about problem gambling and provides information on available services and resources to those who have a gambling problem.
9. Provide procedures for the distribution of responsible gaming materials to employees.
10. Provide procedures for the posting of local curfews or laws and prohibitions, if any, regarding underage gambling and unattended minors.
11. Provide procedures to prevent any person placed on the self-exclusion list from having access to credit or from receiving complimentary services, check-cashing services, and other club benefits.

Regulation: LAC 42:III.301. Problem gambling programs.

- E.1. The Casino Operator or Casino Manager and all licensees shall develop a comprehensive program for its property or properties, that address, at a minimum, the areas of concern described in R.S. 27:271.C which are designed to:
- (a) Provide procedures designed to prevent employees from willfully permitting a person identified on a self-exclusion list from engaging in gaming activities at the licensed establishment or facility;
 - (b) Provide procedures to offer employee assistance programs or equivalent coverage. The procedures shall be designed to provide confidential assessment and treatment referral for gaming employees and, if covered, their dependents who may have a gambling problem;
 - (c) Provide procedures for the development of programs to address issues of underage gambling and unattended minors at gaming facilities;
 - (d) Provide procedures for the training of all employees that interact with gaming patrons in gaming areas to report suspected problem gamblers to supervisors who shall be trained as provided in this Paragraph. The training shall, at a minimum, consist of information concerning the nature and symptoms of compulsive and problem gambling behavior and assisting patrons in obtaining information about compulsive and problem gambling and available options for seeking assistance with such behavior;
 - (e) Provide procedures designed to prevent serving alcohol to intoxicated gaming patrons consistent with the provisions of R.S. 26:931 et seq.;
 - (f) Provide procedures for removing self-excluded persons from the licensed establishment or facility, including, if necessary, procedures that include obtaining the assistance of the division or local law enforcement;
 - (g) Provide procedures preventing any person identified on the self-exclusion list from receiving any advertisement, promotion, or other targeted mailing after ninety days of receiving notice from the board that the person has been placed on the self-exclusion list;
 - (h) Provide procedures for the distribution or posting within the gaming establishment of

- information that promotes public awareness about problem gambling and provides information on available services and resources to those who have a gambling problem;
- (i) Provide procedures for the distribution of responsible gaming materials to employees;
 - (k) Provide procedures to prevent any person placed on the self-exclusion list from having access to credit or from receiving complimentary services, check cashing services, and other club benefits;
 - (l) Provide procedures designed to prevent persons from gaming after having been determined to be intoxicated for the purposes of R.S. 27:271.C.(5).
3. In addition to the areas of concern described in R.S. 27:271.C, the comprehensive program shall also include a program that allows patrons to self-limit their access to functions and amenities of the gaming establishment, including but not limited to, the issuance of credit, check cashing or direct mail marketing.

Self-exclusion

Statute: LA Rev. Stat. §27:271. Uniform compulsive and problem gambling program.

- D (1) The board shall provide by rule for the establishment of a list of self-excluded persons from gaming activities at all gaming establishments. Any person may request placement on the list of self-excluded persons by acknowledging in a manner to be established by the board that the person wishes to be excluded and by agreeing that, during any period of voluntary exclusion, the person may not collect any winnings or recover any losses resulting from any gaming activity at such gaming establishments.
- (2) The rules of the board shall establish procedures for placements on, and removals from, the list of self-excluded persons, provided that notwithstanding any law to the contrary, prior to the removal from such list, the board or a hearing officer shall conduct a hearing not open to the general public at which it shall be established by the person seeking removal that there is no longer a basis to be maintained on the self-exclusion list.
- (3) The rules shall establish procedures for the transmittal to all gaming establishments of identifying information concerning self-excluded persons, and shall require all such gaming establishments to establish procedures designed, at a minimum, to remove self-excluded persons from targeted mailings or other forms of advertising or promotions and deny self-excluded persons access to credit, complimentaries, check-cashing privileges and other club benefits.
- (d) A person who is prohibited from any gaming establishment by any provision of this Title or pursuant to any self-exclusion rules adopted by the board shall not collect in any manner or proceeding any winnings or recover any losses arising as a result of any prohibited gaming activity.
- (e) In any proceeding brought against any licensee, permittee or casino gaming operator and any employee thereof for a willful violation of the self-exclusion rules of the board, the board may order the forfeiture of any money or thing of value obtained by the licensee or the casino gaming operator from any self-excluded person. Any money or thing of value so forfeited shall be deposited into the

Compulsive and Problem Gaming Fund established pursuant to R.S. 28:842.

- (f) Nothing herein shall prevent any licensee, permittee or casino gaming operator from adopting and maintaining a self-exclusion policy that may impose different or greater standards so long as such policy is in addition to the board's self-exclusion rules and any actions taken pursuant to such a policy of a licensee, permittee, or casino gaming operator that has been approved by the board shall be subject to the limitations of liability set forth in this Section and R.S. 27:27.4.

Regulation: LAC 42:III.304. Self-Exclusion.

C. Request for Self-Exclusion

1. Any person may have his or her name placed on the self-exclusion list by submitting a request for self-exclusion in the form and manner required by this Section.
2. Any person requesting placement on the self exclusion list shall submit, in person, a completed request for self-exclusion as required in Paragraph C.4 below. The request shall be delivered to an Office of State Police, Casino Gaming Division. Any person submitting a self exclusion request shall be required to present valid identification credentials. Any person requesting self exclusion pursuant to this Section shall be required to have his or her photograph taken by a division agent upon submission of the request.
3. No person placed on the self-exclusion list may request removal for a period of five years from the date the person is placed on the self-exclusion list.
4. A request for self-exclusion shall be in a form prescribed by the board. Such form shall include:
 - a. identifying information concerning the person submitting the request for self-exclusion, as follows:
 - i. name, including any known aliases or nicknames;
 - ii. date of birth, driver's license or state identification number, if available;
 - iii. current home and business address;
 - iv. telephone number of current residence;
 - v. Social Security number, which information is voluntarily provided in accordance with Section 7 of the Privacy Act, 5 U.S.C. §552(a); and
 - vi. a physical description of the person, including height, weight, gender, hair color, eye color, and any other physical or distinguishing characteristics that may assist in the identification of the person;
 - vii. the date of exclusion;
 - b. a waiver and release which shall release, forever discharge, indemnify and hold harmless the state of Louisiana, the Louisiana Gaming Control Board ("Board"), the Louisiana Department of Public Safety and Corrections, Office of State Police ("State Police"), the Department of Justice, Office of the Attorney General ("Attorney General's Office"), all casino gaming licensees, the casino operator and casino manager and their members, agents, and employees, from any liability to the person requesting self-exclusion and his or her heirs, administrators, executors and

assigns for any harm, monetary or otherwise, which may arise out of or by reason of any act or omission relating to the request for self-exclusion, request for removal from the self-exclusion list, or removal from the self-exclusion list, including:

- i. processing or enforcement of the request for self-exclusion, request for removal or removal from the Self-Exclusion List;
 - ii. the failure of the casino operator or casino manager or a casino gaming licensee to withhold gaming privileges from, or restore gaming privileges to, a self-excluded person;
 - iii. permitting a self-excluded person to engage in gaming activity in a licensed casino gaming establishment while on the list of self-excluded persons; and
 - iv. disclosure of the information contained in the self-exclusion request or list, except for a willful unlawful disclosure of such information;
- c. the following statement signed by the person submitting the request for self-exclusion:

“I understand and read the English language or have had an interpreter read and explain this form. I am voluntarily requesting exclusion from all gaming activities at all Louisiana casino gaming establishments because I am a compulsive and/or problem gambler. I certify that the information that I have provided above is true and accurate, and that I have read, understand, and agree to the waiver and release included with this request for self-exclusion. I am aware that my signature below authorizes the Board or the State Police to direct all Louisiana casino gaming licensees, including the casino operator and casino manager, to restrict my gaming activities and access to casino gaming establishments for a minimum period of five years from the date of exclusion. During such period of time, I will not attempt to enter any casino gaming establishment. I further understand that my name will remain on the Self-Exclusion List until 1) I submit a written request to the Board to terminate my self-exclusion; 2) a hearing is held; and 3) there is a written decision of the Board determining that there is no longer a basis for me to be maintained on the list. I am aware that I cannot request removal from the list before five years have elapsed from the date of exclusion. I am aware and agree that during any period of self-exclusion, I shall not collect in any manner or proceeding any winnings or recover any losses resulting from any gaming activity at any casino gaming establishment and that any money or thing of value obtained by me from, or owed to me by, the casino operator, casino manager, or a casino gaming licensee as a result of wagers made by me while on the Self-Exclusion List shall be withheld and remitted to the state of Louisiana.”

- d. the type of identification credentials examined containing the signature of the person requesting self-exclusion, and whether the credentials included a photograph of the person; and
- e. the signature of a board or division member, agent, or employee authorized to accept such request, indicating that the signature of the person on the request

for self-exclusion appears to agree with that contained on his or her identification credentials and that any photograph or physical description of the person appears to agree with his or her actual appearance.

5. Upon receipt and acceptance of the request for self-exclusion and completion and submission of all required information and documentation the requesting party shall be placed on the Self-Exclusion List by the division.

D. Self-Exclusion List

1. The board shall maintain a list of persons who, at his or her request, are excluded and are to be ejected from all casino gaming establishments.
2. The list shall not be open to public inspection.
3. The list shall be distributed by the division to the Casino Operator or Casino Manager and each casino gaming licensee who shall acknowledge receipt of the list in writing. The division shall notify the casino operator, casino manager and all casino gaming licensees of the addition of new names and removal of names from the Self-Exclusion List within two business days of the effective date of such action.
4. The casino operator or casino manager and each casino gaming licensee shall maintain a copy of the self-exclusion list and shall establish procedures to ensure that the self-exclusion list is updated and that all appropriate members, employees and agents of the casino operator or casino manager and each casino gaming licensee are notified of any addition to or deletion from the list within five business days after receipt of the notice from the division. Appropriate members, employees, and agents of the casino operator or casino manager and each casino gaming licensee are those whose duties and functions require access to such information. The notice provided by the division shall include the name and date of birth of any person whose name shall be removed from the self-exclusion list and the following information concerning any person whose name shall be added to the self-exclusion list:
 - a. name, including any known aliases or nicknames;
 - b. date of birth;
 - c. address of current residence;
 - d. telephone number of current residence;
 - e. Social Security number, if voluntarily provided by the person requesting self-exclusion;
 - f. driver's license or state identification number;
 - g. a physical description of the person, including height, weight, gender, hair color, eye color and any other physical or distinguishing characteristic that may assist in the identification of the person; and
 - h. a copy of the photograph taken by the division.
5. Information furnished to or obtained by the board and division pursuant to this Section shall be deemed confidential and not be disclosed pursuant to R.S. 27:271.

6.
 - a. Except as otherwise provided herein, neither the casino operator, casino manager, nor any casino gaming licensee, employee, or agent thereof shall disclose the self-exclusion list or the name of, or any information about, any person who has requested self-exclusion to anyone other than employees and agents of the casino operator, casino manager, or casino gaming licensee whose duties functions require access to such information. Notwithstanding the foregoing, the casino operator, casino manager, and each casino licensee may disclose the name of and information about a self-excluded person to appropriate employees of other casino licensees in Louisiana for the purpose of alerting other casinos that a self-excluded person has tried to gamble or otherwise obtain gaming related privileges or benefits in a casino gaming establishment. Nothing herein shall be construed to prohibit the licensee from disclosing the identity of self-excluded persons to affiliated entities in Louisiana and other gaming jurisdictions for the limited purpose of assisting in the proper administration of compulsive and problem gaming programs operated by such affiliated entities.
 - b. Administrative hearings regarding or related to self-excluded persons shall be closed to the public and any record created or evidence introduced in conjunction with such hearings shall be maintained confidential and not made available for public inspection.

E. Duties of the Casino Operator, Casino Manager, and each Casino Gaming Licensee

1. The casino operator or casino manager and each casino gaming licensee shall establish procedures that are designed, to the greatest extent practicable, to:
 - a. permit appropriate employees of the casino operator or casino manager and the casino gaming licensee to identify a self-excluded person when present in the casino gaming establishment and, upon such identification, immediately notify:
 - i. those employees of the casino operator or casino manager and the casino gaming licensee designated to monitor the presence of self-excluded persons; and
 - ii. appropriate representatives of the board and division;
 - b. refuse wagers from and deny any gaming privileges to any self-excluded person;
 - c. deny casino credit, check cashing privileges, player club membership, direct mail and marketing services complimentary goods and services, junket participation and other similar privileges and benefits to any self-excluded person;
 - d. enforce the provisions of LAC 42:III.304.D.6.
2. The casino operator or casino manager and each casino gaming licensee shall distribute a packet of written materials approved by the division to any person inquiring or requesting information concerning the board's self-exclusion program.
3. The casino operator or casino manager and each casino licensee shall submit to the board for approval a copy of its procedures established pursuant to LAC 42:III.304.D.4 and E.1 above within 120 days from the date this rule becomes effective. Any

amendments to said procedures shall be submitted to the board and approved prior to implementation.

4. If a self-excluded person enters, attempts to enter, or is in the casino gaming establishment and is discovered by the casino operator or casino manager or any casino gaming licensee, the casino operator or casino manager or casino gaming licensee shall immediately notify the division of such fact and, unless otherwise directed by the division, immediately eject such excluded person from the casino gaming establishment.
5. Upon discovery of a self-excluded person in the casino gaming establishment, both the security and surveillance departments of the casino operator, casino manager and casino gaming licensees shall initiate a joint investigation, unless otherwise directed by the division.
 - a. The joint investigation shall seek to determine:
 - i. responsibility of employees of the gaming establishment for allowing an excluded person to gain access to the casino gaming establishment; and
 - ii. the net amount of winnings or losses attributable to the excluded person.
 - b. The casino operator or casino manager and each casino gaming licensee shall provide a written report of the results of the joint investigation to the division.
6. The casino gaming establishment shall ensure that no winnings or losses arising as a result of prohibited gaming activity are paid or recovered by a self-excluded person.

F. Sanctions

1. Any casino gaming licensee, casino operator, or casino manager who willfully fails to exclude a self-excluded person from the casino gaming establishment shall be in violation of these rules and may be subject to administrative action pursuant to R.S. 27:271.J and this Section.
2. The penalty for violation of LAC 42:III.304.F.1 shall be \$25,000 or administrative action including but not limited to suspension or revocation.

G. Removal from Self-Exclusion List

- (1) Any Self-Excluded Person may, upon the expiration of five years from the date of exclusion, submit a written request to the Board for a hearing to have his or her name removed from the Self-Exclusion List. Such request shall be in writing and state with specificity the reason for the request.
- (2) The request shall include a written recommendation from a qualified mental health professional as to the self excluded person's capacity to participate in gaming activities without adverse risks or consequences. The person seeking removal from the Self-Exclusion List may be required to obtain a separate and independent recommendation from a qualified mental health professional, approved by the hearing officer, as to the self-excluded person's capacity to participate in gaming activities

without adverse risks or consequences.

- (3) If the hearing officer determines that there is no longer a basis for the person seeking removal to be maintained on the Self-Exclusion List, the person's name shall be removed from the self-exclusion list and his or her exclusion shall be terminated. The division shall notify the Casino Operator or Casino Manager and all casino gaming licensees of the determination. The Casino Operator, Casino Manager or any casino gaming licensee may continue to deny gaming privileges to persons who have been removed from the list.

Employee training

Statute: LA Rev. Stat. §27:271. Uniform compulsive and problem gambling program.

- L. A licensee or casino gaming operator conducting gaming pursuant to the provisions of this Title can demonstrate to the board compliance with the education and training provisions of this Section by providing proof of attendance by all employees when they are hired and annually thereafter at one of the following education programs:
 - (1) Training programs conducted by the Louisiana Association on Compulsive Gambling.
 - (2) Any other course on problem and compulsive gaming training approved by the board.

Statute: LA Rev. Stat. §27:271. Uniform compulsive and problem gambling program.

- G. The provisions of this Section shall not require the board, division, licensees, permittees, the casino gaming operator, and the employees thereof to identify problem or compulsive gamblers which is an activity that requires medical and clinical expertise.

Regulation: LAC 42:III.118. Programs to address problem gambling.

- C. All licensees other than video draw poker establishments shall implement procedures and training for all employees who directly interact with gaming patrons in gaming areas. Such training shall, at a minimum, consist of information concerning the nature and symptoms of problem gambling behavior and assisting patrons in obtaining information about problem gambling programs. This Subsection shall not be construed to require employees of licensees to identify problem gamblers. Each licensee shall designate personnel responsible for maintaining the program and addressing the types and frequency of such training and procedures. Training programs conducted or certified by the Office of Alcohol and Drug Abuse are presumed to provide adequate training for the period certified.

Treatment and Research Funding

Statute: LA Rev. Stat. § 27:92(B)(2). Collection and disposition of fees.

[After collecting all fees and fines assessed on casino licensees], the state treasurer shall, credit:

- (a)(i) One percent, not to exceed five hundred thousand dollars, to the Compulsive and Problem Gambling Fund.
- (a)(ii) The amounts of winnings withheld and remitted [from self-excluded customers].

Statute: LA Rev. Stat. § 27:270. Deposit of revenues; expenditures and investments authorized; transfer of revenues to state treasury; corporation operating account; audit of corporation books and records; audits.

A.(2)(a) Quarterly, the [Louisiana Economic Development and Gaming Corporation] shall transfer to the state treasury one percent of its operating account, not to exceed five hundred thousand dollars per fiscal year. These monies shall first be credited to the Bond Security and Redemption Fund in accordance with Article VII, Section 9(B) of the Constitution of Louisiana. Thereafter, the state treasurer shall deposit the monies into the Compulsive and problem Gaming Fund established by R.S. 28:842.

Statute: LA Rev. Stat. § 27: 312. Video Draw Poker Device Fund; distribution and expenditure.

B.(2) [T]he state treasurer shall, each fiscal year, credit the following amounts to the following special funds:

- (a) One percent, not to exceed five hundred thousand dollars, to the Compulsive and Problem Gaming Fund established by R.S. 28:842.

Statute: LA Rev. Stat. § 47:9029. Deposit of revenues; expenditures and investments authorized; transfer of revenues to state treasury; dedication and use of proceeds; corporation operating account; audit of corporation books and records; audits.

B.(2) The state treasurer is authorized and directed to transfer annually an amount equaling five hundred thousand dollars from the Lottery Proceeds Fund to the Compulsive and Problem Gaming Fund established by R.S. 28:842.

Statute: LA Rev. Stat. § 28:842. Compulsive and Problem Gaming Fund.

- (a) There is hereby created, as a special fund in the state treasury, the Compulsive and Problem Gaming Fund.
- (b) After compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana, an amount equal to the monies received by the state treasury pursuant to the provisions of R.S. 27:92(B)(2)(a), 270(A)(2), and 312(B)(2)(a), and R.S. 47:9029(B)(2) shall be deposited into the Compulsive and Problem Gaming Fund. All unexpended and unencumbered monies in the fund at the end of any fiscal year shall remain in the fund for use in subsequent fiscal years.
- (c) All monies received by the state treasury pursuant to the provisions of R.S. 27:92(B), 270(A)(3), 312(B), and 319(A) shall be deposited into the Compulsive and Problem Gaming Fund. The monies in the Compulsive and Problem Gaming Fund shall be appropriated by the legislature solely to implement the provisions of this Chapter.

Property signage

Statute: LA Rev. Stat. § 4:149.4. Toll-free telephone assistance for compulsive gamblers; posting of signs on premises.

The commission shall require the posting of one or more signs on licensed premises at each point of entry into areas where authorized gaming is conducted, authorized gaming devices are located, or authorized wagering on the results of any horse race is conducted to inform patrons of a toll-free telephone number available to provide information and referral services

regarding compulsive or problem gambling. Failure by the owner of the licensed premises to post and maintain such a sign or signs shall be cause for the imposition of a fine not to exceed one thousand dollars per day.

Statute: LA. Rev. Stat. § 27:58 (10). Division responsibilities.

[The gaming enforcement division of the state police shall] require the posting of one or more signs at points of entry to the designated gaming areas to inform customers of the toll-free telephone number available to provide information and referral services regarding compulsive or problem gambling.

Statute: LA. Rev. Stat. § 27.27:249. Compulsive gambling; posting information.

B. The [Louisiana Economic Development and Gaming Corporation] shall require the posting of signs at points of entry to the official gaming establishment to inform customers of the toll-free telephone number available to provide information and referral services regarding compulsive or problem gambling as required by R.S. 28:841. Failure by the licensee to post and maintain such a sign or signs shall be cause for the imposition of a fine not to exceed one thousand dollars per day.

Statute: LA. Rev. Stat. § 27.27:453. Toll-free telephone assistance for compulsive gamblers; posting of signs on premises.

The division shall require the posting of one or more signs on licensed premises at points of entry to the areas where devices are located to inform customers of the toll-free telephone number available to provide information and referral services regarding compulsive or problem gambling. Failure by the owner of the licensed premises to post and maintain such a sign or signs shall be cause for the imposition of a fine not to exceed one thousand dollars per day. [For video poker facilities.]

Statute: LA Rev. Stat. § 28:841. Office for addictive disorders; functions related to compulsive and problem gambling.

- (a) The office for addictive disorders of the Department of Health and Hospitals shall establish a program to provide information and referral services related to compulsive or problem gambling. The program may include treatment services and shall include provision of a twenty-four hour, toll-free telephone service, operated by persons with knowledge of programs and services available to assist persons suffering from compulsive or problem gambling behavior.
- (b) The office shall make information regarding the program and services available to the public and shall provide, by rule, for the design of an informational sign containing the toll-free telephone number for use in various places where gambling or gaming activities are conducted in the state, horse racing tracks, and charitable bingo parlors. The office shall provide such signs to the Louisiana Lottery Corporation, which shall require their posting at lottery retail outlets, pursuant to R.S. 47:9021.

Statute: LA Rev. Stat. § 47:9021. Toll-free telephone number to assist compulsive gamblers; printing on tickets; signs at retail outlets.

The corporation shall require as a part of any contract for the production or printing of lottery tickets that each ticket include the toll-free telephone number made available by the office

for addictive disorders of the Department of Health and Hospitals to provide information and referral services regarding compulsive or problem gambling. However, the requirements of this Section shall not affect any lottery tickets that are part of the inventory that has been delivered to retail licensees for sale or that have been printed but not yet delivered to retail licensees for sale prior to August 15, 1993.

Regulation: LAC 42:III.2919. Advertising; Mandatory Signage.

- (a) The Board may regulate and establish procedures for the regulation of advertising and marketing casino events and activities. Additionally, the board may require the casino operator or casino manager to advertise or publish specified information, slogans and telephone numbers relating to avoidance and treatment of compulsive or problem gambling or gaming. The casino operator and casino manager shall immediately comply with any order of the board issued pursuant to this regulation. [For the land-based casino.]

Regulation, LAC 42:III.118. Programs to Address Problem Gambling.

- B. Each licensee shall post or provide in conspicuous places in or near gaming areas and areas where cash or credit is made available to patrons including cash dispensing machines written materials concerning the nature and symptoms of problem gambling and the toll-free telephone number of the Louisiana Problem Gambling Hot Line or similar entity approved by the Board.

Regulation: 42:III.301. Problem Gambling Programs.

- (a) The Casino Operator or Casino Manager and each licensee shall post or provide written materials concerning the nature and symptoms of problem gambling in conspicuous places within the gaming establishment in or near gaming areas and areas where cash or credit is made available to patrons, including cash dispensing machines.
- (b) The Casino Operator or Casino Manager and each licensee shall post one or more signs, as approved by the Division, at points of entry to casino gaming establishments to inform customers of the toll-free telephone number available to provide information and referral services regarding compulsive or problem gambling. The toll-free number shall be provided by the division.

Regulation: La. Admin. Code 42:III.2927. Mandatory signage.

- E. Signs displaying the toll-free number shall be posted at each public entrance to the designated gaming area and at each public entrance into the casino. The toll-free telephone number and accompanying letters must be sized to utilize the entire area within a rectangle with a height of at least 8 1/2 inches and length of at least 11 inches and the characters shall be of a contrasting color from the background color of the sign. The signs may be either wall mounted or free standing. A licensee or casino operator may include the toll-free telephone number on other interior signage in locations other than the required areas in this subsection in a style and size of its choosing.

Advertising disclosure

Statute: LA Rev. Stat. § 27:27.3. Advertising; compulsive gambling information.

In any advertisement of gaming activities or of a gaming establishment that is offered to the general public in print by any licensee or the casino gaming operator operated pursuant to the provisions of this Title, the toll-free telephone number of the National Council on Problem Gambling or a similar toll-free number approved by the board shall be placed on such advertisement.

Regulation: La. Admin. Code 42:III.2927. Advertising. ; Mandatory Signage.

- A. The board may establish procedures for the regulation of advertising of licensed gaming activities. The board may require a licensee or casino operator to advertise or publish specified information, slogans and telephone numbers relating to avoidance and treatment of compulsive or problem gambling or gaming. Each licensee and casino operator shall immediately comply with any order of the board issued pursuant to this regulation.
- B. All letters accompanying the toll-free telephone number shall be in capital letters and the same size as the toll-free telephone number. The toll-free telephone number and letters shall appear in conspicuous and legible type in contrast by typography, layout, or color with all other printed material on the advertisement.
- C. Exterior print advertising including, but not limited to, billboards, shall display the toll-free telephone number and all accompanying letters in a rectangle. The rectangle shall comprise an area equal to 1/10 of the entire advertisement's height and extend across the entire width of the advertisement. The toll-free telephone number and accompanying letters must be sized to utilize the entire area within the rectangle. In the case of billboards, the rectangle containing the toll-free telephone number shall be a part of the billboard itself and not a separate add-on to the frame.
- E. Print advertising which is handheld or which is customarily viewed by the person holding the advertisement including, but not limited to, newspapers, flyers, coupons and other forms of advertising shall display the toll-free telephone number and all accompanying letters in a rectangle. The rectangle shall comprise an area equal to 1/20 of the entire advertisement's height and extend across the entire width of the advertisement. The toll-free telephone number and accompanying letters must be sized to utilize the entire area within the rectangle
- F. A licensee or casino operator which is required to display the toll-free telephone number may seek approval from the division for particular forms of print advertising on an individual basis. In those instances where the licensee or casino operator seeks approval, the division may in its discretion, approve the print advertisement in writing. The advertisement shall conform to the division's written approval.

Credit Restrictions

Regulation: LAC 42:III.118. Programs to Address Problem Gambling.

- E. Each licensee that engages in the issuance of credit, check cashing, or the direct mail marketing of gaming opportunities, shall implement a program containing the elements described below, as appropriate, that allows patrons to self-limit their access to the

issuance of credit, check cashing, or direct mail marketing by that licensee. As appropriate, such program shall contain, at a minimum, the following:

- (1) The development of written materials for dissemination to patrons explaining the program;
- (2) The development of written materials for dissemination to patrons explaining the excluded persons provisions of R.S. 27:1 et seq. and the administrative rules of the Board;
- (3) development of written forms allowing patrons to participate in the program;
- (4) Standards and procedures that allow a patron to be prohibited from access to check cashing, the issuance of credit, and the participation in direct mail marketing of gaming opportunities;
- (5) and procedures that allow a patron to be removed from the licensee's direct mailing and other direct marketing regarding gaming opportunities at that licensee's location; and
- (6) Procedures and forms requiring the patron to notify a designated office of the licensee within 10 days of the patron's receipt of any financial gaming privilege, material or promotion covered by the program.

Other

Statute: LA. Rev. Stat. § 27:27:401. Potential problems with gaming and gambling; educational program

- (a) The Department of Health and Hospitals, office for addictive disorders, shall develop and fund a program for educating students in public and nonpublic elementary and secondary schools about the potential problems associated with gaming and gambling.

Required responsible gaming plan

Regulation: 16 C.M.R. Ch. 633, § 18. Responsible Gaming Programs.

The Board finds that the State has a compelling interest in ensuring that persons have access to information and resources to address problem and compulsive gambling.

Section 1: Program Requirements: Prior to commencing slot machine or casino operations the Slot Machine or Casino Operator shall submit its responsible gaming program to the Board The program shall address the following areas:

1. Compulsive gambling. The program shall be designed to promote responsible gaming in accordance with the requirements of Chapter 13 of these Rules. The slot machine or casino operator must submit the written materials concerning problem gambling, as required by Chapter 13 section 6(1)(C), to the Board for approval thirty days prior to posting or providing the materials in the casino or slot facility;
2. Alcohol service. The program shall be designed to promote responsible alcohol service and consumption. The program shall identify all employee training related to alcohol service. The program shall also identify the procedures designed to prevent a visibly intoxicated individual from gambling or consuming alcohol at the casino or slot machine facility;
3. Minors. The program shall identify the means by which the slot machine or casino operator shall prevent minors from gambling, consuming alcohol and purchasing tobacco products at the slot machine or casino facility. The slot machine or casino operator shall identify its procedures to address any unattended minors found at the slot machine or casino facility; and
4. Marketing. The program shall identify the standards the slot machine or casino operator shall follow in its marketing campaigns for the slot machine or casino facility. The program shall identify the procedures designed to prevent promotional materials or communications from being directed specifically to individuals who have self-excluded themselves from the facility, as required in Chapter 13 section 6(3)(G), or who have requested that they not receive such materials or communications.

Section 2: Continuing enforcement of compulsive gambling programs. A casino or slot machine operator may continue to enforce a self-exclusion list created in accordance with a responsible gaming program submitted to the Board and in use by that operator prior to the implementation of the Gambling Control Board self-exclusion list as set forth in Chapter 13 of these rules.

Self-exclusion

Statute: 8 M.R.S. § 1003. Powers and duties of [Gambling Control B]oard.

3. Required rules. The Board shall, without limitation on the powers conferred and duties imposed in subsections 1 and 2, adopt rules governing:
 - I. Establishment of a list of persons who are to be excluded or removed from any slot machine facility or casino, including those persons who voluntarily request that their names be included on the list of excluded persons. These rules must:
 - (2) Provide that, before making a payout of winnings in an amount equal to or greater than the amount for which the licensee is required to file a Form W-2G or substantially equivalent form with the United States Internal Revenue Service, the licensee, after any interception of winnings required by law to pay child support debt or other obligations, shall intercept money or anything of value that an excluded person is seeking to redeem as a result of wagers made by the person after that person has been excluded. The rules must offer the excluded person the right to an administrative hearing with reasonable notice to contest the interception of winnings. Winnings intercepted must be remitted by the licensee to the board or its designee for deposit in an Other Special Revenue Funds account within the office of substance abuse within the Department of Health and Human Services to address gambling addiction.

Regulation: 16 C.M.R., Ch. 633, § 18. Exclusion.

1. Persons are to be excluded from the slot machine facility pursuant to the following standards and procedures. The provisions of this regulation are solely regulatory in nature and neither create a minimum standard of care toward the public nor establish a private cause of action for non-compliance.
2. Request for self-exclusion.
 1. Any person may request self-exclusion pursuant to these regulations by appearing in person at an office of the State of Maine Gambling Control Board, a licensed casino or slot facility, or the Office of Substance Abuse and Mental Health Services designated site where he or she shall:
 - A. Present government-issued identification containing:
 - (1) His or her signature; and
 - (2) A photograph or a general physical description;
 - B. Be photographed;
 - C. Submit a completed Request for Self-Exclusion form.
 2. The request for self-exclusion shall be made on a form prescribed by the Board. The form must be available at all licensed casinos or slot facilities, the Office of Substance Abuse and Mental Health Services designated site, and the Office of the Gambling Control Board.
- A. The Request for Self-Exclusion form must include:
 - (1) The following identifying information concerning the person submitting the self-exclusion request:

- (a) Name, including any aliases or nicknames;
 - (b) Date of birth;
 - (c) Address of current residence;
 - (d) Current telephone number;
 - (e) Social Security number, if such information is voluntarily provided by the person requesting self-exclusion;
 - (f) A physical description of the person, including height, weight, gender, hair color, eye color and any other physical characteristic that may assist in the identification of the person;
- (2) The length of the self-exclusion period requested by the person. The length of a self-exclusion period must be for one of the following designated time frames: one year, three years, five years, or lifetime. Once a time frame is selected, the person requesting exclusion will serve the entire duration of the exclusion period except, in the case of lifetime exclusion, the person may petition the Board for removal from the self-exclusion list after five years.
- (3) A signed release that includes, at a minimum, the following:
- (a) Acknowledgement that the request for self-exclusion has been made voluntarily;
 - (b) Certification that the information provided on the form is true and accurate;
 - (c) Acknowledgement that the individual requesting self-exclusion is a problem gambler; and
 - (d) Agreement to release, indemnify, hold harmless and forever discharge the State, the Board, slot facilities and casinos from any claims, damages, losses, expenses or liability arising out of, by reason of or relating to the self-excluded person or to any other party for any harm, monetary or otherwise, which may arise as a result of or by reason of any act or omission relating to the request for Self-exclusion, including:
 - (i) Its processing or enforcement;
 - (ii) The failure of a slot facility or casino to withhold gaming privileges from or restore gaming privileges to a self-excluded person;
 - (iii) Otherwise permitting or not permitting a self-excluded person to engage in gaming activity in a licensed facility while on the list of self-excluded persons.
 - (e) Acknowledgement that any self-excluded person violating the terms of his or her self-exclusion agreement during the self-excluded period may be subject to (1) conviction for criminal trespass, and/or (2) placement by the Board on the involuntary exclusion list as set out in Section 5 of these regulations.
- B. The request for self-exclusion may be made only by the individual to whom exclusion would apply and not by any other person.
3. Self-exclusion list.
- I. The Gambling Control Board will maintain the official self-exclusion list and notify each

casino or slot facility of any addition to or deletion from the list by electronic mail and on a monthly basis will provide the entire list.

- A. The notice provided to the casinos or slot facilities by the Board will include the following information concerning a person who has been added to or deleted from the list:
 - (1) All of the identifying information required by Section 2(A)(1) to be included on the Request for Self-Exclusion form,
 - (2) The length of the of the self-exclusion period including expiration date, and
 - (3) A copy of the photograph taken by the Board pursuant to Section(2)(B).
 - B. A casino or slot facility must maintain its own copy of the self-exclusion list and establish procedures to ensure that its copy of the self-exclusion list is updated and that all appropriate employees and agents of the casino or slot facility are notified of any addition to or deletion from the list within two (2) business days after the day the notice is received by the casino or slot facility.
- 2. Information furnished to or obtained by the Board pursuant to this chapter will be deemed confidential and will not be disclosed except in accordance with this chapter or as required by statute.
 - 3. Casinos or slot facilities, and the employees or agents thereof, may not disclose the self-exclusion list or any information about a person who has requested self exclusion except as necessary to comply with this chapter or as otherwise required by law. Notwithstanding the foregoing, such information may be disclosed to employees and agents of the casino or slot facility whose duties and functions require access to the information, to law enforcement, and to affiliated gaming establishments in other jurisdictions.
 - 4. Casinos or slot facilities with affiliated gaming establishments in other jurisdictions may choose to share the self-exclusion list with and invoke it in those establishments, in accordance with applicable laws and regulations in those jurisdictions, and without violation of the confidentiality requirements of these regulations.
- 4. Exception to the prohibition on being on the gaming floor for individuals on the self-exclusion list.

The prohibition against allowing self-excluded persons to be on the premises of a slot facility or casino does not apply to a slot facility or casino employee who is on the self exclusion list if all of the following apply:

- 1. The individual is carrying out the duties of slot facility or casino employment;
- 2. The human resources department of the casino or slot facility has requested and received written permission from the Board on behalf of the employee;
- 3. Access to the gaming floor is limited to the time necessary to complete the individual's assigned duties; and
- 4. The individual does not otherwise engage in any gaming activities.

6. Duties of licensed slot facilities and casinos

1. Each casino or slot facility must:
 - A. Have and make available to all patrons the Request for Self-Exclusion form approved by the Board;
 - B. Designate a person or persons to be the contact person for the Board for purposes of self-exclusion procedures, including receipt and maintenance of the self-exclusion list, submission of the casino or slot facility's procedures, and all other communications between the Board and the casino or slot facility for self-exclusion purposes. The casino must provide the name and contact information of the designated person or persons to the Executive Director and promptly notify the Executive Director of any changes;
 - C. Post or provide at each entrance and exit to the gaming premises, and in conspicuous places in or near gaming and cage areas and cash dispensing machines located on the gaming premises, written materials concerning the nature and symptoms of problem gambling and concerning the procedure for self-exclusion, including where to obtain the Request for Self-Exclusion form and the toll free number of the Compulsive Gambling Hotline or a similar entity approved by the Board that provides information and referral services for problem gamblers; and
 - D. Comply with the provisions of section 2 of this chapter.
2. Each casino or slot facility shall implement training procedures for all new employees, and annual re-training for all employees who directly interact with gaming patrons in gaming areas, regarding problem gambling. That training shall, at a minimum, consist of information concerning the nature of problem gambling, the procedures for requesting self-exclusion, and the ways to assist patrons in obtaining information about problem gambling programs. This section shall not be construed to impose a duty upon employees of casinos or slot facilities to identify problem gamblers nor to impose any liability for failure to do so. Each casino or slot facility shall designate personnel responsible for maintaining the training program. Training programs conducted or certified by the Maine Gambling Control Board are presumed to provide adequate training under this section.
3. Each casino or slot facility shall establish and follow procedures and systems that are designed, to the greatest extent practicable, to:
 - A. Permit appropriate employees to identify an excluded person when present in a casino or slot facility and upon identification immediately notify the following persons:
 - (1) Those employees of the casino or slot facility designated to monitor the presence of excluded persons; and
 - (2) Designated representatives of the Board via electronic mail;
 - B. Refuse access to the premises for any excluded person;
 - C. Utilize the player tracking systems and other electronic means, including checking

- all taxable patron winnings against the exclusion lists, to assist in determining whether the excluded person is participating in any gaming activities;
- D. Refuse wagers from and deny gaming privileges to any self-excluded person;
 - E. Deactivate any player club card or similar item issued to an excluded person for the purpose of gambling;
 - F. Deny check cashing privileges, player club membership, complimentary goods and services, junket participation and other similar privileges and benefits to any excluded person; and
 - G. Ensure that excluded persons do not receive, either from the casino or slot facility or any agent thereof, mailings, solicitations, telemarketing promotions, player club materials or other promotional materials relating to gaming activities at its licensed casino or slot facility,
4. Each casino or slot facility shall submit to the Board for written approval a copy of its procedures established under this Section within 90 days of the rule's adoption, Any amendment to the casino or slot facility's procedures shall be submitted to the Board for approval at least thirty (30) days prior to its implementation.
5. Any casino or slot facility violating any requirements of this Chapter may be subject to disciplinary action by the Gambling Control Board.
7. Removal from exclusion lists
- 1. Self-exclusion
 - A. Except for those persons choosing a lifetime self-exclusion, self-exclusion will automatically terminate upon expiration of the period of selfexclusion specified under Section 2(2)(A)(2) above. The expiration will occur on the last day of the month of the original self-exclusion.
 - B. A person who requested lifetime exclusion may, after five years from the date of exclusion, submit a request to the Board for removal from the list. The request must be in writing and state with specificity the reason for the request. If the Board grants the request, the person's name shall be removed from the self-exclusion list.
 - C. Upon the expiration of the self-exclusion period or a successful petition for removal, the Board shall delete the name of the person from the self exclusion list and notify each casino or slot facility of such deletion from the list in the manner set out in Section 3(1) above.
8. Forfeiture of winnings
- 1. If a casino or slot facility detects, or is notified of, the presence of a patron suspected of being on an exclusion list on the premises, the licensee shall verify, using reasonable measures that the patron is on an exclusion list and the basis for the exclusion.
 - 2. Upon verification by a casino or slot facility that any excluded person has obtained access to the premises, the casino or slot facility shall:
 - A. Promptly take steps to remove such person from the gaming floor and to notify the Board or its designee of the breach;

- B. Require the security and surveillance departments to immediately determine:
 - (1) How the person was able to gain access to the premises without being detected; and
 - (2) How the casino or slot facility plans to prevent such breaches in the future.
 - C. Determine whether there are any winnings due the excluded person that would require the casino or slot facility to file a Form W-2G or substantially equivalent form with the United States Internal Revenue Service. Any such funds shall be intercepted by the casino or slot facility and, after withholding appropriate taxes and complying with the requirements of 8 M.R.S.A. § 1066, be remitted to the Board or its designee for deposit in accordance with 8 M.R.S.A. § 1003(3) (l) (2).
3. The casino or slot facility shall prepare a report which shall include:
- A. The total value and a detailed description of winnings or things of value that were seized;
 - B. The date of the incident;
 - C. The name of the excluded person and basis for determining the person is excluded; and
 - D. The information obtained pursuant to Section 8(2) (B) of this Chapter.
4. In the event that the winnings of an excluded person are intercepted by a casino or slot facility as described in Section 8(2) (C), the Department shall notify the excluded person in writing of the opportunity to request a hearing to contest the forfeiture of winnings. The person must request a hearing within 30 days of the receipt of the written notice. If no timely response is filed, the winnings or things of value shall be forfeited pursuant to 8 M.R.S.A. § 1003(3) (l) (2).

Treatment and research funding

Statute: 8 M.R.S. §1036. Allocation of funds.

- 2. Distribution of net slot machine income from casino with commercial track.
 - A. Three percent of the net slot machine income must be deposited to the General Fund for administrative expenses of the board in accordance with rules adopted by the board, except that of the amount calculated pursuant to this paragraph, the following amounts must be transferred annually to the Gambling Addiction Prevention and Treatment Fund established by Title 5, section 20006-B:
 - 1. For the fiscal year beginning July 1, 2011, \$50,000;
 - 2. For the fiscal year beginning July 1, 2012, \$50,000; and
 - 3. For the fiscal year beginning July 1, 2013 and for each fiscal year thereafter, \$100,000;

2-A. Distribution from casino of slot machine income.

A casino operator shall collect and distribute 46% of the net slot machine income from slot machines operated by the casino operator to the board for distribution by the board as follows:

- E. Three percent of the net slot machine income must be deposited to the General Fund for administrative expenses of the board, including gambling addiction counseling services, in accordance with rules adopted by the board;

2-C. Distribution of table game income from casino with a commercial track.

A casino operator that is a commercial track and was licensed to operate slot machines on January 1, 2011 shall collect and distribute 16% of the net table game income from table games operated by the casino operator to the board for distribution by the board as follows:

- A. Nine percent of the net table game income must be deposited to the General Fund for administrative expenses of the board, including gambling addiction counseling services, in accordance with rules adopted by the board.

Credit Restrictions

Regulation: 16 M.R.S. Ch. 633, § 21, Prohibition of Credit.

- 1. The establishment of a credit line for game play by the Slot Machine or Casino Operator for any patron is prohibited.

Required Responsible Gaming Plan

Regulation: COMAR 36.07.07.01. Responsible Gaming Plan.

- A. A facility shall establish a responsible gaming plan that includes at least the following elements:
- (1) Goals;
 - (2) Procedures and deadlines for implementation;
 - (3) Identification of facility personnel responsible for implementation;
 - (4) Responsibilities of facility personnel identified as responsible for implementation;
 - (5) Training for facility personnel on problem gambling;
 - (6) Means of educating players about:
 - (a) Problem gambling; and
 - (b) Problem gambling treatment resources, including treatment and prevention programs;
 - (7) Placement of responsible gambling awareness materials in the facility; and
 - (8) Any other element required by the Commission.
- B. A facility operator shall submit to the Commission the responsible gaming plan required under A of this regulation for review and approval.
- C. A facility operator shall submit any amendments to a facility's responsible gaming plan to the Commission prior to implementation.
- D. A facility operator shall submit to the Commission an annual report describing the operation of the facility's responsible gaming plan.

Self-exclusion

Statute: Md. Code Ann., State Govt. Law, § 9-1A-24. Compliance.

- (e) Commission to adopt regulations to reduce or mitigate effects of problem gambling; exclusion list.
- (1) By regulation, the Commission shall adopt measures that are intended to reduce or mitigate the effects of problem gambling.
 - (2) The regulations shall:
 - (i) include establishment of a voluntary exclusion list of individuals with gambling problems who have requested to be excluded from any video lottery operation licensed under this subtitle; and
 - (ii) provide a simple mechanism for an individual who is sober and informed to request placement on the voluntary exclusion list for a specified period of time.

- (3) A video lottery operation licensee may not permit an individual on the voluntary exclusion list to enter into the video lottery facility or to play a video lottery terminal.
- (4) The Commission may impose sanctions on a licensee in accordance with this subtitle if the licensee knowingly fails to exclude from the premises of the licensee an individual on the voluntary exclusion list.

Regulation: COMAR 36.01.03.02. Application for Voluntary Exclusion.

- A. An application for voluntary exclusion shall be available at:
 - (1) Each licensed video lottery facility upon request of Commission staff; and
 - (2) The Agency's offices.
- B. An individual may request to be excluded from a video lottery facility or lottery play in the State by submitting a completed application form to Commission staff.
- C. An application for voluntary exclusion shall include:
 - (1) The individual's:
 - i. Name, including any nickname or alias;
 - ii. Residential address;
 - iii. Telephone numbers;
 - iv. Date of birth;
 - v. Social Security number;
 - vi. Driver's license number and licensing state;
 - vii. Gender;
 - viii. Physical description, including any birthmarks, scars, or tattoos;
 - ix. Race or ethnic origin;
 - x. For non-United States citizens, country of citizenship, and passport and alien registration number;
 - xi. Signature; and
 - xii. Any other information about the individual that the Commission requires;
 - (2) The length of requested period of placement on the voluntary exclusion list, which shall be for:
 - (a) 2 years or;
 - (b) Life
 - (3) Information pertaining to the Problem Gambling Fund programs established under State Government Article, §9-1A-33(b)(4), Annotated Code of Maryland; and
 - (4) A signed statement by which the individual declares that the individual:
 - a. Has a gambling problem and is unable to gamble responsibly;
 - b. Is sober and informed;
 - c. Releases the State from any liability that may arise from the application or the individual's placement on the voluntary exclusion list;

- d. Acknowledges that the Commission is collecting information from the individual that the:
 - I. Individual may request to inspect or correct under State Government Article, §10-625, Annotated Code of Maryland; and
 - II. Commission will maintain as sociological information under State Government Article, §10-617(c), Annotated Code of Maryland;
 - III. Authorizes the release of information to the persons specified in Regulation .07;
 - e. Authorizes the release of information to the persons specified in Regulation .07;
 - f. Acknowledges that the individual will be, for the entire term of the requested period of exclusion:
 - I. Prohibited from entering a video lottery facility or playing table games or a video lottery terminal in the State;
 - II. Prohibited from playing a lottery game; or
 - III. Both;
 - g. Acknowledges that if the requested period of placement on the voluntary exclusion list was 2 years, the individual will not be removed from the voluntary exclusion list unless the Commission grants the individual's request for removal under Regulation .05 of this chapter; and
 - h. Otherwise acknowledges that the individual understands the individual's responsibilities and possible consequences associated with being placed on the State's voluntary exclusion list.
- D. Upon receipt of a completed application for voluntary exclusion, trained Commission staff shall:
- (1) Interview the individual in order to ascertain that the individual:
 - (a) Is voluntarily applying for exclusion;
 - (b) Confirms the information provided in the application; and
 - (c) Is fully informed of the consequences of being placed on the voluntary exclusion list.
 - (2) Decide whether to grant the request for voluntary exclusion; and
 - (3) Deliver to the individual by regular U.S. mail a written notice of:
 - (a) Placement on the voluntary exclusion list; or
 - (b) Denial of the request for voluntary exclusion.

Regulation: COMAR 36.01.03.03. Voluntary Surrender of Lottery Game Playing Privileges.

An individual who applies to be placed on the voluntary exclusion list may contractually agree to:

- A. Redeem or liquidate all unredeemed items with monetary value that the individual has received;
- B. Designate that the proceeds of the redeemed items be contributed to the Problem Gambling Fund established under State Government Article, §9-1A-33(b), Annotated Code of Maryland; and

- C. Designate that any lottery prize that the individual is ineligible to collect may go the Unclaimed Prize Fund.

Regulation: COMAR 36.01.03.05. Removal from Voluntary Exclusion List.

- A. After an individual has been on the voluntary exclusion list for at least 2 years, the individual may request that the Commission remove the individual from the list.
- B. An individual's request under §A of this regulation shall be submitted to the Commission in writing and shall be accompanied by documentation that the individual has:
 - (1) Completed:
 - a. A problem gambling assessment with a professional who is licensed by the State to conduct problem gambling assessments or who is otherwise approved by the Commission and fulfilled any recommended treatment;
 - b. A problem gambling treatment and prevention program established under Health-General Article, Title 19, Subtitle 8, Annotated Code of Maryland; or
 - c. A healthy decision-making program that is sponsored or approved by the Commission
 - (2) Executed an authorization and release to be removed from the voluntary exclusion list; and
 - (3) Complied with any other requirements deemed necessary by the Commission.
- C. The Commission is not required to hold a hearing in order to review the request for removal.
- D. If the Commission:
 - (1) Grants the request, it shall:
 - (a) Deliver to the individual by regular U.S. mail a notice of removal from the voluntary exclusion list; and
 - (b) Notify the State's facility operators of the individual's removal from the voluntary exclusion list; or
 - (2) Denies the request, it shall deliver to the individual by regular U.S. mail a notice that the:
 - (a) Request was denied; and
 - (b) Individual shall remain on the voluntary exclusion list.

Restrictions on Alcoholic Beverages

Statute: Md. Code Ann., State Govt. Law, § 9-1A-24. Compliance.

- (b)(1) The county alcoholic beverages licensing authority for the county in which a video lottery facility is located shall ensure that the video lottery licensee complies with the

requirements of this subsection. –

- (3) Any food or alcoholic beverages offered by a video lottery operation licensee for sale to individuals may be offered only at prices that are determined by the county alcoholic beverages licensing authority to be commensurate with the price of similar types of food and alcoholic beverages at restaurants in the county in which the video lottery facility is located.
- (c) A video lottery operation licensee shall ensure that intoxicated individuals and individuals under the age of 21 years are not allowed to play video lottery terminals or table games and are not allowed in areas of the video lottery facility where video lottery terminals or table games are located.

Treatment and Research Funding

Statute: Md. Code Ann., State Govt. Law, § 9-1A-33. Problem Gambling Fund.

(a) Duties of Commission.

- (1) The Commission shall:
 - (i) establish an annual fee of \$ 425, to be paid by each video lottery operation licensee, for each video lottery terminal operated by the licensee during the year, based on the maximum number of terminal positions in use during the year; and
 - (ii) distribute the fees collected under item (i) of this paragraph to the Problem Gambling Fund established in subsection (b) of this section.
- (2) The Commission may establish an annual fee of up to \$ 500 for each table game to be paid by each video lottery operation licensee and distributed to the Problem Gambling Fund under subsection (b) of this section in order to ensure sufficient funds are available to provide requested services.

(b) Fund established. --

- (1) There is a Problem Gambling Fund in the Department of Health and Mental Hygiene.
- (2) The Problem Gambling Fund is a special, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.
- (3) Money in the Problem Gambling Fund shall be invested and reinvested by the Treasurer, and interest and earnings shall accrue to the Fund.
- (4) Except as provided in paragraph (5) of this subsection, expenditures from the Problem Gambling Fund shall be made only by the Department of Health and Mental Hygiene to:
 - (i) establish a 24-hour hotline for compulsive and problem gamblers and to provide counseling and other support services for compulsive and problem gamblers; and
 - (ii) develop and implement problem gambling treatment and prevention programs, including the programs established under Title 19, Subtitle 8 of the Health - General Article.
- (5) After satisfying the requirements of paragraph (4) of this subsection, any unspent funds

in the Problem Gambling Fund may be expended by the Department of Health and Mental Hygiene on drug and other addiction treatment services.

- (6) Expenditures from the Problem Gambling Fund shall be made in accordance with an appropriation approved by the General Assembly in the annual State budget or by the budget amendment procedure provided for in § 7-209 of the State Finance and Procurement Article.

Property Signage

Regulation: COMAR 36.03.06.03. Requirements.

- B. A facility operator shall:
 1. Post signage approved by the Commission that prominently bears the gambling assistance message and the underage warning message at each customer entrance to the gaming floor;
 2. Include the gambling assistance message on an advertisement that is intended to encourage video lottery terminal play at its facility;
 6. Ensure that the gambling assistance message is printed on a paper product that is associated with player consumption of food or beverage if the paper product is:
 - a. Special ordered; and
 - b. Branded with the facility's logo;
 7. Ensure that the gambling assistance message is printed on ticket stock; and
 8. Shall place in the facility responsible gambling awareness materials according to its responsible gaming plan required under Regulation .09 of this chapter.

Advertising disclosures

Regulation: COMAR 36.03.06.03. Requirements.

- C. A facility operator shall:
 3. Ensure that a printed advertisement bears the gambling assistance message and meets requirements of COMAR 14.01.11.08;
 4. Ensure that a billboard bearing a printed advertisement bears the gambling assistance message and meets requirements of COMAR 14.01.11.08;
 5. Ensure that a radio, television or video advertisement bears the gambling assistance message and meets requirements of COMAR 4.01.11.08;

Restrictions on financial instruments

Statute: Md. Code Ann., State Govt. Law, § 9-1A-24. Compliance.

- (f) Provisions to be included in regulations. -- In order to protect the public interest, the regulations shall include provisions that:

- (1) limit the number and location of and maximum withdrawal amounts from automated

- teller machines;
- (2) prohibit authorized automated teller machines from accepting electronic benefit cards, debit cards, or similar negotiable instruments issued by the Department of Human Resources for the purpose of accessing temporary cash assistance;
 - (3) require payouts above an amount adopted by the Commission to be made by check;
 - (4) require conspicuous disclosures related to the payout of video lottery terminals;
 - (5) limit the dollar amount that video lottery terminals will accept;
 - (6) prohibit the use of specified negotiable instruments at video lottery facilities and the use of credit cards, debit cards, and similar devices in video lottery terminals;
 - (7) provide consumers with a record of video lottery terminal spending levels if marketing measures are utilized that track consumer spending at video lottery facilities;
 - (8) prohibit consumers from cashing paychecks at video lottery facilities; and
 - (9) prohibit video lottery operation licensees from engaging in or contracting with another to engage in predatory marketing practices.

Other

Regulation: COMAR 36.01.03.07. Responsible Gaming Program.

- A. The Commission may establish a responsible gaming program.
- B. A responsible gaming program established by the Commission under §A of this regulation shall be designed to:
 - (1) Reduce or mitigate the effects of problem gambling in the State; and
 - (2) Maximize the access of individuals who have a gambling problem to problem gambling resources, including treatment resources that are established under State Government Article, §9-1A-33, Annotated Code of Maryland.

Required responsible gaming plan

Statute: M.G.L. Ch. 23K, § 9. Application for gaming licenses.

Section 9.(a) The commission shall prescribe the form of the application for gaming licenses which shall require, but not be limited to:

- (8) an agreement that the applicant shall mitigate the potential negative public health consequences associated with gambling and the operation of a gaming establishment, including: (i) maintaining a smoke-free environment within the gaming establishment under section 22 of chapter 270; (ii) providing complimentary on-site space for an independent substance abuse and mental health counseling service to be selected by the commission; (iii) prominently displaying information on the signs of problem gambling and how to access assistance; (iv) describing a process for individuals to exclude their names and contact information from a gaming licensee's database or any other list held by the gaming licensee for use in marketing or promotional communications; and (v) instituting other public health strategies as determined by the commission[.]

Statute: M.G.L. Ch. 23K, § 15. Criteria for eligibility to receive gaming license.

Section 15. No applicant shall be eligible to receive a gaming license unless the applicant meets the following criteria and clearly states as part of an application that the applicant shall:

- (6) demonstrate to the commission how the applicant proposes to address lottery mitigation, compulsive gambling problems, workforce development and community development and host and surrounding community impact and mitigation issues as set forth in the memoranda of understanding required under this chapter[.]

Statute: M.G.L., Ch. 23K, § 18. Objective to be advanced in determining granting of license; statement of findings.

In determining whether an applicant shall receive a gaming license, the commission shall evaluate and issue a statement of findings of how each applicant proposes to advance the following objectives:

- (6) taking additional measures to address problem gambling including, but not limited to, training of gaming employees to identify patrons exhibiting problems with gambling and prevention programs targeted toward vulnerable populations[.]

Statute: M.G.L., Ch. 23K, § 21. Form of gaming license and condition for licensees.

- (a) The commission shall prescribe the form of the gaming license, which shall include, but not be limited to, the following license conditions for each licensee. The licensee shall:
- (16) provide complimentary on-site space for an independent substance abuse, compulsive gambling and mental health counseling service and establish a program to train gaming employees in the identification of and intervention with customers exhibiting problem gaming behavior;
 - (17) keep conspicuously posted in the gaming area a notice containing the name and a telephone number for problem gambling assistance; provided, however, that the commission may require the gaming licensee to provide this information in more than 1 language;
 - (18) provide a process for individuals to exclude their names and contact information from the gaming licensee's database or any other list held by the gaming licensee for use in marketing or promotional communications;
 - (19) institute additional public health strategies as required by the commission[.]

Regulation: 205 CMR 119.01: Contents of the Application.

The RFA-2 application form shall be designed to require applicants to demonstrate that they have thought broadly and creatively about creating an innovative and unique gaming establishment that will create a synergy with, and provide a significant and lasting benefit to, the residents of the host community, the surrounding communities, the region, and the Commonwealth of Massachusetts, and will deliver an overall experience that draws both residents and tourists to the gaming establishment and the Commonwealth of Massachusetts. Further, the RFA-2 application shall require attestation of the applicant under the pains and penalties of perjury as to the truthfulness of the contents of the submission, and shall require, at a minimum, provision of the following information on and in the form prescribed by the commission:

- (25) an agreement that the applicant shall mitigate the potential negative public health consequences associated with gambling and the operation of a gaming establishment, and the construction of a gaming establishment, including:
 - (a) maintaining a smoke-free environment within the gaming establishment under M.G.L. c. 270, § 22;
 - (b) providing complimentary on-site space for an independent substance abuse and mental health counseling service to be selected by the commission;
 - (c) prominently displaying information on the signs of problem gambling and how to access assistance;
 - (d) describing a process for individuals to exclude their names and contact information from a gaming licensee's database or any other list held by the gaming licensee for use in marketing or promotional communications; and
 - (e) instituting other public health strategies as determined by the commission; and
- (26) how the applicant proposes to take measures to address problem gambling including, but not limited to, training of gaming employees to identify patrons exhibiting problems with gambling and prevention programs targeted toward vulnerable populations;

and how the applicant proposes to cooperate and support the commission in the development of an annual research agenda as provided in M.G.L. c. 23K, § 71

Regulation: 205 CMR 119.03. Evaluation of the Application by the Commission.

(2) In determining which applicant will be awarded a Category 1 gaming license in accordance with M.G.L. c.23K, §19, and a Category 2 gaming license in accordance with M.G.L. c. 23K, § 20, the commission will evaluate the RFA-2 application to determine, and shall issue a statement of findings of how the applicant proposes to advance the objectives specified in M.G.L. c. 23K, § 18. In no particular order and without assigning any particular weights, the commission will evaluate the applicant's overall response on how it addresses the following categories of information which may be expanded upon in the RFA-2 application form:

- (e) Mitigation criteria including:
 - 2. Demonstration of plan for mitigation of compulsive gambling problems
 - 8. Measures to address problem gambling.

Self-exclusion

Statute: M.G.L., Ch. 23K, § 45. Regulation and procedure for the exclusion and self-exclusion of persons from gaming establishments.

- (f) The commission shall establish a list of self-excluded persons from gaming establishments. A person may request such person's name to be placed on the list of self-excluded persons by filing a statement with the commission acknowledging that the person is a problem gambler and by agreeing that, during any period of voluntary exclusion, the person shall not collect any winnings or recover any losses resulting from any gaming activity at a gaming establishment. The commission shall adopt further regulations, under section 5, for the self-excluded persons list including procedures for placement, removal and transmittal of such list to gaming establishments. The commission may revoke, limit, condition, suspend or fine a gaming establishment if the establishment knowingly or recklessly fails to exclude or eject from its premises any person placed on the list of self-excluded persons.
- (g) Gaming establishments shall not market to persons on any excluded persons list and shall deny access to complimentaries, check cashing privileges, club programs and other similar benefits to persons on the self-excluded persons list.
- (h) Notwithstanding any other general or special law to the contrary, the self-excluded persons list shall not be open to public inspection. Nothing in this section, however, shall prohibit a gaming establishment from disclosing the identity of persons on the self-excluded persons list under this section to affiliated gaming establishments in this commonwealth or other jurisdictions for the limited purpose of assisting in the proper administration of responsible gaming programs operated by affiliated gaming establishments.
- (i) As used in this subsection the following words shall have the following meanings unless the context clearly requires otherwise:

- (1) "Immediate family", the spouse, parent, child, brother or sister of an individual.
- (2) "Problem gambler", a person who chronically or habitually gambles to the extent that such gambling substantially interferes with the person's social or economic functioning or that the person has lost the power of self control over that person's gambling.
An immediate family member or guardian may petition, in writing, a district court for an order of exclusion from gaming establishments applicable to a person whom the petitioner has reason to believe is a problem gambler. Upon receipt of a petition for an order of exclusion of a person and any sworn statements the court may request from the petitioner, the court shall immediately schedule a hearing on the petition and shall cause a summons and a copy of the petition to be served upon the person as provided in section 25 of chapter 276. The person may be represented by legal counsel and may present independent expert or other testimony. The court shall order examination by a qualified psychologist. If after a hearing the court based upon competent testimony finds that the person is a problem gambler and there is a likelihood of serious harm as a result of the person's gambling, the court may order that such person be prohibited from gaming in gaming establishments. The court shall communicate this order to the commission, which shall place the person's name on the list of excluded persons.

- (j) A person who is prohibited from gaming in a gaming establishment under this section shall not collect any winnings or recover losses arising as a result of prohibited gaming winnings obtained by a person who is prohibited from gaming in a gaming establishment and such winnings shall be forfeited to the commission and deposited into the Gaming Revenue Fund.
- (k) The commission shall pursue an interstate compact for the purposes of sharing information regarding the excluded persons list.

Regulation: 205 CMR 133. 01. Voluntary Exclusion.

In accordance with M.G.L. c. 23K, § 45(f), 205 CMR 133.00 shall govern the procedures and protocols relative to the list of self-excluded persons from entering the gaming area of a gaming establishment or any area in which pari-mutuel or simulcasting wagers are placed. The voluntary self-exclusion list shall consist of the names and information relative to those individuals who have complied with the requirement of 205 CMR 133.00 and have been placed on the list by the commission. Placement of one's name on the voluntary self-exclusion list is intended to offer individuals one means to help address problem gambling behavior or deter an individual with family, religious, or other personal concerns from entering the gaming area of a gaming establishment or any area in which pari-mutuel or simulcasting wagers are placed.

For purposes of 205 CMR 133.00, the term 'problem gambler' shall mean an individual who believes their gambling behavior is currently, or may in the future without intervention, cause problems in their life or on the lives of their family, friends, and/or co-workers.

Regulations: 205 CMR 133.02: Placement on the Self-exclusion List.

- (1) An individual whose name is placed on the voluntary self-exclusion list shall be prohibited from entering the gaming area of a gaming establishment or any area in which pari-mutuel

or simulcasting wagers are placed for the duration of the exclusion period, and shall not collect any winnings or recover any losses resulting from any gaming activity at a gaming establishment. Provided, however, that an employee of a gaming licensee or vendor who is licensed or Registered as a key gaming employee, gaming employee, or gaming service employee in accordance with 205 CMR 134.00: Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations and who is on the voluntary self-exclusion list may be in the gaming area of a gaming establishment or an area in which pari-mutuel or simulcasting wagers are placed solely for purposes of performing their job functions.

- (2) An individual may request to have their name placed on the voluntary self-exclusion list by completing the application and procedure outlined in 205 CMR 133.02. Applications shall be submitted on a form approved by the commission and shall be available on the commission's website and at designated locations on and off the premises of the gaming establishments as determined by the commission.
- (3) An application for placement on the voluntary self-exclusion list may only be accepted, and an intake performed, 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 133.00. 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, a gaming licensee, 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 133.00.
- (4) Upon submission of an application, a designated agent shall review with the applicant the contents and statements contained in the application, as provided by 205 CMR 133.03. 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.
- (5) A designated agent may not sign an application if (a) any required information is not provided or (b) they are of the belief that the applicant is not capable of understanding the responsibilities and consequences of being placed on the self-exclusion list.
- (6) The designated agent shall forward the signed application for voluntary self-exclusion to the commission within 48 hours of completion in a manner directed by the commission.
- (7) Upon receipt of an application, the commission, or its designee, shall review it for completeness. If the application meets all requirements of 205 CMR 133.02 the application shall be approved and the individual's name shall be added to the voluntary self-exclusion 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.
- (8) If the gaming licensee utilizes an internal management system to track individuals on the self-exclusion list, they shall update that system at least every 72 hours with names of individuals being added or removed from the self-exclusion list.
- (9) The commission, or its designee, shall add to the list of voluntarily self-excluded persons the name of any individual provided from a gaming jurisdiction outside of Massachusetts, with which the commission has entered into an interstate compact, upon a determination that the individual voluntarily requested that their name be added to the list of the referring

jurisdiction and that they were notified, either directly or by operation of law, that their name may be placed on similar lists in other jurisdictions.

- (10) If the applicant has elected the services identified in 205 CMR 133.03(8) the commission, or its designee, shall contact the designated coordinating organization for the provision of requested services.

Regulation: 205 CMR 133.03: Contents of the Application.

The application for voluntary self-exclusion shall require provision of, at a minimum, the following content:

- (1) Name, home address, email address, telephone number, date of birth, and social security number of the applicant;
- (2) A passport style photo of the applicant without headwear;
- (3) A statement from the applicant that one or more of the following apply:
 - (a) they identify as a problem gambler as defined in 205 CMR 133.01;
 - (b) they feel that their gambling behavior is currently causing problems in their life or may, without intervention, cause problems in their life; or
 - (c) there is some other reason why they wish to add their name to the list.
- (4) Election of the duration of the exclusion in accordance with 205 CMR 133.04;
- (5) An acknowledgement by the applicant that the individual will not enter the gaming area of a gaming establishment or any area in which pari-mutuel or simulcasting wagers are placed for the duration of the exclusion period (except as provided by 205 CMR 133.02(1)) and that it is their sole responsibility to refrain from doing so;
- (6) An acknowledgment by the applicant that the individual shall not collect any winnings or recover any losses resulting from any gaming activity at a gaming establishment for the duration of the exclusion period;
- (7) An acknowledgement by the applicant that he or she will forfeit all rewards or points earned through a player reward card program;
- (8) An offer by the commission or the designated agent completing the self-exclusion application to assist the applicant to access information about gambling disorders, self-guided help or counseling services with a clinician approved by the Massachusetts Department of Public Health;
- (9) An acknowledgment of understanding by the applicant that by placing their name on the voluntary self-exclusion list the prohibitions identified in 205 CMR 133.02(1) apply to all gaming establishments licensed by the commission in Massachusetts, any affiliates of the gaming licensee, whether within Massachusetts or another jurisdiction, and that the commission may share the list with other domestic or international gaming jurisdictions resulting in placement on those lists;
- (10) An acknowledgment by the applicant that he or she is submitting the application freely, knowingly, and voluntarily;
- (11) A statement that the individual is not under the influence of a substance or suffering from a mental health condition that would impair their ability to make an informed decision;
- (12) An acknowledgement by the applicant that if they violate their agreement to refrain from entering a gaming area of a gaming establishment or any area in which pari-

mutuel or simulcasting wagers are placed during the exclusion period, the applicant shall notify the commission of such violation within 24 hours of their presence within the gaming area of the gaming establishment or any area in which pari-mutuel or simulcasting wagers are placed; and releasing the Commonwealth of Massachusetts, the commission, the licensee, and all affiliated employees from any claims associated with their breach of the agreement; and

- (13) An acknowledgement by the applicant that once their name is placed on the self-exclusion list they may be refused entry and/or ejected from the gaming area of a gaming establishment by the gaming licensee, an agent of the commission, or law enforcement personnel

Regulation: 205 CMR 133.04: Duration of Exclusion and Removal from the List.

- (1) As part of the request for voluntary self-exclusion, the individual must select the duration for which they wish to be voluntarily excluded. An individual may select any of the following time periods as a minimum length of exclusion:
 - (a) Six months;
 - (b) One year;
 - (c) Three years;
 - (d) Five years; or
 - (e) Lifetime (An individual may only select the lifetime duration if their name has previously appeared on the voluntary self-exclusion list for at least six months.)
- (2) An individual on the voluntary self-exclusion list may not apply to decrease the duration of exclusion. An individual who is on the list may submit a request to increase the minimum length of exclusion.
- (3) Upon expiration of the selected duration of exclusion, individuals may request that their name be removed from the list or petition for exclusion for a new duration. Individuals shall remain on the list after the expiration of the selected duration of exclusion until such time as they submit a petition for removal in accordance with 205 CMR 133.04(4) and it is approved by the commission or its designee.
- (4) At any time after the expiration of the selected duration of exclusion, an individual may request that their name be removed from the voluntary self-exclusion list by submitting a petition for removal on a form approved by the commission. The petition shall include confirmation from a designated agent that the individual completed an exit session in accordance with 205 CMR 133.04(5). Any petition for removal received by the commission prior to the expiration of the duration of the selected exclusion period shall be denied. The commission shall approve a completed petition for removal. An individual who has selected a lifetime duration in accordance with 205 CMR 133.04(1)(e) may not submit a petition for removal of their name from the list. An incomplete application, including one that fails to demonstrate completion of an exit session in accordance with 205 CMR 133.04(5) shall be denied until such time as the application is completed.
- (5) To be eligible for removal from the voluntary self-exclusion list the petitioner shall participate in an exit session with a designated agent. The exit session shall include a review of the risks and responsibilities of gambling, budget setting and a review of problem gambling resources should the petitioner wish to seek them. Upon completion of the exit session the designated agent shall sign the individual's petition for removal from the list attesting to the fact that the exit session was conducted.

- (6) Upon approval of a petition for removal from the voluntary self-exclusion list, a written notice of removal from the list shall be forwarded by the commission, or its designee, to each gaming licensee and to the petitioner. Notice may be forwarded to the petitioner by email or first class mail to the email address or home address provided by the petitioner in the petition. The petitioner shall be deemed to be removed from the voluntary self-exclusion list when the notice is sent by the commission or its designee.
- (7) If a petitioner does not meet the eligibility requirements for removal from the list provided in 205 CMR 133.04(4), the petition shall be denied. The petitioner shall be notified of the denial by email or first class mail to the email address or home address provided by the petitioner in the petition. In the event of a denial of a petition, the individual shall remain on the voluntary self-exclusion list until such time as the eligibility requirements have been satisfied.
- (8) An individual whose name has been removed from the voluntary self-exclusion list may reapply for placement on the list at any time by submitting an application in accordance with 205 CMR 133.02.
- (9) An individual whose name was added to the voluntary self-exclusion list in Massachusetts in accordance with 205 CMR 133.02(9) shall be removed from the list notwithstanding 205 CMR 133.04(4) through (6) upon receipt of written notice from the referring jurisdiction that the individual's name has been removed from that jurisdiction's list.

Regulation: 205 CMR 133.05. Maintenance and Custody of the List.

- (1) The commission shall maintain an up-to-date database of the voluntary self-exclusion list. Gaming licensees shall be afforded access to the voluntary self-exclusion list. The voluntary self-exclusion list may only be accessed by individuals authorized in accordance with the gaming licensee's approved system of internal controls in accordance with 205 CMR 133.00. All information contained in approved applications for voluntary exclusion may be disclosed to a gaming licensee.
- (2) The list of voluntary self-exclusion is exempt from disclosure under M.G.L. c. 66 and shall not be publicly disclosed by a gaming licensee. However, a gaming licensee may share the list with other gaming licensees in Massachusetts or its affiliates in other jurisdictions for the purpose of assisting in the proper administration of responsible gaming programs operated by affiliated gaming establishments.
- (3) The commission may disclose de-identified information from the self-exclusion list to one or more research entities selected by the commission for the purpose of evaluating the effectiveness and ensuring the proper administration of the self-exclusion process.

Regulation: 205 CMR 133.06: Responsibilities of the Gaming Licensees

A gaming licensee shall have the following responsibilities relative to the administration of the voluntary self-exclusion list:

- (1) A gaming licensee shall eject from or refuse entry into the gaming area of a gaming establishment or any area in which pari-mutuel or simulcasting wagers are placed any individual whose name appears on the voluntary self-exclusion list;
- (2) A gaming licensee shall promptly notify the commission, or its designee, if an individual on the voluntary self-exclusion list is found in the gaming area of a gaming establishment or any area in which pari-mutuel or simulcasting wagers are placed;
- (3) A gaming licensee shall not market to individuals on the voluntary self-exclusion list;

- (4) A gaming licensee shall deny access to complimentary services or items, check cashing privileges, player reward programs, and other similar benefits to persons on the list;
- (5) Individuals on the voluntary self-exclusion list shall not be permitted to participate in a cashless wagering system. A gaming licensee shall take steps to ensure that it denies entry into and terminates all access and privileges associated with its cashless wagering program to individuals on the voluntary list of self-excluded persons;
- (6) A gaming licensee shall not extend credit to an individual on the voluntary self-exclusion list;
- (7) A gaming licensee shall not pay any winnings derived from gaming to an individual who is prohibited from gaming in a gaming establishment under 205 CMR 133.00. Where reasonably possible, the gaming licensee shall confiscate from the individual in a lawful manner, notify a commission agent who shall confiscate, or refuse to pay any such winnings including jackpot winnings, chips, tokens, machine credits, ticket vouchers, or any other form of winnings whether in the individual's possession or control while on the premises of a gaming establishment or presented for payment. The monetary value of the confiscated winnings shall be paid to the commission for deposit into the Gaming Revenue Fund within 45 days;
- (8) In cooperation with the commission, and where reasonably possible, the gaming licensee shall determine the amount wagered and lost by an individual who is prohibited from gaming. The monetary value of the losses shall be paid to the commission for deposit into the Gaming Revenue Fund within 45 days.
- (9) A gaming licensee shall submit a written policy for compliance with the voluntary self-exclusion program for commission approval at least 60 days before the gaming establishment opening. The commission shall review the plan for compliance with 205 CMR 133.00. If approved, the plan shall be implemented and followed by the gaming licensee. The plan for compliance with the voluntary self-exclusion program, shall include at a minimum procedures to:
 - (a) Prevent employees from permitting an individual on the voluntary exclusion list from engaging in gambling activities at the gaming establishment;
 - (b) Identify and remove self-excluded individuals from the gaming area of a gaming establishment or any area in which pari-mutuel or simulcasting wagers are placed;
 - (c) Remove individuals on the self-exclusion list from marketing lists and refrain from sending or transmitting to them any advertisement, promotion, or other direct marketing mailing from the gaming establishment more than 30 days after receiving notice from commission that the individual has been placed on the voluntary self-exclusion list;
 - (d) Prevent an individual on the voluntary self-exclusion list from having access to credit, cashless wagering program access, or from receiving complimentary services, check-cashing services, junket participation and other benefits from the gaming establishment;
 - (e) Ensure the confidentiality of the identity and personal information of the voluntarily self-excluded individual;
 - (f) Training of employees relative to the voluntary self-exclusion program to be provided in conjunction with its problem gambling training program.

- (10) A gaming licensee shall notify the commission within ten days if an employee or agent fails to exclude or eject from its premises any individual on the list of self-excluded persons, or otherwise fails to perform a responsibility of the gaming establishment identified in 205 CMR 133.06 including any provision of its approved written policy for compliance with the voluntary self-exclusion program.

Regulation: 205 CMR 133.07. Sanctions Against a Gaming Licensee.

The commission may revoke, limit, condition, suspend or fine a gaming licensee in accordance with 205 CMR if the establishment knowingly or recklessly fails to exclude or eject from its premises any individual placed on the list of self-excluded persons. It shall not be deemed a knowing or reckless failure if an individual on the voluntary self-exclusion list shielded their identity or otherwise attempted to avoid identification while present at a gaming establishment. Further, a gaming licensee shall be deemed to have marketed to an individual on the self-exclusion list only if marketing materials are sent directly to an address, email address, telephone number, or other contact identified by the individual on their application.

Regulation: 205 CMR 133.08. Collection of Debts.

- (1) An individual who is prohibited from gaming in a gaming establishment under 205 CMR 133.00 shall not be entitled to recover losses as a result of prohibited gaming based solely on their inclusion on the list.
- (2) Nothing in 205 CMR 133.00 shall be construed so as to prohibit a gaming licensee from seeking payment of a debt from an individual whose name is on the voluntary self-exclusion list if the debt was accrued by the individual before their name was placed on the list.

Restrictions on alcoholic beverages

Regulation: 205 CMR 136.02. General Provisions.

- (1) No person may sell or distribute alcoholic beverages to be drunk on the premises of a gaming establishment except as allowed by a gaming beverage license. Alcoholic beverages served in a licensed area in accordance with the terms of a gaming beverage license may be consumed in any part of the premises of the gaming establishment subject to any restrictions or conditions placed on the gaming beverage license in the interest of the integrity of gaming and/or public health, welfare, or safety.

Regulation: 205 CMR 136.07: Practices and Conditions of License.

- (5) Postings. The gaming beverage licensee shall post in a location continuously conspicuous to the public within each licensed area and wherever alcoholic beverages are served:
 - (a) a copy of the licensed area addendum pursuant to 205 CMR 136.09(2) for the licensed area, and
 - (b) a summary of M.G.L. c. 90, § 24 prohibiting driving under the influence and stating the maximum penalties provided therefore.
- (7) Prohibited Distribution. A gaming beverage licensee, jointly responsible person, and their respective agents and employees, except as otherwise provided by 205 CMR 136.07:

- (a) may not offer or deliver more than two drinks to one individual at a time (except that a bottle of wine may be served to one or more patrons);
- (b) may not sell, offer to sell or deliver to any person an unlimited number of drinks during any set period of time for a fixed price (i.e. open bar), except at invitation-only private functions not open to the public;
- (c) may not increase the volume of alcoholic beverages contained in a drink without increasing proportionately the price regularly charged for such drink during the same calendar week;
- (d) may not offer or deliver malt beverages or mixed drinks by the pitcher except to two or more persons at any one time;
- (e) may not encourage or permit any game or contest which involves drinking alcoholic beverages or the awarding of alcoholic beverages as prizes;
- (f) may not serve an alcoholic beverage to any person who is visibly intoxicated;
- (g) may not serve an alcoholic beverage to any person who is younger than 21 years old; and
- (h) may not serve or distribute alcoholic beverages at the gaming establishment between 2:00 A.M. and 8:00 A.M.

Regulation: 205 CMR 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 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.

Treatment and research funding

Statute: M.G.L., Ch. 23K, § 56. Fees and annual assessment of costs not otherwise covered by fees or other sources of funding.

In addition to the fees collected under this section and any additional costs of the commission, the commission shall assess an annual fee of not less than \$5,000,000 in proportional shares against each gaming licensee in proportion to the number of gaming positions at each gaming establishment for the costs of service and public health programs dedicated to addressing problems associated with compulsive gambling or other addiction services. Such assessed fees shall be deposited into the Public Health Trust Fund established in section 58.

Statute: M.G.L., Ch. 23K, § 58. Public Health Trust Fund.

There is hereby established and set up on the books of the commonwealth a separate fund to be known as the Public Health Trust Fund. The fund shall consist of fees assessed under section 56 and all other monies credited or transferred to the fund from any other source under law. The secretary of health and human services shall be the trustee of the fund and

may only expend monies in the fund, without further appropriation, to assist social service and public health programs dedicated to addressing problems associated with compulsive gambling including, but not limited to, gambling prevention and addiction services, substance abuse services, educational campaigns to mitigate the potential addictive nature of gambling and any studies and evaluations necessary, including the annual research agenda under section 71, to ensure the proper and most effective strategies.

Statute: M.G.L., Ch. 23K, § 59. Gaming Revenue Fund.

There shall be established and set up on the books of the commonwealth a Gaming Revenue Fund which shall receive revenues collected from the tax on gross gaming revenue received from gaming licensees. The commission shall be the trustee of the fund and shall transfer monies in the fund as follows:

- (2) 100 per cent of the revenue received from a category 1 licensee shall be transferred as follows:
 - (k) 5 per cent to the Public Health Trust Fund established in section 58.

Statute: M.G.L., Ch. 23K, § 71. Development of annual research agenda in furtherance of understanding the social and economic effects of expanded gaming in the commonwealth.

The commission, with the advice of the gaming policy advisory committee, shall develop an annual research agenda in order to understand the social and economic effects of expanding gaming in the commonwealth and to obtain scientific information relative to the neuroscience, psychology, sociology, epidemiology and etiology of gambling. The secretary of health and human services, with the advice and consent of the commission, may expend funds from the Public Health Trust Fund established in section 58 to implement the objectives of the research agenda which shall include, but not be limited to:

- (1) a baseline study of the existing occurrence of problem gambling in the commonwealth; provided, however, that the study shall examine and describe the existing levels of problem gambling and the existing programs available that prevent and address the harmful consequences of problem gambling; provided further, that the commission shall contract with scientists and physicians to examine the current research as to the causes for problem gambling and the health effects of problem gambling and the treatment methods currently available in the commonwealth; provided further, that the commission shall report on the findings of the baseline study and provide recommendations to the house and senate committees on ways and means, the joint committee on economic development and emerging technologies, the joint committee on mental health and substance abuse and the joint committee on public health relative to methods to supplement or improve problem gambling prevention and treatment services;
- (2) comprehensive legal and factual studies of the social and economic impacts of gambling in the commonwealth on: (a) state, local and Indian tribal governments; and (b) communities and social institutions generally, including individuals, families and businesses within such communities and institutions;

provided, however, that the matters to be examined in such studies shall include, but not be limited to:

- (i) a review of existing federal, state, local and Indian tribal government policies and practices with respect to the legalization or prohibition of gambling, including a review of the costs of such policies and practices;
 - (ii) an assessment of the relationship between gambling and levels of crime and of existing enforcement and regulatory practices intended to address any such relationship;
 - (iii) an assessment of pathological or problem gambling, including its impact on individuals, families, businesses, social institutions and the economy;
 - (iv) an assessment of the impact of gambling on individuals, families, businesses, social institutions and the economy generally, including the role of advertising in promoting gambling and the impact of gambling on depressed economic areas;
 - (v) an assessment of the extent to which gaming has provided revenues to other state, local and Indian tribal governments;
 - (vi) an assessment of the costs of added infrastructure, police force, increased unemployment, increased health care and dependency on public assistance;
 - (vii) an assessment of the impact of the development and operation of the gaming establishment on small businesses in host communities and surrounding communities, including a review of any economic harm experienced and potential solutions to mitigate associated economic harm; and
 - (viii) the costs of implementing this chapter.
- (3) individual studies conducted by academic institutions and individual researchers in the commonwealth to study topics which shall include, but not be limited to:
- (i) reward and aversion, neuroimaging and neuroscience in humans, addiction phenotype genotype research, gambling-based experimental psychology and mathematical modeling of reward-based decision making;
 - (ii) the sociology and psychology of gambling behavior, gambling technology and marketing; and
 - (iii) the epidemiology and etiology of gambling and problem gambling in the general population; provided, however, that when contracting with researchers to study such issues, the commission shall encourage the collaboration among researchers in the commonwealth and other states and jurisdictions.

The commission and the committee shall annually make scientifically-based recommendations which reflect the results of this research to the house and senate committees on ways and means, the joint committee on economic development and emerging technologies, the joint committee on mental health and substance abuse and the joint committee on public health. The commission shall consider any such recommendations, research and findings in all decisions related to enhancing responsible gambling and mitigating problem gambling.

Regulation: 205 CMR 121.01. Licensing and Assessment Fees.

- (3) The following fees are due and payable to the commission for each gaming establishment:
 - (c) An annual fee, as provided by M.G.L. c. 23K, § 56(e) reflecting each gaming establishment's share of at least \$5,000,000 to be deposited into the Public Health Trust Fund in proportion to the number of gaming positions projected for the gaming establishment; provided, however, that such assessment may be adjusted by the commission at any time after payment is made where required to reflect the actual number of gaming positions at a gaming establishment, and accordingly, the payment of additional funds may be required or a credit may be issued towards the payment due the following year;
- (4) The fee required under 205 CMR 121.01(3)(c) shall be assessed on or about 30 days prior to the start of the commission fiscal year. The commission will assess this fee commencing with fiscal year 2016.
- (5) All license fees and assessments due to the commission shall be due and payable within 30 days of receipt of an invoice from the commission.
- (6) All license fees and assessments shall be submitted in the form of a certified check or secure electronic funds transfer payable to the "Massachusetts Gaming Commission."
- (7) In the event that a licensee fails to pay any fees or assessments as provided in 205 CMR 121.01, the commission may take any remedial action it deems necessary up to and including revocation of the gaming license.

Property signage

Statute: M.G.L., Ch. 23K, § 21. Form of gaming license and condition for licensees.

- (a) The commission shall prescribe the form of the gaming license, which shall include, but not be limited to, the following license conditions for each licensee. The licensee shall:
 - (17) keep conspicuously posted in the gaming area a notice containing the name and a telephone number for problem gambling assistance; provided, however, that the commission may require the gaming licensee to provide this information in more than 1 language.

Credit restrictions

Statute: M.G.L. Ch. 23K, § 27. Issuance of credit by gaming licensee to patron of a gaming establishment.

- (g) A person may petition the commission to place the person's name on a list of persons to whom the extension of credit by a gaming establishment shall be prohibited. Any person filing such petition shall submit to the commission the person's name, address and date of birth. The person shall not be required to provide a reason for the request. The commission shall provide this list to the credit department of each gaming establishment; provided, however, that neither the commission nor the credit department of a gaming establishment

shall divulge the names on this list to any person or entity other than those provided for in this subsection. If such a person wishes to have their name removed from the list, the person shall petition the commission in accordance with procedures for removal set forth by the commission. If the commission approves the request, the commission shall so inform the credit department of the gaming establishments not later than 7 days after approving the request.

Regulation: 205 CMR 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. A gaming licensee's policies and procedures governing the issuance of credit shall ensure at a minimum that:
 - (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 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
 - (g) Credit officers will obtain 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.
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). “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) 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:
 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.
 - (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.

Regulation: 205 CMR 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;
 - (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.
- (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.

Restrictions on financial instruments

Statute: M.G.L. Ch. 23K, § 27. Issuance of credit by gaming licensee to patron of a gaming establishment.

- (f) The commission shall, in consultation with the department of transitional assistance, the department of labor and workforce development, the department of housing and community development or the applicable administering agency, establish by regulation procedures and standards to prohibit a gaming establishment or any person acting on behalf of a gaming establishment from:
 - (i) cashing a government-issued check;
 - (ii) from operating on its premises any credit card or automated teller machine that would allow a patron to obtain cash from a government-issued electronic benefits transfer card; and
 - (iii) from extending or issuing credit to a patron of a gaming establishment who receives any form of income-based public assistance including, but not limited to, the supplemental nutrition assistance program, temporary assistance for needy families, emergency aid to elders, disabled and children, public housing assistance, MassHealth and unemployment insurance. The procedures and standards established shall ensure the privacy of all patrons receiving public assistance.

Regulation: 205 CRM 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:

- (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 or to process a credit card cash advance transaction.

Other

Statute: M.G.L., Ch. 23K, § 21. Form of gaming license and condition for licensees.

Section 21. (a) The commission shall prescribe the form of the gaming license, which shall include, but not be limited to, the following license conditions for each licensee. The licensee shall:

- (16) provide complimentary on-site space for an independent substance abuse, compulsive gambling and mental health counseling service and establish a program to train gaming employees in the identification of and intervention with customers exhibiting problem gaming behavior.

Self-exclusion

Statute: MCL 432.225. Disassociated Persons.

1. The board shall create a list of disassociated persons. The board shall, with the assistance of casino licensees, inform each patron of the list of disassociated persons and explain how the patron may add his or her name to the list.
2. The board may add an individual's name to the list of disassociated persons if the individual has notified the board in writing of his or her pledge not to visit a casino in this state by filing an application for placement on the list of disassociated persons with the board.
3. The board shall create and make available an application for placement on the list of disassociated persons. The application shall include all of the following information about the individual who is applying:
 - a. Full name and all aliases.
 - b. Physical description including height, weight, hair and eye color, skin color, and any other noticeable physical characteristics.
 - c. Occupation.
 - d. Current home and work addresses and phone numbers.
 - e. Social security number.
 - f. Date of birth.
 - g. Statement that the individual believes he or she is a problem gambler and is seeking treatment.
 - h. A photograph suitable for the board and casino licensees to use to identify the individual,
 - i. Other information that the board considers necessary.
4. An individual's name shall be placed on the list of disassociated persons after all of the following have occurred:
 - a. The individual has submitted an application to be placed on the list of disassociated persons to the Michigan gaming control board.
 - b. The application has been verified by a representative of the board.
 - c. The individual has signed an affidavit in which he or she affirms that he or she wishes to be placed on the list of disassociated persons and authorizing the board to release the contents of his or her application to all casino licensees in this state.
 - d. The individual signs a form releasing the state of Michigan, the board, and the casino licensees from any injury the individual suffers as a consequence of placing his or her name on the list of disassociated persons.
 - e. The individual signs a form stating that he or she understands and authorizes all of the following:

- i. That a criminal complaint for trespassing will be filed against him or her if he or she is found on the premises of a casino in this state and he or she will be immediately removed from the casino premises.
 - ii. That if he or she enters a casino and wins any money, the board will confiscate the winnings.
5. An individual who has his or her name placed on the list of disassociated persons shall remain on the list for the remainder of his or her life.
6. After an application has been submitted to the board, the chairperson of the board shall file a notice of placement on the list of disassociated persons with the board at the next closed session. Information contained in an application under subsection (4) is exempt from disclosure under section 4c of this act and is not open for public inspection. The information shall be disclosed to the board, each casino licensee in this state, the department of attorney general, and the department of state police.
7. The list of disassociated persons shall be provided to each casino licensee, the department of attorney general, and the department of state police.
8. Each casino licensee in this state shall submit to the board a plan for disseminating the information contained in the applications for placement on the list of disassociated persons. The board shall approve the plan. The plan shall be designed to safeguard the confidentiality of the information but shall include dissemination to all of the following:
 - (a) The general casino manager or the managerial employee who has responsibility over the entire casino operations.
 - (b) All security and surveillance personnel.
 - (c) The department of state police.
9. A casino licensee shall not extend credit, offer check cashing privileges, offer coupons, market its services, or send advertisements to, or otherwise solicit the patronage of, those persons whose names are on the list of disassociated persons.
10. The casino licensee shall keep a computer record of each individual whose name is on the list of disassociated persons. If a casino licensee identifies a person on the premises of a casino, the licensee shall immediately notify the board, a representative of the board, or a representative of the department of state police who is on the premises of the casino. After the licensee confirms that the individual has filed an affidavit under this section, the licensee shall do all of the following:
 - (a) Immediately remove the individual from the casino premises.
 - (b) Report the incident to the prosecutor for the county in which the casino is located.
11. A casino licensee who violates this act is subject to disciplinary action by the board.
12. The board shall promulgate rules to implement and administer this act.
13. An individual who has placed his or her name on the list of disassociated persons who enters a casino in this state is guilty of criminal trespassing punishable by imprisonment for not more than 1 year, a fine of not more than \$1,000.00, or both.
14. This act does not create any right or cause of action on behalf of the individual whose

name is placed on the list of disassociated persons against the state of Michigan, the board, or a casino licensee.

15. Any winnings collected by the board under this act shall be deposited into the compulsive gaming prevention fund.

Treatment and research funding

Statute: MCL 432. 212a. Payment of regulatory and enforcement costs, programs, activities, and services; total annual assessment; state services fee fund.

- (1) In addition to application and license fees described in this act, compulsive gambling programs shall be paid by casino licensees as provided by this section.
- (2) The total annual assessment for the first year in which any casino licensee under this act begins operating a casino in this state shall be \$25,000,000.00.
- (3) The total annual assessment required under this subsection shall be adjusted each year by multiplying the annual assessment for the immediately preceding year by the Detroit consumer price index for the immediately preceding year. As used in this subsection, "Detroit consumer price index" means the annual consumer price index for Detroit consumers as defined and reported by the United States department of labor, bureau of labor statistics.
- (4) On or before the date the casino licensee begins operating the casino and annually on that date thereafter, each casino licensee shall pay to the state treasurer an equal share of the total annual assessment required under this section. In no event shall a casino's assessment exceed 1/3 of the total annual assessment required under this section.
- (5) From the amount collected under subsection (4) [annual casino assessment], \$2,000,000.00 shall be deposited in the compulsive gaming prevention fund.

Statute: MCL 432. 253. Compulsive gaming prevention fund; creation; disposition; distributions; investment; credit of interest and earnings; lapsed funds; fees for addiction treatment.

- (1) The compulsive gaming prevention fund is created within the department of treasury.
- (2) All of the following shall be deposited in the compulsive gaming prevention fund:
 - a. The money appropriated from the state services fee fund created under the Michigan gaming control and revenue act, the Initiated Law of 1996, MCL 432. 201 to 432. 216, for the compulsive gaming prevention fund.
 - b. A percentage of the net revenue in the state lottery fund created in section 41 of the McCauley-Traxler-Law-Bowman-McNeely lottery act, 1972 PA 239, MCL 432. 41, that is equal to not less than 10% of each year's state lottery advertising budget but not to exceed \$1,000,000.00.
 - c. A percentage of the Michigan agriculture equine industry development fund created in section 20 of the horse racing law of 1995, 1995 PA 279, MCL 431. 320, that is equal to 1/10 of 1% of the gross wagers made each year in each of the racetracks licensed under the horse racing law of 1995, 1995 PA 279, MCL 431. 301 to 431.336.
- (3) Of the funds available in the compulsive gaming prevention fund, up to \$1,040,000.00 may be distributed annually to the violence and treatment board created in section 2 of 1978 PA 389, MCL 400.1502. The remaining money in the compulsive gaming prevention fund shall be distributed as determined by the director of community health to be used exclusively

- for the treatment, prevention, education, training, research, and evaluation of pathological gamblers and their families and to fund the toll-free compulsive gaming helpline number.
- (4) Funds remaining in the compulsive gaming prevention fund at the close of the fiscal year shall remain in the compulsive gaming prevention fund and shall not lapse to the general fund.
 - (5) Money remaining in the compulsive gaming prevention fund at the close of the fiscal year shall remain in the compulsive gaming prevention fund and shall not lapse to the general fund.
 - (6) The department of community health may establish fees for the treatment of pathological gambling addictions.

Statute: MCL 432. 254. Distribution of funds; authorization; use.

- (1) If the director of the department of community health determines that the money in the compulsive gaming prevention fund is inadequate to fund the services, programs, or research required under this act, the Michigan gaming control board may assess a fee on each of the 3 casinos licensed under the Michigan gaming control and revenue act, the Initiated Law of 1996, MCL 432. 201 to 432. 216, that will equal the additional amount needed to adequately fund the services, programs, and research required under this act.
- (4) The director of the department of community health, after consulting with the racing commissioner, the commissioner of the state lottery, and the chairperson of the Michigan gaming control board, shall authorize the distribution of funds from the compulsive gaming prevention fund to be used exclusively for the treatment, prevention, education, training, research, and evaluation of pathological gamblers and their families.

Statute: MCL § 432. 255. Funding levels; changes; submission of results and recommendations; assessment of fee on casinos licensed under MCL §§432. 201 to 432. 216.

- (1) The results of funded studies and recommendations for any changes in funding levels shall be submitted to the racing commissioner, the commissioner of the state lottery, the chairperson of the Michigan gaming control board, the chairs of the senate and house committees on gaming issues, the senate and house of representatives appropriations committees and the director of the department of community health.
- (2) If the director of the department of community health determines that the money in the compulsive gaming prevention fund is inadequate to fund the services, programs, or research required under this act, the Michigan gaming control board may assess a fee on each of the 3 casinos licensed under the Michigan gaming control and revenue act, the Initiated Law of 1996, MCL 432.201 to 432.216, that will equal the additional amount needed to adequately fund the services, programs, and research required under this act.

Statute: MCL 432. 256. Public funds for treatment of pathological gamblers; legislative intent.

It is the intent of the legislature to preserve the funds appropriated for the department of community health for the treatment of individuals pursuant to the mental health code, 1974 PA 258, MCL 330.1001 to 330.2106. Therefore, public funds for the treatment of pathological gamblers shall be taken exclusively from the compulsive gaming prevention fund.

Property signage

Statute: MCL 432. 209c: Toll-free compulsive gaming helpline number.

- (1) A person who holds a casino license issued pursuant to this act shall conspicuously post at each entrance and exit of the casino, on each electronic funds transfer terminal, and at each credit location a visually prominent sign on which is printed a toll-free compulsive gaming helpline number.

Advertising disclosures

Statute: MCL 432. 209c: Toll-free compulsive gaming helpline number.

- (2) A person who holds a casino license shall include a toll-free compulsive gaming helpline number on all of its printed advertisement and promotional materials.

Credit Restrictions

Statute: MCL 432-225. Dissasociated persons.

- (9) A casino licensee shall not extend credit to those persons whose names are on the list of disassociated persons.

Self-exclusion

Regulation: 13 Miss. Admin. Code Pt. 3, Ch. 10, R. 10.1. Definitions.

The following words and terms, when used in these regulations concerning self-exclusion procedures J., shall have the following meanings:

- (a) “Self-exclusion” means voluntarily having oneself barred from the premises of any licensed gaming establishment (hereinafter “casino”) in Mississippi and from all gaming-related activities and privileges, including the issuance of gaming credit and check-cashing privileges; the receipt of direct-marketing and promotional materials regarding gaming opportunities, junket solicitations, player club memberships, complimentary goods and services and the like; and collection of any winnings or recovery of any losses during the exclusionary period.
- (b) “Premises” for purposes of self-exclusion shall mean “premises” as defined in the Gaming Control Act, §75-76-5(bb).
- (c) “Self-excluded person” means any person whose name is included on the self-exclusion list maintained by the Commission.
- (d) “Self-exclusion list” mean the list of names of self-excluded persons.

Regulation: 13 Miss. Admin. Code Pr. 3, Ch. 10, R. 10.2. Request for Self-Exclusion.

- (a) Any person may request self-exclusion pursuant to these regulations by appearing personally at any office of the Mississippi Gaming Commission where he or she shall:
 - (1) Present valid identification credentials containing:
 - (A) His or her signature; and
 - (B) Either a photograph or a general physical description
 - (2) Be photographed by the Commission; and
 - (3) Submit a completed Request for Self-Exclusion form; and
 - (4) Turn over to the Commission all player club cards and similar items issued by any casinos to the person for purposes of gambling.
- (b) The Request for Self-Exclusion shall be on a form prescribed by the Commission, and shall be available at all licensed casinos and at any office of the Mississippi Gaming Commission.
- (c) The Request for Self-Exclusion form shall include:
 - (1) The following identifying information concerning the person submitting the self-exclusion request:
 - (A) Name, including any aliases or nicknames;

- (B) Date of birth;
 - (C) Address of current residence;
 - (D) Telephone number of current residence;
 - (E) Social Security number, if such information is voluntarily provided by the person requesting self-exclusion;
 - (F) A physical description of the person, including height, weight, gender, hair color, eye color and any other physical characteristic that may assist in the identification of the person;
- (2) The length of the self-exclusion period requested by the person, which may be for any length of time up to lifetime, but in no event for less than five years.
- (3) A waiver and release that shall be in the following form:

“I hereby release and hold the State of Mississippi, the Mississippi Gaming Commission and its employees, and all casinos and their affiliated companies, employees, officers and agents harmless from any claim by me or any third party for any harm, monetary or otherwise, which may arise out of or by reason of any act or omission relating to the request for self-exclusion or maintenance or enforcement of the self-exclusion list, including, but not limited to, the forfeiture of any money or thing of value obtained by me from, or owed to me by, a casino as a result of wagers made by me while on the self-exclusion list.”

- (4) The signature of the person submitting the Request for Self- Exclusion indicating acknowledgment of the following statement:

“Because I am a problem gambler, I am voluntarily requesting exclusion from the entire premises of all Mississippi casinos, including gaming premises, restaurants, and hotels, and from the issuance of gaming credit, check-cashing privileges, receipt of direct-marketing and promotional materials regarding gaming opportunities, and collection of any winnings or recovery of any losses during the exclusionary period. I understand that no further points, rewards or benefits may be accumulated or redeemed from the player recognition programs I have participated in. I understand that this self-exclusion request does not release me from any debts incurred prior to or during the self-exclusion period. I understand that during the self-exclusion period, any money or thing of value obtained by me from, or owed to me by, a casino as a result of wagers made by me while on the self-exclusion list shall be subject to forfeiture to the Mississippi Gaming Commission for donation to the Mississippi Council on Compulsive Gambling. I hereby consent to having this form, my photograph and identifying information disseminated to necessary casino personnel to identify me should I attempt to return to any casino, and further consent to having said information disclosed to casino affiliated companies outside of Mississippi and that I may be excluded from those casinos without further action on my part. I likewise acknowledge that my self-exclusion information may be forwarded by the Mississippi Gaming Commission to the Louisiana and/or Choctaw Gaming Commissions for dissemination to casinos in those jurisdictions, such that I may be self-excluded

from those casinos. I acknowledge that for my request of self-exclusion to be truly effective, I must exercise self-restraint and shall not attempt to enter the premises of any casino or ask any casino employee to assist me with any of the services or privileges, which are the subject of this request. I acknowledge that I am hereby banned and forbidden from entering the premises of any casino and that if I am found anywhere on the premises of a Mississippi casino, I will immediately be ejected, and, within the discretion of the casino, may be arrested and prosecuted for criminal trespass pursuant to Miss. Code Ann. 97-17-97; and my continued non-cooperation or attempt to breach my self-exclusion may result in placement by the Commission on the involuntary exclusion list. I certify that the information that I have provided herein is true and accurate, and that I have read, understand and agree to the waiver and release above.”

- (5) An indication of the type of identification credentials examined containing the signature of the person requesting self-exclusion, and whether said credentials included a photograph or just a general physical description of the person; and
 - (6) The signature of a Commission employee authorized to accept such request, indicating that the signature of the person on the Request for Self-Exclusion appears to agree with that contained on his or her identification credentials, and that the photograph or physical description of the person contained on his identification credentials appears to agree with his or her actual appearance.
- (d) The request for self-exclusion may be made only by the individual for whom exclusion would apply, and not by any other person.

Regulation: 13 Miss. Admin. Code Pt. 3, Ch. 10, R. 10.3. Self-Exclusion List.

- (a) The Commission shall maintain the official self-exclusion list and shall notify each casino of any addition to or deletion from the list by electronic mail, to be followed up with notification via U.S. Mail and/or in the same manner and form as other notices are made by the Commission under these regulations.
- (b) The notice provided by the Commission to all casinos concerning any person whose name shall be either added to or deleted from the self-exclusion list will include the following information:
 - (1) All of the identifying information required by Section 2(c)(1) which was given on the Request for Self-Exclusion, or the request for removal from self-exclusion, whichever is applicable; and,
 - (2) A copy of the photograph taken by the Commission pursuant to Section 2(a).
- (c) Each casino shall maintain its own copy of the self-exclusion list and shall establish procedures to ensure that its copy of the self-exclusion list is updated and that all appropriate employees and agents of the casino are notified of any addition to or deletion from the list within ten (10) days after the day the notice is received by the casino.
- (d) Casinos with affiliated gaming establishments in other jurisdictions may choose to share the self-exclusion list with and invoke it in those establishments, in accordance with applicable laws and regulations in those jurisdictions, and without violation of the

confidentiality requirements of these regulations.

- (e) Information furnished to or obtained by the Commission pursuant to these regulations shall be deemed confidential and shall not be disclosed except in accordance with these regulations.
- (f) No casino, its affiliates, officers or employee thereof shall disclose the self-exclusion list or portion thereof except as necessary to comply with the provisions of these regulations. Notwithstanding the foregoing, such information may be disclosed to casino employees, officers, agents and affiliated companies, to law enforcement, and in response to a subpoena request or court order in criminal or civil proceedings.
- (g) Prior to the expiration of the self-exclusion period, any self-excluded person may request permission from the Commission to enter a specific casino to carry out the duties of employment in a non-gaming position only. Such requests must be made in writing by the human resources department of the casino and state with specificity the reason for the request along with employment documentation. Approval/denial of the request will be provided to the specified casino and to the excluded person making the request.
- (h) Those persons who are currently self-excluded from one (1) or more casinos upon the effective date of these regulations and whose self-exclusion period has not yet expired shall continue to be self-excluded for the length of time remaining on their self-exclusion period. Said exclusion shall remain effective only for those casinos for which the person requested self-exclusion. At the end of the self-exclusion period, said person's name shall be removed from that casino's self-exclusion list, unless that person submits a request under the procedures set out in these regulations. Those self-exclusion lists referenced above and maintained by the casinos under the prior regulation shall be given the same force and effect, where applicable, as the self-exclusion list provided for in these regulations, until all such persons' self-exclusion periods have expired.

Regulation: 13 Miss. Admin. Code Pt. 3, Ch. 10, R. 10.4. Duties of Casino.

- (a) Each casino shall have and make available to all patrons the Self-Exclusion Form developed and provided by the Commission.
- (b) Each casino shall designate a person or persons to be the contact person with the Commission for purposes of self-exclusion procedures, including receipt and maintenance of the self-exclusion list, submission of the casino licensee's procedures, and all other communications between the Commission and the casino for self-exclusion purposes.
- (c) Each casino shall establish procedures and systems which:
 - (1) Require employees of the casino, upon identification of a self-excluded person present in the casino, to notify:
 - (A) Those employees of the casino designated to monitor the presence of self-excluded persons; and
 - (B) Designated representatives of the Commission via facsimile transmission and U.S. mail;
 - (2) Utilize the player tracking systems and other electronic means, including checking all taxable patron winnings against the self-exclusion list, to assist in determining whether self-excluded persons are participating in any gaming activities;
 - (3) Deny casino credit, check cashing privileges, player club membership, complimentary

- goods and services, junket participation and other similar privileges and benefits to any self-excluded person;
- (4) Ensure that self-excluded persons do not receive, either from the casino or any agent thereof, targeted mailings, telemarketing promotions, player club materials or other promotional materials relative to gaming activities at its licensed casino.
- (d) Each casino shall post or provide at each entrance and exit to the gaming premises, and in conspicuous places in or near gaming or cage areas and cash dispensing machines located on the gaming premises written materials concerning the nature and symptoms of problem gambling, the procedure for self-exclusion, including where they can obtain the Request for Self-Exclusion form, and the toll-free number of the Mississippi Council on Compulsive Gambling or a similar entity approved by the Executive Director that provides information and referral services for problem gamblers.
 - (e) Upon discovery by a casino that a self-excluded person has breached his self-exclusion and obtained access to the premises, said casino shall take steps to immediately eject such person from the premises, and notify the Commission of the breach. Both the security and surveillance departments shall immediately determine, to the extent possible:
 - (1) How the person was able to gain access to the premises without being detected and, where possible, how the casino plans to prevent such breaches in the future;
 - (2) Whether and how many times said person has gained such access on previous occasions; and
 - (3) The net winnings or losses attributable to the excluded person, in which case the casino shall retain any such winnings and, after withholding appropriate taxes, donate said winnings to the Mississippi Council on Compulsive Gambling. A report of the foregoing shall be prepared and forwarded to the Commission within five (5) days after the breach is discovered.
 - (f) Each casino shall submit to the Commission for written approval a copy of its procedures established pursuant to these regulations within 90 days from the adoption of this regulations concerning self-exclusion. Any amendment to the casino's procedures shall be submitted to the Commission at least fourteen (14) days prior to their implementation.

Regulation: 13 Miss. Admin. Code Pt. 3, Ch. 10, R. 10.5. Removal from self-exclusion list.

- (a) Except for those persons choosing a lifetime self-exclusion, removal from the self-exclusion shall be automatic upon expiration of the period of self-exclusion specified under Section 2(c)(2) above.
- (b) Upon the expiration of the self-exclusion period, the Commission shall delete the name of the person from the self-exclusion list and notify each casino of such deletion from the list as set out in Section 3(a) and (b) above.

Regulation: 13 Miss. Admin. Code Pt. 3, Ch.10, R. 10.7. Noncompliance.

- (a) Any casino violating any requirements of these regulations on self-exclusion may be subject to disciplinary action by the Mississippi Gaming Commission.
- (b) Any self-excluded person violating the terms of his or her self-exclusion agreement during the self-excluded period may be subject to (1) conviction for criminal trespass, and/or (2)

placement by the Commission on the involuntary exclusion list as set out in Part V. of these regulations.

- (c) The provisions of this regulation are solely regulatory in nature and neither create a minimum standard of care toward the public nor establish a private cause of action for non-compliance.

Regulation: 13 Miss. Admin. Code, Pt. 3, Ch. 10, R. 10.8. Sharing the Self-Exclusion List with other jurisdictions.

The Commission may enter into agreements with the Louisiana Gaming Commission and/or with the Choctaw Gaming Commission for the mutual sharing of self-exclusion lists, by which the Commission would forward Mississippi's self-exclusion list to the other commission and likewise receive from that commission the self-exclusion list from that jurisdiction. The Commission may then provide and update the casinos with the self-exclusion lists from those jurisdictions in the same manner and using the same procedures as is provided in these regulations for Mississippi's self-exclusion list. In that event, all rules and regulations concerning self-exclusion in Mississippi shall be applicable to the self-exclusion lists from those jurisdictions, just as if those persons had submitted a self-exclusion request in Mississippi; likewise, those persons who have self-excluded in Mississippi will be excluded in the other jurisdictions just as they are in Mississippi.

Employee training

Regulation: 13 Miss. Admin. Code Pt. 3, Ch. 10, R. 10.6. Training of Casino Employees.

Each casino shall implement procedures for training for all new employees, and annual re-training for all employees who directly interact with gaming patrons in gaming areas. That training shall, at a minimum, consist of information concerning the nature of problem gambling, the procedures for requesting self-exclusion, and assisting patrons in obtaining information about problem gambling programs. This section shall not be construed to impose a duty upon employees of casinos to identify problem gamblers nor to impose any liability for failure to do so. Each licensee shall designate personnel responsible for maintaining the training program. Training programs conducted or certified by the Mississippi Gaming Commission or the Mississippi Council on Compulsive Gambling are presumed to provide adequate training under this section.

Self-Exclusion

Statute: Mo. Rev. Stat. § 313. 813. Commission authorized to promulgate rules allowing problem gambler to self-exclude; violation of self-exclusion penalty.

The commission may promulgate rules allowing a person that is a problem gambler to voluntarily exclude him/herself from an excursion gambling boat. Any person that has been self-excluded is guilty of trespassing in the first degree pursuant to section 569.140 if such person enters an excursion gambling boat.

Regulation: 11 CSR 45-17. 010. Disassociated Persons List.

1. There is hereby created a “List of Disassociated Persons” (List) which shall consist of those persons who have complied with the applicable provisions of 11 CSR 45-17 and have been placed on such List by the director. The List is established for the purpose of allowing problem gamblers to formally notify the commission that they no longer intend to visit excursion gambling boats in Missouri. The request to be placed on the List shall be made only by the individual seeking to be placed on the List. Each person seeking placement on the List acknowledges that it is his/her responsibility to refrain from visiting excursion gambling boats in Missouri and that by being placed on the List s/he shall have a criminal complaint filed against him/her for trespassing if s/he is discovered on an excursion gambling boat by the commission or any Class B licensee.
2. Any Class B licensee or its agent or employee that identifies a person present on an excursion gambling boat and has knowledge that such person is included on the List shall immediately notify or cause to notify the commission and a Class B licensee’s security officer on duty. Once it is confirmed that the person is on the List, the Class B licensee shall:
 - (A) Notify the commission agent on duty of the presence of a Disassociated Person on the excursion gambling boat;
 - (B) Refrain from paying out any jackpots or winnings to patrons on the List; and
3. Any wager placed by a person on the List is hereby declared to be an unauthorized transaction and all chips and electronic credits in the possession of a Disassociated Person at the time s/he is discovered on an excursion gambling boat are presumed to be items used in exchange for or to facilitate, through the enactment of this rule, a violation of section 313. 805, RSMo, and therefore subject to forfeiture as provided under sections 513. 600 to 513. 646, RSMo.
4. After an individual’s application for placement on the List has been processed by the commission staff and the individual’s name is added to the List, that individual shall remain on the List until such time as the requirements for removal from the List as described in 11 CSR 45-17.060 have been met.
5. All Class B licensees shall have thirty (30) days from the effective date of this rule to submit

internal controls that are subject to approval by the commission which set forth the following:

- (A) The licensee’s plan for removing those persons on the List from mailing lists advertising its Missouri operation, such as marketing offers, slot club programs, VIP member programs, telemarketing programs, and other such marketing promotions, however this rule shall not be construed to prohibit mass mailings to “Resident”
- (B) The licensee’s plan for denying access by persons on the List to—
 - 1. Check cashing privileges, cash advances, credit/debit card transactions, and wire transfers;
 - 2. Special club programs such as slot clubs and VIP cards;
 - 3. The issuance of credit, if applicable; and
 - 4. Gaming privileges, tournaments, promotions, and payment of taxable winnings or prizes.
- 6. Any individual who had been placed on the List and who receives any mailing or marketing material prohibited by subsection (5)(A) shall have a continuing obligation to notify the commission of the receipt of such mailing.
- 7. After an individual’s application for placement on the List has been processed by the commission staff and the individual’s name is added to the List, that individual shall remain on the List until such time as the requirements for removal from the List as described in 11 CSR 45-17. 060 have been met.

Regulation: 11 CSR 45-17. 015. Access to Excursion Gambling Boat for Purposes of Employment.

- (1) The provisions of 11 CSR 45-17 et seq. to the contrary notwithstanding, anyone on the List of Disassociated Persons may access an excursion gambling boat for the purpose of carrying out the duties of their employment or to apply for employment. Prior to entering the excursion gambling boat, the Disassociated Person shall notify the commission that they are on the List of Disassociated Persons and the reason their employment or application for employment requires their presence on the excursion gambling boat.
- (2) If the Disassociated Person’s employment requires their presence on the excursion gambling boat on a regular basis, the Disassociated Person shall so notify the commission and such notice shall fulfill the notice requirements of section (1) of this rule.

Regulation: 11 CSR 45-17. 020. Procedure for Applying for Placement on List of Disassociated Persons.

PURPOSE: This rule establishes the procedure for placement on the commission’s List of Disassociated Persons.

- (1) The commission may place a person on the List of Disassociated Persons (List) if the person has:
 - A. Notified the commission in writing of his/her pledge not to visit licensed excursion gambling boats by filing an Application for Placement on the List with the commission on forms provided by the commission. By filing such application the person

acknowledges that s/he is a problem gambler. The applicant agrees that placement on the List is for life and the commission is not authorized to remove a person from the List, except as provided in 11 CSR 45-17. 060. In addition, the applicant acknowledges that licensees may use the information provided in the application to notify its affiliated gaming operations that the applicant is a problem gambler. Therefore, the applicant may be excluded from casinos in other jurisdictions as a result of their request to be placed on the List. The person understands, by filing such application, s/he is granting the commission and all Class A and B licensees the right to eject them from the premises of all excursion gambling boats and s/he may be arrested for trespassing if discovered on an excursion gambling boat. Furthermore, the applicant agrees that once placed on the List if s/he is discovered on an excursion gambling boat, jackpots or winnings in his/her possession at the time of the discovery will be forfeited. Such application shall include:

1. The person's full name and all aliases;
 2. A physical description including height, weight, hair and eye color, ethnic origin, and any other noticeable physical characteristics;
 3. The person's current home and email address(es) and phone numbers;
 4. Social Security Number, when voluntarily provided in accordance with section 7 of the Privacy Act of 1974 (5 U.S.C. section 552a) or International Identification Number;
 5. Date of birth;
 6. A statement that the applicant believes s/he is a problem gambler;
 7. A photograph suitable for the commission and Class B licensees to use in identifying the person requesting to be placed on the List;
 8. The person's occupation and place of employment, if access to excursion gambling boats is necessary for the purpose of carrying out the duties of the individual's employment, per 11 CSR 45-17.015;
 9. Interpreter information and affirmation, if applicable; and
 10. Other information as deemed necessary by the commission;
- B. The commission may convert the application to a format that may be filled in and signed electronically;
- C. Signed an acknowledgement verifying s/he wishes to be placed on the commission's List and the commission is specifically authorized and requested to release all contents of the person's application to all Class B licensees and their agents and employees; and
- D. Any person applying to be placed on the List shall execute a full and complete Waiver/Release on a form provided by the commission releasing the commission, all Class A and B licensees, and all their affiliates and agents as identified in 11 CSR 45- 17. 040 from any liability associated with acts or omissions relating to the provisions of 11 CSR 45-17 et seq.
- (2) The application shall be verified and reviewed as designated by the executive director of the commission.
- (3) An individual applying for placement on the List agrees to forfeit all points or

complimentaries earned by the individual before the individual completes the application for placement on the List. Points or complimentaries refer to credits earned by a person under the terms of a Class B licensee's or its agent's marketing program per 11 CSR 45-5 as approved by the commission and shall include, but not be limited to:

- (A) Food complimentaries;
 - (B) Coupons for chips, cash, or electronic gaming device (EGD) credits;
 - (C) Hotel complimentaries; or
 - (D) Any other cash or non-cash benefit assigned to the player's account.
- (4) Neither this chapter, 11 CSR 45-17, nor any of the rights, duties, or obligations established herein, shall create any cause of action, right of action, claim, or other right whatsoever in favor of any person other than the commission against the state of Missouri, the commission, any Class A or B licensee, or any of its agents or employees.
- (5) The Disassociated Person shall notify the commission of any changes to the information provided in subsection (1)(A) within thirty (30) days of a change on forms provided by the commission.

Regulation: CSR 45-17. 030. Procedure for Entry of Names on List of Disassociated Persons.

- (1) Upon filing of an application for placement on the List of Disassociated Persons (List), the director may file a Notice of Placement on the List. Such notice shall be a closed record to the extent provided for in sections 313. 847 and 610.021, RSMo; provided the application and notice may be disclosed to all Class B licensees and their agents and employees.
- (2) The director shall deliver a copy of the Notice of Placement on the List to the applicant via regular U.S. mail to the address contained on the application, or other address provided by the applicant, or by appointment. The applicant is deemed to be placed on the List at the time the person executes the application for placement on the List, not at the time such notice is delivered to the applicant.
- (3) Should the director find that an applicant does not qualify for placement on the List, s/ he shall so notify the applicant via regular U.S. mail to the address contained on the application, or other address provided by the applicant, or by appointment.

Regulation: 11 CSR 45-17. 040. Confidentiality of List of Disassociated Persons.

PURPOSE: This rule establishes the procedure for maintaining the confidentiality of those placed on the List of Disassociated Persons.

- (1) The director shall notify each Class B licensee of the placement of any person on the List of Disassociated Persons (List), or the removal of any person from the List per 11 CSR 45-17.060, and may disclose to the Class B licensee and any of its agents or employees any or all information contained on the person's application(s).
- (2) Each Class B licensee shall submit to the commission a plan for the dissemination of the information regarding persons placed on the List, as well as persons who have been removed from the List. The plan shall be designed to safeguard, as best as is reasonably possible, the confidentiality of the information but shall include dissemination to at least the general manager; casino manager; and all ticketing/player's club, cage, security, and surveillance personnel. Licensees may not disclose the name of, or any information

about, a person who has been placed on or removed from the List to anyone other than employees and agents of the licensee whose duties and functions require access to the information. The plan must be approved by the commission. All information disclosed to any Class B licensee regarding anyone placed on or removed from the List shall be deemed a closed record; however, the information may be disclosed as authorized by the individual seeking placement on the List, by law and through the provisions contained in this chapter, 11 CSR 45-17.

- (3) Class B licensees may disclose the information contained in the applications to its affiliates as defined in subsection (A) of this section, or agents of such affiliates. The disclosed information shall be used solely for the limited purposes of assisting in the administration of problem and responsible gaming programs and allowing the affiliate or agent of the affiliate to determine whether to deny a person on the List access to areas where gambling games are played. All disclosures must be made in accordance with procedures approved by the commission. Written approval of the executive director of the commission is required prior to disclosing this information. The Class B licensee is responsible for maintaining the confidentiality of any information disclosed. Such information shall not be used to deny services located at non-gaming properties to a person on the List.

(A) “Affiliate” means: The holding company, as defined by 11 CSR 45-10.040, or any person sharing a holding company in common with a gaming licensee, provided that the affiliate is in the business of operating gambling games.

Regulation: 11 CSR 45-17. 060. Procedure to Discontinue Self-Exclusion on the List of Disassociated Persons.

PURPOSE: This rule establishes the procedure to discontinue self-exclusion on the commission’s List of Disassociated Persons.

- (1) Notwithstanding the provisions of 11 CSR 45-17.070, at any time after five (5) years from the original date of placement on the List of Disassociated Persons (List), a Disassociated Person (DAP) may petition the commission for removal from the List. In order to be eligible for removal from the List, a person shall execute and submit, in a manner acceptable to the commission, an application for removal on a form provided by the commission. Such application shall include:
 - (A) The person’s full name and all aliases;
 - (B) The person’s current home address, email address, and phone number(s);
 - (C) Social Security Number, when voluntarily provided in accordance with section 7 of the Privacy Act of 1974 (5 U.S.C. section 552a) or International Identification Number;
 - (D) Date of birth and gender;
 - (E) A statement that the DAP wishes to be removed from the List and accepts full responsibility for any adverse consequences which may result from removal;
 - (F) A photograph suitable for the commission to use in identifying the person requesting to discontinue self-exclusion on the List;
 - (G) A signed acknowledgement verifying s/he wishes to be removed from the List, authorizing the commission to release all contents of the person’s application for removal to all Class B licensees and their agents and employees;

- (H) A statement acknowledging that the individual understands each licensee may choose to continue exclusion or reinstate privileges at the licensee's sole discretion; and
 - (I) Other information as deemed necessary by the commission.
2. The application shall be verified and reviewed as designated by the executive director of the commission.
 3. Once an application for removal from the List has been deemed complete and valid, the director shall file a Notice of Removal from the List.
 4. The director shall provide a copy of the Notice of Removal from the List to the applicant via regular U.S. mail to the address contained on the application, other address provided by the applicant, or by appointment.
 5. Should the director find an applicant does not qualify for removal from the List, s/he shall so notify the applicant via regular U.S. mail to the address contained on the application, other address provided by the applicant, or by appointment.
 6. Each Class B licensee shall file with the commission a letter stating its policy regarding whether persons removed from the List will be allowed access to its property.
 - (a) If a Class B licensee adopts a policy to allow prior DAPs to patronize its establishment, any prior notice of trespass is voided allowing prior DAPs to gamble at the property. If a casino has cause to exclude a prior DAP, a separate notice of trespass shall be provided to that individual to notify the individual of his/her excluded status.
 - (b) If a Class B licensee adopts a policy to continue the exclusion of all persons removed from the List, the Class B licensee shall not cash checks, process cash advances, enroll these individuals in any tournaments or promotion, or provide marketing materials to these individuals except in mass mailings to "resident" or the like.
 7. Neither the rules in 11 CSR 45-17, nor any of the rights, duties, or obligations established herein, shall create any cause of action, right of action, claim, or other right whatsoever in favor of any person other than the commission against the state of Missouri, the commission, any Class A or B licensee, or any of its agents or employees.

Regulation: 11 CSR 45-17. 070. Procedure to Re-Establish Self-Exclusion on the List of Disassociated Persons.

PURPOSE: This rule establishes the procedure for permanent self-exclusion on the List of Disassociated Persons (List) for individuals who have previously chosen to be removed from the commission's List.

1. A former Disassociated Person who has had his/her name removed from the List of Disassociated Persons (List) may request at any time to re-establish his/her self-exclusion on the List one (1) time by submitting a new application for placement on the List per the procedures provided in 11 CSR 45-17. 030. Re-establishing self-exclusion results in permanent placement on the List. The Disassociated Person may not again request removal. The commission shall inform all such applicants that this self-exclusion is for life and there is no process for removal from the List.

Restrictions on alcoholic beverages

Regulation: 11 CSR 45-12. 090. Rules of Liquor Control.

(10) Advertising.

(A) Prohibited Advertising. No advertisement of intoxicating liquor shall contain any statement offering any coupon, premium, prize, rebate, or sale price below cost or at a discount, as an inducement to purchase intoxicating liquor.

(22) Complimentary Service of Intoxicating Liquor. An excursion liquor licensee shall not, through actions of his/her own or of an employee, supply any intoxicating liquor in any quality whatsoever free of charge or as a complimentary to any person on the gaming floor of the premises.

Treatment and research funding

Statute: Mo. Rev. Stat. § 313. 820. Admission fee, amount, division of- licensees subject to all other taxes, collection of non-gaming taxes by department of revenue.

An excursion boat licensee shall pay to the commission an admission fee of two dollars for each person embarking on an excursion gambling boat with a ticket of admission. One dollar of such fee shall be deposited to the credit of the gaming commission fund as authorized pursuant to section 313. 835, and one dollar of such fee shall not be considered state funds and shall be paid to the home dock city or county. Subject to appropriation, one cent of such fee deposited to the credit of the gaming commission fund may be deposited to the credit of the compulsive gamblers fund created pursuant to the provisions of section 313. 842. Nothing in this section shall preclude any licensee from charging any amount deemed necessary for a ticket of admission to any person embarking on an excursion gambling boat. If tickets are issued which are good for more than one excursion, the admission fee shall be paid to the commission for each person using the ticket on each excursion that the ticket is used. If free passes or complimentary admission tickets are issued, the excursion boat licensee shall pay to the commission the same fee upon these passes or complimentary tickets as if they were sold at the regular and usual admission rate; however, the excursion boat licensee may issue fee-free passes to actual and necessary officials and employees of the licensee or other persons actually working on the excursion gambling boat. The issuance of fee-free passes is subject to the rules of the commission, and a list of all persons to whom the fee-free passes are issued shall be filed with the commission.

Statute: Mo. Rev. Stat. § 313. 842. Compulsive gamblers fund, created, purpose--programs may be established--department of mental health to administer--fund not to lapse into general revenue.

There may be established programs which shall provide treatment, prevention and education services for compulsive gambling. As used in this section, "compulsive gambling" means a condition suffered by a person who is chronically and progressively preoccupied with gambling and the urge to gamble. Subject to appropriation, such programs shall be funded from the one-cent admission fee authorized pursuant to section 313. 820, and in addition, may

be funded from the taxes collected and distributed to any city or county under section 313. 822. Such moneys shall be submitted to the state and credited to the “Compulsive Gamblers Fund”, which is hereby established within the department of mental health. Notwithstanding the provisions of section 33. 080 to the contrary, moneys in the fund at the end of any biennium shall not be transferred to the credit of the general revenue fund. The department of mental health shall administer programs, either directly or by contract, for compulsive gamblers. The commission may administer programs to educate the public about problem gambling and promote treatment programs offered by the department of mental health. In addition, the commission shall administer the voluntary exclusion program for problem gamblers authorized by section 313. 833.

Credit restrictions

Statute: Mo. Rev. Stat. § 313. 812. [Conditions of operator license]

(9) A licensee shall not lend to any person money or any other thing of value for the purpose of permitting that person to wager on any gambling game authorized by law. This does not prohibit credit card or debit card transactions or cashing of checks. Any check cashed must be deposited within twenty-four hours. The commission may require licensees to verify a sufficient account balance exists before cashing any check. Any licensee who violates the provisions of this subsection shall be subject to an administrative penalty of five thousand dollars for each violation. Such administrative penalties shall be assessed and collected by the commission.

Regulation: 11 CSR 45-17. 010. Disassociated Persons List Created – Right to Remove From Premises.

- (5) All Class B licensees shall have thirty (30) days from the effective date of this rule to submit internal controls that are subject to approval by the commission which set forth the following:
- (A) The licensee’s plan for removing those persons on the List [of Disassociated Persons] from mailing lists advertising its Missouri operation, such as marketing offers, slot club programs, VIP member programs, telemarketing programs, and other such marketing promotions, however this rule shall not be construed to prohibit mass mailings to “Resident”; and
 - (B) The licensee’s plan for denying access by persons on the [Disassociated Persons] List to—
 1. Check cashing privileges, cash advances, credit/debit card transactions, and wire transfers;
 2. Special club programs such as slot clubs and VIP cards;
 3. The issuance of credit, if applicable; and
 4. Gaming privileges, tournaments, promotions, and payment of taxable winnings or prizes.

Limited self-exclusion

Regulation: NAC 5. 170. Programs to address problem gambling.

4. Each licensee that engages in the issuance of credit, check cashing, or the direct mail marketing of gaming opportunities, shall implement a program containing the elements described below, as appropriate, that allows patrons to self-limit their access to the issuance of credit, check cashing, or direct mail marketing by that licensee.
 - (a) Standards and procedures that allow a patron to be removed from the licensee's direct mailing and other direct marketing regarding gaming opportunities at that licensee's location; and
 - (b) Procedures and forms requiring the patron to notify a designated office of the licensee within 10 days of the patron's receipt of any financial gaming privilege, material or promotion covered by the program.
 - (c) The development of written materials for dissemination to patrons explaining the program;
 - (d) The development of written forms allowing patrons to participate in the program;
 - (e) Standards and procedures that allow a patron to be prohibited from access to check cashing, the issuance of credit, and the participation in direct mail marketing of gaming opportunities;

Employee training

Regulation: NAC 5. 170. Programs to address problem gambling.

1. Each licensee shall implement procedures and training for all employees who directly interact with gaming patrons in gaming areas. That training shall, at a minimum, consist of Regulation 5, Operation of Gaming Establishments Page 21 (Rev. 09/12) information concerning the nature and symptoms of problem gambling behavior and assisting patrons in obtaining information about problem gambling programs. This subsection shall not be construed to require employees of licensees to identify problem gamblers. Each licensee shall designate personnel responsible for maintaining the program and addressing the types and frequency of such training and procedures. Training programs conducted or certified by the Nevada Council on Problem Gambling are presumed to provide adequate training for the period certified by the Nevada Council on Problem Gambling.

Treatment and research funding

Statute: NRS 458A.090. Creation; administration; use of money in Account.

1. The Revolving Account to Support Programs for the Prevention and Treatment of Problem Gambling is hereby created in the State General Fund. The Director shall administer the Account.
2. Except as otherwise provided in this subsection, the money in the Account must be

expended:

- (a) To award grants of money or contracts for services to state agencies and other political subdivisions of the State or to organizations or educational institutions to provide programs for the prevention and treatment of problem gambling or to provide services related to the development of data, the assessment of needs, the performance of evaluations or technical assistance. The Director may use not more than 10 percent of the money in the Account to administer the Account.
 - (b) For any other purpose authorized by the Legislature.
3. The existence of the Account does not create a right in any state agency or other political subdivision of the State or in any organization or educational institution to receive money from the Account.

Statute: NRS 458A.100. Gifts, grants and donations.

1. The Director may apply for and accept any gift, donation, bequest, grant or other source of money. Any money so received must be deposited in the Account.
2. The interest and income earned on money in the Account from any gift, donation or bequest, after deducting any applicable charges, must be credited to the Account.
3. Money from any gift, donation or bequest that remains in the Account at the end of the fiscal year does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year.

Statute: NRS 458A.110. Director to adopt regulations.

1. The Director shall adopt regulations to carry out the provisions of NRS 458A.090 and 458A.100.
2. The regulations adopted by the Director must include, without limitation:
 - (a) The procedure by which a state agency or other political subdivision of the State or an organization or educational institution may apply for a grant of money or a contract for services to be paid from the Account;
 - (b) The criteria that the Director must consider in determining whether to award a grant of money or a contract for services to be paid from the Account; and
 - (c) The procedure used by the Director to ensure that the money in the Account is distributed in a fair and equitable manner.

Statute: NRS 463. 320. Collection and disposition of state fees for licenses and penalties.

- (a) The Commission shall deposit quarterly in the Revolving Account to Support Programs for the Prevention and Treatment of Problem Gambling created by NRS 458A.090 an amount equal to \$1 for each slot machine that is subject to the license fee imposed pursuant to NRS 463.373 and 463.375 and collected by the Commission.

Regulation: NAC 458A.100. Revolving Account to Support Programs for the Prevention and

Treatment of Problem Gambling. Duties of Department [of Health and Human Services]: Process for applying for grants of money or contracts for services from Account; distribution of money; publication of requests for applications; provision of support staff to Advisory Committee; annual report.

The Department shall:

1. Prescribe the process for applying for a grant of money or a contract for services from the Account, including, without limitation, a process for a request for applications or other accepted method of obtaining proposals or bids;
2. Distribute the money from the Account in accordance with the provisions of this chapter, chapter 458A of NRS and the terms of the grant or contract established with each provider of a program or services whose application is approved;
3. To the extent that money is available in the Account, publish a request for applications or other accepted method of obtaining proposals or bids for programs and services once every 2 years;
4. Provide staff support to the Advisory Committee, including, without limitation, assistance with meetings, travel preparation and administering any payment to a member which is authorized pursuant to subsection 5 of NRS 458.060; and
5. On or before January 31 of each year, prepare and submit to the Director of the Legislative Counsel Bureau the written report required pursuant to subsection 4 of NRS 458A.090.

Regulation: NAC 458A.110. Distribution of money in Account: Duties of Director, Department and Advisory Committee to ensure fair and equitable distribution.

To ensure that the money in the Account is distributed in a fair and equitable manner:

1. The Director will prepare a notice indicating the money that is available in the Account and:
 - (a) Make the notice available to each person, state agency or other political subdivision of the State or an organization or educational institution known to the Department to have an interest in programs and services for the prevention and treatment of problem gambling;
 - (b) Publish the notice in a newspaper of general circulation in each county whose population is 100,000 or more; and
 - (c) Post the notice on the Internet website maintained by the Department.
2. The Department shall:
 - (a) Publish the process and instructions for applying for a grant of money or a contract for services from the Account;
 - (b) Provide a technical review of each application to ensure compliance with the application process and to determine whether the applicant is eligible to submit an application in accordance with NAC 458.120; and
 - (c) Score applications using a weighted scoring matrix approved by the Advisory Committee.
3. The Advisory Committee shall:

- (a) Review and approve the scoring matrix for use in the review of applications; and
- (b) Review all applications and make recommendations to the Director for awards of money from the Account in a public meeting of the Advisory Committee.

Regulation: NAC 458A.120. Eligibility for grant of money or contract for services from Account.

To be eligible for a grant of money or a contract for services from the Account, a program or service must provide:

- 1. Treatment by a problem gambling counselor certified pursuant to the provisions of chapter 641C of NRS;
- 2. Workforce development and training by an instructor or institution who is qualified and has the expertise required to provide counseling in the area of problem gambling;
- 3. Research and the performance of an evaluation of the prevention and treatment of problem gambling;
- 4. Public education relating to the prevention and treatment of problem gambling;
- 5. Data collection and reporting relating to the prevention and treatment of problem gambling; or
- 6. Technical assistance to providers of programs for the prevention and treatment of problem gambling.

Regulation: NAC 458A.130. Considerations in awarding grant of money or contract for services from Account.

When determining whether to award a grant of money or a contract for services from the Account, the Director will consider:

- 1. Whether the program meets the needs and priorities established by the Department in consultation with the Advisory Committee pursuant to subsection 5 of NRS 458A.070;
- 2. Whether the program meets the criteria established by the Advisory Committee pursuant to subsection 3 of NRS 458A.070;
- 3. The qualifications and experience of the applicant;
- 4. The ability of the applicant to achieve the outcomes proposed in the application within the money available for the grant or contract from the Account; and
- 5. The ability of the applicant to accurately measure and report on the outcomes proposed in the application.

Regulation: NAC 458A.140. Status reports required of grantees and contractors who receive money from Account; Department to establish system of reporting.

- 1. Each grantee or contractor who receives money from the Account shall submit to the Department on a quarterly basis, unless a different time period is specified in the grant or contract, a:
 - (a) Progress report prepared in accordance with the standards established by the Department pursuant to subsection 2, which provides a measurement of progress on the goals, objectives and deliverables required by the grant or contract; and
 - (b) Financial status report prepared in accordance with the standards established by

the Department pursuant to subsection 2, which may include a request for funds as authorized in the grant or contract.

2. The Department shall establish and carry out a system for reporting the progress of each grant or contract and a system for reporting the financial status of each grant or contract.

Property signage

Regulation: NAC 5. 170. Programs to address problem gambling.

1. As used in this section “licensee” means each person who is licensed to conduct restricted or non restricted gaming operations.
2. Each licensee shall post or provide in conspicuous places in or near gaming and cage areas and cash dispensing machines located in gaming areas written materials concerning the nature and symptoms of problem gambling and the toll-free telephone number of the National Council on Problem Gambling or a similar entity approved by the chairman of the board that provides information and referral services for problem gamblers.

Self-exclusion

Statute: N.J.S.A. 5:12-71. 2. List of persons self-excluded from gaming activities.

- a. The division shall provide by regulation for the establishment of a list of persons self-excluded from gaming activities at all licensed casinos and simulcasting facilities. Any person may request placement on the list of self-excluded persons by acknowledging in a manner to be established by the division that the person is a problem gambler and by agreeing that, during any period of voluntary exclusion, the person may not collect any winnings or recover any losses resulting from any gaming activity at such casinos and facilities.
- b. The regulations of the division shall establish procedures for placements on, and removals from, the list of self-excluded persons. Such regulations shall establish procedures for the transmittal to licensed casinos and simulcasting facilities of identifying information concerning self-excluded persons, and shall require licensed casinos and simulcasting facilities to establish procedures designed, at a minimum, to remove self-excluded persons from targeted mailings or other forms of advertising or promotions and deny self-excluded persons access to credit, complimentaries, check cashing privileges club programs, and other similar benefits.
- c. A licensed casino or simulcasting facility or employee thereof shall not be liable to any self-excluded person or to any other party in any judicial proceeding for any harm, monetary or otherwise, which may arise as a result of:
 1. the failure of a licensed casino or simulcasting facility to withhold gaming privileges from, or restore gaming privileges to, a self-excluded person; or
 2. otherwise permitting a self-excluded person to engage in gaming activity in such licensed casino or simulcasting facility while on the list of self-excluded persons.
- d. Notwithstanding the provisions of P.L. 1977, c.110 (C. 5:12-1 et seq.) or any other law in the contrary, the division's list of self-excluded persons shall not be open to public inspection. Nothing herein, however, shall be construed to prohibit a casino license from disclosing the identity of persons self-excluded pursuant to this section to affiliated gaming entities in this State or other jurisdictions for the limited purpose of assisting in the proper administration of responsible gaming programs operate by such gaming affiliated entities.
- e. A licensed casino or simulcasting facility or employee thereof shall not be liable to any self-excluded person or to any other party in any judicial proceeding for any harm, monetary or otherwise, which may arise as a result of disclosure or publication in any manner, other than a willfully unlawful disclosure or publication, of the identity of any self-excluded person.

Statute: N.J.S.A. 5:12-71. 3. Penalties for gaming by prohibited persons: Excluded person; forfeiture of winnings; other sanctions.

- A. A person who is prohibited from gaming in a licensed casino or simulcasting facility by any provision of P.L.1977, c. 110 (C.5:12-1 et seq.) or any order of the director, commission or court of competent jurisdiction, including any person on the self-exclusion list pursuant to section 1 of P.L.2001, c. 39 (C.5:12-71.2), shall not collect, in any manner or proceeding, any winnings or recover any losses arising as a result of any prohibited gaming activity.
- B. For the purposes of P.L.1977, c. 110 (C.5:12-1 et seq.), any gaming activity in a licensed casino or simulcasting facility which results in a prohibited person obtaining any money or thing of value from, or being owed any money or thing of value by, the casino or simulcasting facility shall be considered, solely for purposes of this section, to be a fully executed gambling transaction.
- C. In addition to any other penalty provided by law, any money or thing or value which has been obtained by, or is owed to, any prohibited person by a licensed casino or simulcasting facility as a result of wagers made by a prohibited person shall be subject to forfeiture following notice to the prohibited person and opportunity to be heard. A licensed casino or simulcasting facility shall inform a prohibited person of the availability of such notice on the division's Internet website when ejecting the prohibited person and seizing any chips, vouchers or other representative of money owed by a casino to the prohibited person as authorized by this subsection. Of any forfeited amount under \$100,000, one-half shall be deposited into the State General Fund for appropriation by the Legislature to the Department of Human Services to provide funds for compulsive gambling treatment and prevention programs in the State and the remaining one-half shall be deposited into the Casino Revenue Fund. Of any forfeited amount of \$100,000 or more, \$50,000 shall be deposited into the State General Fund for appropriation by the Legislature to the Department of Human Services to provide funds for compulsive gambling treatment and prevention programs and the remainder shall be deposited into the Casino Revenue Fund.
- D. In any proceeding brought by the division against a licensee or registrant pursuant to section 108 of P.L. 1977, c. 110 (C. 5:12-108) for a willful violation of the commission's self-exclusion regulations, the division may order, in addition to any other sanction authorized by section 129 of P.L. 1977, c. 110 (C.5:12-129), the forfeiture of any money or thing of value obtained by the licensee or registrant from any self-excluded person. Any money or thing of value so forfeited shall be disposed of in the same manner as any money or thing of value forfeited pursuant to subsection c. of this section.

Regulation: N.J.A.C. 13:69G-2. G. Request for self-exclusion.

- (a) Any person may have his or her name placed on the self-exclusion list by submitting a request for self-exclusion in the form and manner required by this section.
- (b) Any person requesting placement on the self-exclusion list shall submit, in person, a completed request for self-exclusion as required in (c) below. The request shall be delivered to either the Identification Unit of the Division located at the Arcade Building, Tennessee Avenue and the Boardwalk, in Atlantic City, or to the Trenton office of the Division of Gaming Enforcement located at 140 East Front Street. The Division may designate other locations for submission of completed requests for self-exclusion in accordance with this subchapter, which locations may be designated on a temporary

basis. Any person submitting a self-exclusion request shall be required to present valid identification credentials containing his or her signature and either a photograph or a general physical description. Any person requesting self-exclusion pursuant to this subchapter shall be required to have his or her photograph taken by the Division upon submission of the request.

- (c) A request for self-exclusion shall be in a form prescribed by the Division, which form shall include:
1. The following identifying information concerning the person submitting the request for self-exclusion:
 - i. The name, including any aliases or nicknames;
 - ii. The date of birth;
 - iii. The address of current residence;
 - iv. The telephone number of current residence; and
 - v. The Social Security Number, which information is voluntarily provided in accordance with section 7 of the Privacy Act, 5 U.S.C. § 552a; and
 - vi. A physical description of the person, including height, weight, gender, hair color, eye color and any other physical characteristic that may assist in the identification of the person;
 2. The length of minimum self-exclusion requested by the person:
 - i. One year;
 - ii. Five years; or
 - iii. Lifetime;
 3. A waiver and release which shall release and forever discharge the State of New Jersey, the Division and its employees and agents, and all casino licensees and their employees and agents from any liability to the person requesting self-exclusion and his or her heirs, administrators, executors and assigns for any harm, monetary or otherwise, which may arise out of or by reason of any act or omission relating to the request for self-exclusion or request for removal from the self-exclusion list, including:
 - I. Its processing or enforcement;
 - II. The failure of a casino licensee to withhold gaming privileges from, or restore gaming privileges to, a self-excluded person;
 - III. Permitting a self-excluded person to engage in gaming activity in a licensed casino or simulcasting facility while on the list of self-excluded persons; and
 - IV. Disclosure of the information contained in the self-exclusion request or list, except for a willfully unlawful disclosure of such information;
 4. The signature of the person submitting the request for self-exclusion indicating acknowledgment of the following statement:

“I am voluntarily requesting exclusion from all gaming activities at all New Jersey

licensed casinos and simulcasting facilities because I am a problem gambler. I certify that the information that I have provided above is true and accurate, and that I have read and understand and agree to the waiver and release included with this request for self-exclusion. I am aware that my signature below authorizes the Division of Gaming Enforcement to direct all New Jersey casino licensees to restrict my gaming activities in accordance with this request and, unless I have requested to be excluded for life, until such time as the Division removes my name from the self-exclusion list in response to my written request to terminate my voluntary self-exclusion. I am aware and agree that during any period of self-exclusion any money or thing of value seized from me, or owed to me by, a casino licensee shall be subject to forfeiture.”;

5. The type of identification credentials examined containing the signature of the person requesting self-exclusion, and whether said credentials included a photograph or general physical description of the person; and
6. The signature of a Division employee authorized to accept such request, indicating that the signature of the person on the request for self-exclusion appears to agree with that contained on his or her identification credentials and that any photograph or physical description of the person appears to agree with his or her actual appearance.

Regulation: N.J.A.C. 13:69G-2. 3. Self-exclusion list; Internet self-exclusion list.

- (a) The Division shall maintain the official self-exclusion list and shall notify each casino licensee of any addition to or deletion from the list by transmitting a notice directly to each casino licensee.
- (b) Each casino licensee shall maintain its own copy of the self-exclusion list and shall establish procedures to ensure that its copy of the self-exclusion list is updated and that all appropriate employees and agents of the casino licensee are notified of any addition to or deletion from the list within five business days after the day the notice is transmitted pursuant to (a) above. For the Internet self-exclusion list, changes shall be made within 24 hours after the notice is transmitted pursuant to (a) above, and any remaining balance in the patron’s Internet gaming account balance shall be refunded pursuant to the licensee’s internal controls. The notice provided by the Division shall include the name and date of birth of any person whose name shall be removed from the self-exclusion list and the following information concerning any person whose name shall be added to the self-exclusion list:
 1. The name, including any aliases or nicknames;
 2. The date of birth;
 3. The address of current residence;
 4. The telephone number of current residence;
 5. The Social Security number, if voluntarily provided by the person requesting self-exclusion or Internet self-exclusion
 6. If applicable, a physical description of the person, including height, weight, gender, hair color, eye color, and any other physical characteristic that may assist in the identification of the person; and
 7. If applicable, a copy of the photograph taken by the Division pursuant to N.J.A.C. 13:69G-2. 2(b).

- (c) Information furnished to or obtained by the Division pursuant to this subchapter shall be deemed confidential and not be disclosed except in accordance with this subchapter and N.J.A.C. 13:69-4.
- (d) No casino licensee or employee or agent thereof shall disclose the name of, or any information about, any person who has requested self-exclusion to anyone other than employees and agents of the casino licensee whose duties and functions require access to such information. Notwithstanding the foregoing, a casino licensee may disclose the name of and information about a self-excluded person to appropriate employees of other casino licensees in Atlantic City for the purpose of alerting other casino licensees that a self-excluded person has tried to gamble or obtain gaming related privileges or benefits in the casino licensee's casino or simulcasting facility.

Regulation: N.J.A.C. 13:69G-2. 4. Duties of casino licensee.

- (a) For self-excluded patrons, a casino licensee shall establish procedures that are designed, to the greatest extent practicable, to:
 - 1. Permit appropriate employees of the casino licensee to identify a self-excluded person when present in a casino or simulcasting facility and, upon such identification, notify:
 - i. Those employees of the casino licensee designated to monitor the presence of self-excluded persons; and
 - ii. Designated representatives of the Division;
 - 2. Refuse wagers from and deny any gaming privileges to any self excluded person;
 - 3. Deny casino credit, check cashing privileges, player club membership, complimentary goods and services, junket participation and other similar privileges and benefits to any self excluded person;
 - 4. Ensure that self-excluded persons do not receive, either from the casino licensee or any agent thereof, junket solicitations, targeted mailings, telemarketing promotions, player club materials or other promotional materials relating to gaming activities at its licensed casino or simulcasting facility; and
 - 5. Enforce the provisions of N.J.A.C. 13:69G-2. 3(d).
- (b) For Internet self-excluded patrons, a casino licensee shall establish procedures that are designed, to the greatest extent practicable, to:
 - 1. Ensure that self-excluded persons do not receive, either from the casino licensee or any agent thereof, junket solicitations, targeted mailings, telemarketing promotions, player club materials, or other promotional materials relating to Internet gaming; and
 - 2. Enforce the provisions of N.J.A.C. 13:69G-2. 3(d).
- (c) Without limitation of the requirements imposed by (a) above, each casino licensee shall, upon notification that a person has been added to or deleted from the self-exclusion list, comply with all relevant provisions of N.J.A.C. 13:69D-1.27A as if such person has also

been added to or deleted from the list of persons who have requested suspension of their credit privileges pursuant to that section.

- (d) Each casino licensee shall maintain on file a current copy of its internal control procedures established pursuant to N.J.A.C. 13:69G-2. 3(b) and (a) and (b) above.

Regulation: N.J.A.C. 13:69G-2. 5. Removal from self-exclusion list.

- (a) Except for those persons choosing a lifetime self-exclusion, any self-excluded person may, upon the expiration of the period of self-exclusion requested pursuant to N.J.A.C. 13:69G-2.2(c)2, request removal of his or her name from the self-exclusion list by submitting, in person, a completed request for removal as required in (b) below. The request shall be delivered to the Identification Unit of the Division located at the Arcade Building, Tennessee Avenue and the Boardwalk, in Atlantic City, or to the Trenton office of the Division of Gaming Enforcement located at 140 East Front Street. Any person submitting a request for removal from the list shall be required to present valid identification credentials containing his or her signature and either a photograph or a general physical description.
- (b) A request for removal from the self-exclusion list shall be in a form prescribed by the Division, which form shall include:
 - 1. The identifying information specified in N.J.A.C. 13:69G-2.2(c)(1)i through iv;
 - 2. The signature of the person requesting removal from the self-exclusion list indicating acknowledgment of the following statement: "I certify that the information that I have provided above is true and accurate. I am aware that my signature below constitutes a revocation of my previous request for self-exclusion, and I authorize the Division to permit all New Jersey casino licensees to reinstate my gaming privileges at licensed casinos and simulcasting facilities."
 - 3. The type of identification credentials examined containing the signature of the person requesting removal from the self-exclusion list, and whether said credentials included a photograph or general physical description of the person; and
 - 4. The signature of a Division employee authorized to accept such request, indicating that the signature of the person on the request for removal from the self-exclusion list appears to agree with that contained on his or her identification credentials and that any photograph or physical description of the person appears to agree with his or her actual appearance.
- (c) The Division shall, by the end of the fifth business day following receipt of the request, delete the name of the person requesting removal from the self-exclusion list and notify each casino licensee of such removal by transmitting a notice directly to each casino licensee.

Regulation: N.J.A.C. 13:69G-3.2. Prohibited Person; forfeiture of winnings.

- (a) If a casino licensee detects, or is notified of, the presence of a patron suspected of being a prohibited person, who had engaged or is engaging in gaming activity, such casino licensee shall verify, using reasonable measures, that the patron is a prohibited person and the basis for the person's prohibition. If the person is unable to establish that he or she is not underage, the

person shall be presumed to be a prohibited person for the purposes of this section.

(b) Upon verification of a prohibited status, the casino licensee shall:

1. Remove the prohibited person from the gaming floor;
2. Seize from such person any winnings or things of value obtained from engaging in a gaming transaction as follows:
 - i. Confiscate all gaming chips, gaming plaques, slot machine tokens and gaming vouchers;
 - ii. Process any slot machine jackpot obtained by the prohibited person pursuant to N.J.A.C. 13:69D-1.40 through 1.40F, depending upon the type of jackpot obtained;
 - iii. Cash out any cashable credits remaining on a slot machine credit meter or a automated table game credit meter and confiscate the gaming voucher that is issued as payment thereof; and
 - iv. Obtain control and physical possession of any other form of winnings or things of value not specifically enumerated and obtained by or owed to the prohibited person as a result of engaging in any type of gaming transaction; and
3. Deliver any winnings or things of value obtained from a prohibited person pursuant to (b)2 above to the cashiers' cage, where they shall be converted into cash, maintained separately and designated as funds that are subject to forfeiture.

Statute: N.J.S.A. 5:12-101: Credit.

- J. A person may request the division to put that person's name on a list of persons to whom the extension of credit by a casino as provided in this section would be prohibited by submitting to the division the person's name, address, and date of birth. The person does not need to provide a reason for this request. The division shall provide this list to the credit department of each casino; neither the division nor the credit department of a casino shall divulge the names on this list to any person or entity other than those provided for in this subsection. If such a person wishes to have that person's name removed from the list, the person shall submit this request to the division, which shall so inform the credit departments of casinos no later than three days after the submission of the request.

Treatment and research funding

Statute: N.J.S.A. 5:12-145 Casino revenue fund.

- A. There is hereby created and established in the Department of the Treasury a separate special account to be known as the "Casino Revenue Fund," into which shall be deposited all revenues from the tax imposed by section 144 of this act...\$500,000 of which is to provide funds to the Council on Compulsive Gambling of New Jersey and \$100,000 of which is to provide funds for compulsive gambling treatment programs in the State.

Property signage/Advertising disclosures

Statute: N.J.S.A. 5:12-70. Required Regulations.

- a. The division [of gaming enforcement] shall, without limitation include the following specific provisions in its regulations in accordance with the provisions of this act:
 - (16) Governing the gaming-related advertising of casino licensees, their employees and agents, with the view toward assuring that such advertisements are in no way deceptive; provided, however, that such regulations shall require the words “Bet with your head, not over it,” or some comparable language approved by the division, to appear on all billboards, signs, and other on-site advertising of a casino operation and shall require the words “If you or someone you know has a gambling problem and wants help, call 1-800 GAMBLER,” or some comparable language approved by the division, which language shall include the words “gambling problem” and “call 1-800 GAMBLER,” to appear legibly on all print, billboard, and sign advertising of a casino operation;

Regulation: N.J.A.C. 13:69C-14. 2. Criteria Governing Advertising.

- (a) Any on-site advertising of casino or casino simulcasting facility operations shall contain the phrase “Bet With Your Head, Not Over It,” or some comparable language approved by the Division.
- (b) All advertising which appears in print, or on a billboard or sign shall contain the words “If you or someone you know has a gambling problem and wants help, call 1-800-GAMBLER” or some comparable language approved by the Division, which contains the words “gambling problem” and “call 1-800-GAMBLER” to appear legibly on all print.

Required responsible gaming plan

Regulation: NMAC 15.1.5.15. Compulsive Gambling Assistance Plan.

- A. An applicant for a gaming operator's license shall submit with the application a plan for assisting in the prevention, education, and treatment of compulsive gambling. The plan shall include all information required in 15.1.18 NMAC.
- B. No gaming operator's application shall be approved unless the board first approves the applicant's compulsive gambling assistance plan.
- C. Failure to implement the compulsive gambling assistance plan or to satisfactorily maintain and administer the plan once implemented shall be grounds for suspension or revocation of the gaming operator's license, assessment of a fine, or both.
- D. The board shall establish minimum standards for the content, structure and implementation of, and periodic reporting requirements on, the compulsive gambling assistance plan.
- E. The board may contract with the state of New Mexico department of health or such other entity deemed qualified by the department of health to provide technical assistance in reviewing and recommending to the board approval of compulsive gambling assistance plans

Regulation: NMAC 15.1.18.9. Minimum Standards for Compulsive Gambling Plan.

- A. The compulsive gambling assistance plan shall include all of the following elements unless the applicant or gaming operator licensee obtains a written waiver of any element from the board:
 - (1) identification of a plan manager or other person responsible for ensuring that the plan is implemented and administered as approved by the board and monitored to maintain the minimum standards established by this rule;
 - (2) a mission statement that identifies the goals of the gaming operator licensee in administering the plan;
 - (3) policies concerning the handling of compulsive gambling problems, commitment to training, intervention, the employee's role and duties, management's role and duties, and the patron's responsibilities;
 - (4) specific, detailed procedures to determine appropriate intervention techniques in a given circumstance, and carrying out the intervention techniques;
 - (5) printed materials to educate patrons about compulsive gambling and inform them of local and statewide resources available to compulsive gamblers and their families; the materials shall include signs or posters located inside the licensed premises and brochures discussing compulsive gambling issues and sources of treatment and information, samples shall be attached; the primary purpose of all such printed material shall be for the purpose of promoting a responsible gambling message; the plan shall also specify the source of the printed materials, the authority for the use of said materials and the proposed distribution methods and location;

- (6) policy and procedures that prohibit facilitating, participating in, or allowing the issuance of any loans or extension of credit to a patron for gaming purposes;
 - (7) a comprehensive employee training plan satisfactory to the board, including training manuals and other materials necessary to educate employees about compulsive gambling issues; the training plan shall include instruction in the psychology of the compulsive gambler, methods of recognizing compulsive gambling behavior, intervention techniques and other subjects as determined by the board;
 - (8) form for certifying, to the board's satisfaction, that each employee required to obtain the training has done so within the time period specified by this rule;
 - (9) details of a follow-up training program to periodically reinforce employee training;
 - (10) estimated costs for implementation and administration;
 - (11) timetable and procedures for implementing the compulsive gambling assistance plan; the plan must be implemented no later than 90 days from the date gaming commences on the licensed premises;
 - (12) details from licensee on the provider to whom referrals are made;
 - (13) treatment providers shall provide documentation showing that they are licensed, in good standing and have a documented competency in the field of problem gambling issues; and
 - (14) any other policies and procedures recommended by the state of New Mexico department of health and approved by the board or established by the board.
- B. The board shall submit the entire plan to the state of New Mexico department of health for evaluation. The New Mexico department of health shall recommend to the board approval or disapproval of the plan.

Self-exclusion

Statute: NMSA 1978 § 60-2E-34.1 (2009). Self-exclusion from gaming establishments; procedure; fines; confidentiality.

- A. The board shall develop rules that permit a person who is a compulsive gambler to be voluntarily excluded from a gaming establishment.
- B. Self-exclusion shall occur through written application made by the compulsive gambler to the board and shall be governed by the following provisions:
 - (1) self-exclusion shall be enforceable upon issuance of a self-exclusion order by the board to each applicable gaming establishment identified in the order;
 - (2) only the person who is the compulsive gambler may apply on that person's behalf;
 - (3) the application shall be submitted to the board;
 - (4) except for notification of the gaming establishments for which the self-exclusion order is effective and for notification for mailing list exclusion pursuant to this section, the application and the self-exclusion order shall be held confidential by employees of the board and a gaming operator licensee and its employees and key executives;
 - (5) a self-exclusion order may apply to one or more gaming establishments licensed pursuant to the Gaming Control Act;
 - (6) a self-excluded person, if present at a gaming establishment from which the person is excluded, shall forfeit the following to that gaming establishment, provided that all

money or other property forfeited shall be used by the gaming establishment only to supplement the one-fourth percent of the net take of its gaming machines to fund or support programs for the treatment and assistance of compulsive gamblers pursuant to Subsection E of Section 60-2E-47 NMSA 1978:

- (a) all winnings of the person obtained while present at the gaming establishment; and
 - (b) all credits, tokens or vouchers received by the person while present at the gaming establishment;
- (7) a gaming establishment is immune from liability arising out of its efforts to exclude a person identified in a self-exclusion order; and
- (8) a specific term shall be set for each self-exclusion order.
- C. Notice shall be submitted by the board at least monthly to all gaming establishments listing all persons who are currently self-excluded and ordering the removal of their names from direct mail or electronic advertisement or promotional lists.
- D. The state gaming representative may negotiate an agreement with each tribal casino in the state to allow the state to include tribal casinos in the self-exclusion orders.

Regulation: NMAC 15.11.16. Entry of Names on Self-Exclusion List.

- A. Any person may apply to the board to have their name placed on the self-exclusion list.
- B. A person applying to the board to have their name placed on the self-exclusion list shall file an application on a form supplied and approved by the board, and shall meet the following requirements:
 - (1) An applicant for self-exclusion shall be required to submit a written application for self-exclusion on their own behalf.
 - (2) An applicant for self-exclusion shall be required to submit the written application in person by bringing the application to the board's offices or by meeting with an agent of the board for the purpose of submitting the application.
 - (3) An applicant for self-exclusion shall be required to provide a photo identification when submitting the written application.
- C. Upon submission of the completed application, the board chair shall enter an order placing the applicant's name on the self-exclusion list for the specific facility from which the applicant has self-excluded himself. The self-exclusion order shall specify the term of the self-exclusion order.

Regulation: NMAC 15.11.17. Contents and Distribution of Self-Exclusion List.

- A. The self-exclusion list shall not be a public record open to inspection pursuant to the Inspection of Public Records Act.
- B. The name of a person on the self-exclusion list shall be confidential and shall only be made available to authorized agents of the board and authorized personnel of a gaming establishment from which the person has self-excluded himself.
- C. A gaming operator licensee shall establish written policies and procedures to ensure that

the information contained in the self-exclusion list is maintained in a secure manner and is disseminated only to authorized persons on a need-to-know basis.

Regulation: NMAC 15.1.11.18. Duty of Licensee to Exclude Person on Self-Exclusion List.

- A. A self-excluded person shall be excluded from the area of the gaming establishment designated as the licensed premises.
- B. Whenever a self-excluded person enters, attempts to enter, or is on the licensed premises, and the licensee or its agent or a gaming employee knows or has reason to know that the person is a self-excluded person, the licensee or its agents or employees shall do the following:
 - (1) immediately notify the board's enforcement division of the self-excluded person's presence in the gaming establishment;
 - (2) ask the self-excluded person to not enter the licensed premises, or if on the licensed premises, to immediately leave;
 - (3) notify the state department of public safety or the appropriate local law enforcement agency and the board's enforcement division if the self-excluded person fails to comply with a request not to enter the licensed premises or to immediately leave the licensed premises; and
 - (4) confiscate the winnings and any gaming machine credits of the self-excluded person; a gaming operator licensee shall dedicate all winnings confiscated to supplement the gaming operator licensee's contributions to fund or support programs for the treatment and assistance of compulsive gamblers.
- C. The duty to exclude self-excluded persons requires that each gaming operator licensee do the following:
 - (1) ensure that the key personnel and surveillance and security personnel of the gaming operator licensee have reviewed and are familiar with the self-excluded persons list as developed and updated by the board
 - (2) adequately train its agents and employees as to the requirements of this part;
 - (3) develop and maintain appropriate security measures to minimize the risk that an self-excluded person will enter or remain on the licensed premises;
 - (4) remove the self-excluded person's name from any mailing list, e-mail list or other promotional list;
 - (5) disenroll the self-excluded person from any players club or other promotional activity; and
 - (6) ensure that no marketing activity is directed toward the self-excluded person.
- D. As used in this section, "knows or has reason to know" means the gaming operator licensee, agent, or employee:
 - (1) has actual knowledge of the fact that the person is an self-excluded person; or
 - (2) would have obtained that knowledge had the person complied with the duties set forth in this section.

Regulation: NMAC 15.1.11.19. Petition to Remove Name from the Self-Exclusion List.

- A. Any person who has been placed on the self-exclusion list may petition the board in writing and request that his or her name be removed from the list. The petition shall be verified and state the specific grounds believed by the petitioner to constitute good cause for removal of his or her name.
- B. The board shall have ninety (90) days in which to entertain the petition. Within ninety (90) days, the board shall review the petition and make a determination as to whether to remove the self-excluded person's name from the self-exclusion list. The petitioner bears the burden of proving that removal from the self-exclusion list is in the public interest. The board shall not grant a petition for removal if less than one (1) year has passed since entry of the order placing the person on the self-exclusion list.
- C. When the board determines that a person should be removed from the self-exclusion list, the board shall give notice to all licensed gaming establishments to which the self-exclusion was applicable and shall remove the person's name from the electronic database maintained by the board pursuant to 15.1.19.

Restrictions on alcoholic beverages

Statute: NMSA 1978 § 60-2E-26. Gaming operator licensees; general provisions; business plan; player age limit; restrictions.

- H. A gaming operator licensee shall not provide, allow, contract or arrange to provide alcohol or food for no charge or at reduced prices as an incentive or enticement for patrons to game.

Regulation: NMAC 15.1.6.9. Area of Licensed Premises; Restrictions.

- F. No area that is a premises licensed under the New Mexico Liquor Control Act shall be designated as a racetrack gaming operator's licensed premises under the act. Alcoholic beverages shall not be sold, served, delivered, or consumed on any racetrack operator's gaming licensed premises.

Regulation: NMAC 15.1.10.9. Unsuitable Methods of Operation.

Any activity by any licensee or its agents or employees that is contrary to the health, safety, morals, or welfare of the public, shall be deemed an unsuitable method of operation. Without limitation, the following shall be determined to be unsuitable methods of operation:

- A. Serving or allowing possession of alcoholic beverages by any person on the licensed premises of a racetrack gaming operator licensee;

Regulation: NMAC 15.1.10.41. Food or Alcohol as Enticement to Game.

- A. Providing, allowing, contracting for or arranging to provide alcohol or food for no charge or at reduced prices as an incentive or enticement for patrons to game is prohibited.
- B. Activities that constitute incentives or enticements to game include, but are not limited to, any action, promotion, advertisement, coupon, or special offer in which:
 - (1) tokens, cash, or other gaming incentives are offered or given in conjunction with free or reduced price alcohol or food;

- (2) only persons whose names are on the gaming operator's player tracking system are eligible for free or reduced price alcohol or food, unless listing on the player tracking system is open to anyone by request;
- (3) free or reduced price alcohol or food is offered or given to any person while playing a gaming machine;
- (4) eligibility to receive free or reduced price alcohol or food requires gaming machine play or is otherwise directly tied to gaming machine play; or
- (5) in the board's determination, a reasonable person would be enticed to engage in gaming activity as a result of the free or reduced price alcohol or food.

Employee training

Statute: NMSA 1978 § 60-2E-26 (2009), amended. Gaming operator licensees; general provisions; business plan; player age limit; restrictions.

- A. An applicant for licensure as a gaming operator shall submit with the application a plan for assisting in the prevention, education and treatment of compulsive gambling. The plan shall include regular educational training sessions for employees. Plan approval is a condition of issuance of the license.

Regulation: NMAC 15.1.18.10. Employee Training.

- A. The compulsive gambling assistance plan shall be designed with employee training and education as fundamental aspects of the plan. The purpose of the training is to develop awareness of compulsive gambling and to provide resources to assist the employee in handling compulsive gambling issues.
- B. The employee training program shall include training and materials on the following topics:
 - (1) characteristics and symptoms of compulsive gambling behavior;
 - (2) prevalence of compulsive gambling in the general population;
 - (3) relationship of compulsive gambling to other addictions;
 - (4) social costs of compulsive gambling, such as indebtedness, costs for treatment, suicide, criminal behavior, lost jobs, and counseling for family problems;
 - (5) identification of vulnerable populations, including women, low-income patrons, the elderly, and persons who abuse drugs and alcohol;
 - (6) intervention techniques to be employed where a compulsive gambling problem is identified or suspected; and
 - (7) assistance and referral programs, including specific resources and training on how to discuss compulsive gambling with a patron and give advice concerning access to available services.
- C. Training must be conducted within 60 days of the employee's hire date and re-certification must be done annually. Certification and re-certification of such training shall be submitted on a form provided or approved by the board. Failure to submit the required certification may result in administrative action against the gaming operator licensee.

- D. This rule shall not be construed as requiring gaming employees to identify compulsive or other problem gamblers.

Treatment and research funding

Statute: NMSA 1978 § 60-2E-47 (2005). Gaming tax; imposition; administration.

- E. A racetrack gaming operator licensee shall spend no less than one-fourth of one percent of the net take of its gaming machines to fund or support programs for the treatment and assistance of compulsive gamblers.

Regulation: NMAC 15.1.18.12. Compulsive Gambling Funds Distribution.

- A. A racetrack gaming operator shall spend all funds required by statute to fund or support programs for the treatment and assistance of compulsive gamblers each year within 120 days after the close of the licensee's fiscal year.
- B. Racetracks shall spend no more than 15% on administrative costs, including the salary of the plan manager or other person responsible for ensuring that the plan is implemented and administered and for marketing of compulsive gambling issues.
- C. Racetracks shall spend the remainder of the compulsive gambling funds on compulsive gambling training for employees, crisis intervention and prevention programs, gambling assistance and treatment, and a helpline as identified in the plan and approved by the board.

Credit restrictions

Regulation: NMAC 15.1.18.9. Minimum Standards For Compulsive Gambling Assistance Plan.

- A. The compulsive gambling assistance plan shall include all of the following elements unless the applicant or gaming operator licensee obtains a written waiver of any element from the board:
 - (6) policy and procedures that prohibit facilitating, participating in, or allowing the issuance of any loans or extension of credit to a patron for gaming purposes.

Required responsible gaming plan

Statute: Racing, Pari-Mutuel Wagering and Breeding Law, § 1300. Legislative findings and purpose.

The legislature hereby finds and declares that:

12. The state and the casinos will develop programs and resources to combat compulsive and problem gambling[.]

Statute: Racing, Pari-Mutuel Wagering and Breeding Law, § 1316. Minimum license thresholds.

No applicant shall be eligible to receive a gaming license unless the applicant meets the following criteria and clearly states as part of an application that the applicant shall:

5. demonstrate to the commission how the applicant proposes to address problem gambling concerns, workforce development and community development and host and nearby municipality impact and mitigation issues[.]

Statute: Racing, Pari-Mutuel Wagering and Breeding Law, § 1320. Siting evaluation.

In determining whether an applicant shall be eligible for a gaming facility license, the board shall evaluate and issue a finding of how each applicant proposes to advance the following objectives.

3. The decision by the board to select a gaming facility license applicant shall be weighted by ten percent based on workforce enhancement factors including:
 - (b) taking additional measures to address problem gambling including, but not limited to, training of gaming employees to identify patrons exhibiting problems with gambling[.]

Statute: Racing, Pari-Mutuel Wagering and Breeding Law, § 1362. Prevention and outreach.

1. Each gaming facility licensee, management company, and holding company involved in the application and ownership or management of a gaming facility shall provide to the commission, as applicable, an applicant's problem gambling plan. An applicant's problem gambling plan shall be approved by the commission before the commission issues or renews a license. Each plan shall at minimum include the following:
 - (a) The goals of the plan and procedures and timetables to implement the plan;
 - (b) The identification of the individual who will be responsible for the implementation and maintenance of the plan;
 - (c) Policies and procedures including the following:
 - (1) The commitment of the applicant and the gaming facility licensee to train

- appropriate employees;
 - (2) The duties and responsibilities of the employees designated to implement or participate in the plan;
 - (3) The responsibility of patrons with respect to responsible gambling;
 - (4) Procedures for compliance with the voluntary exclusion program;
 - (5) Procedures to identify patrons and employees with suspected or known problem gambling behavior, including procedures specific to loyalty and other rewards and marketing programs;
 - (6) Procedures for providing information to individuals regarding the voluntary exclusion program and community, public and private treatment services, gamblers anonymous programs and similar treatment or addiction therapy programs designed to prevent, treat, or monitor problem gamblers and to counsel family members;
 - (7) Procedures for responding to patron and employee requests for information regarding the voluntary exclusion program and community, public and private treatment services, gamblers anonymous programs and similar treatment or addiction therapy programs designed to prevent, treat, or monitor compulsive and problem gamblers and to counsel family members;
 - (8) The provision of printed material to educate patrons and employees about problem gambling and to inform them about the voluntary exclusion program and treatment services available to problem gamblers and their families. The applicant shall provide examples of the materials to be used as part of its plan, including, brochures and other printed material and a description of how the material will be disseminated;
 - (9) Advertising and other marketing and outreach to educate the general public about the voluntary exclusion program and problem gambling;
 - (10) An employee training program, including training materials to be utilized and a plan for periodic reinforcement training and a certification process established by the applicant to verify that each employee has completed the training required by the plan;
 - (11) Procedures to prevent underage gambling;
 - (12) Procedures to prevent patrons impaired by drugs or alcohol, or both, from gambling; and
 - (13) The plan for posting signs within the gaming facility, containing information on gambling treatment and on the voluntary exclusion program. The applicant shall provide examples of the language and graphics to be used on the signs as part of its plan;
- (d) A list of community, public and private treatment services, gamblers anonymous programs and similar treatment or addiction therapy programs designed to prevent, treat, or monitor problem gamblers and to counsel family members; and
 - (e) Any other information, documents, and policies and procedures that the commission requires.
2. Each applicant or gaming facility licensee shall submit any amendments to the problem gambling plan to the commission for review and approval before implementing the amendments.

3. Each gaming facility licensee shall submit an annual summary of its problem gambling plan to the commission.
4. Each gaming facility licensee shall submit quarterly updates and an annual report to the commission of its adherence to the plans and goals submitted under this section.

Statute: Casino Gaming Law § 5301.1. Application to develop and operate a gaming facility.

The form of application to develop and operate a gaming facility shall include, without limitation, the following elements, consistent with Racing, Pari-Mutuel Wagering and Breeding Law sections 1313 and 1315(2):

- (i) Measures to address problem gaming. An applicant shall describe measures to address problem gaming, including among other things, on-site resources available to those affected by gaming-related problems, description of proposed problem gaming signage on-site, training for facility employees to help identify those who may have gaming-related problems, exclusion policies and the process to notify individuals of the availability of self-exclusion, treatment and prevention programs, and metrics the applicant will use to measure whether the applicant is succeeding in efforts to reduce problem gaming.

Regulation: Gaming Commission Regulations (9 NYCRR) § 5117.6. Responsible gaming.

- (a) Each video lottery gaming agent shall establish a responsible gaming program approved by the commission, which plan shall comply with these regulations.

Self-exclusion

Statute: Racing, Pari-Mutuel Wagering and Breeding Law, § 1344. List of persons self-excluded from gaming activities.

1. The commission shall provide by regulation for the establishment of a list of persons self-excluded from gaming activities at all licensed gaming facilities. Any person may request placement on the list of self-excluded persons by acknowledging in a manner to be established by the commission that the person is a problem gambler and by agreeing that, during any period of voluntary exclusion, the person may not collect any winnings or recover any losses resulting from any gaming activity at such gaming facilities.
2. The regulations of the commission shall establish procedures for placements on, and removals from, the list of self-excluded persons. Such regulations shall establish procedures for the transmittal to licensed gaming facilities of identifying information concerning self-excluded persons, and shall require licensed gaming facilities to establish procedures designed, at a minimum, to remove self-excluded persons from targeted mailings or other forms of advertising or promotions and deny self-excluded persons access to credit, complimentaries, check cashing privileges, club programs, and other similar benefits.
3. A licensed gaming facility or employee thereof acting reasonably and in good faith shall not be liable to any self-excluded person or to any other party in any judicial proceeding for any harm, monetary or otherwise, which may arise as a result of:
 - (a) the failure of a licensed gaming facility to withhold gaming privileges from, or restore gaming privileges to, a self-excluded person; or

- (b) otherwise permitting a self-excluded person to engage in gaming activity in such licensed gaming facility while on the list of self-excluded persons.
4. Notwithstanding any other law to the contrary, the commission's list of self-excluded persons shall not be open to public inspection. Nothing herein, however, shall be construed to prohibit a gaming facility licensee from disclosing the identity of persons self-excluded pursuant to this section to affiliated gaming entities in this state or other jurisdictions for the limited purpose of assisting in the proper administration of responsible gaming programs operated by such gaming affiliated entities.
 5. A licensed gaming facility or employee thereof shall not be liable to any self-excluded person or to any other party in any judicial proceeding for any harm, monetary or otherwise, which may arise as a result of disclosure or publication in any manner, other than a willfully unlawful disclosure or publication, of the identity of any self-excluded person.

Statute: Racing, Pari-Mutuel Wagering and Breeding Law, § 1345. Excluded person; forfeiture of winnings; other sanctions.

1. A person who is prohibited from gaming in a licensed gaming facility by any order of the executive director, commission or court of competent jurisdiction, including any person on the self-exclusion list pursuant to subdivision one of section one thousand three hundred forty-four of this title, shall not collect, in any manner or proceeding, any winnings or recover any losses arising as a result of any prohibited gaming activity.
2. For the purposes this section, any gaming activity in a licensed gaming facility which results in a prohibited person obtaining any money or thing of value from, or being owed any money or thing of value by, the gaming facility shall be considered, solely for purposes of this section, to be a fully executed gambling transaction.
3. In addition to any other penalty provided by law, any money or thing of value which has been obtained by, or is owed to, any prohibited person by a licensed gaming facility as a result of wagers made by a prohibited person shall be subject to forfeiture following notice to the prohibited person and opportunity to be heard. A licensed gaming facility shall inform a prohibited person of the availability of such notice on the commission's website when ejecting the prohibited person and seizing any chips, vouchers or other representative of money owed by a gaming facility to the prohibited person as authorized by this subdivision. All forfeited amounts shall be deposited into the commercial gaming revenue fund.
4. In any proceeding brought by the commission against a licensee or registrant for a willful violation of the commission's self-exclusion regulations, the commission may order, in addition to any other sanction authorized, an additional fine of double the amount of any money or thing of value obtained by the licensee or registrant from any self-excluded person. Any money or thing of value so forfeited shall be disposed of in the same manner as any money or thing of value forfeited pursuant to subdivision three of this section.

Regulation: Gaming Commission Regulations (9 NYCRR) § 5117.6. Responsible gaming and self-exclusion.

- (e) Any person may voluntarily exclude himself or herself from the video lottery gaming facility for a period of either one, three, or five years, under penalty of trespass upon violation, by submitting a written request to the video lottery gaming agent in accordance with this section.

- (1) Such request may be submitted in person at the offices of the video lottery gaming agent. Any person requesting exclusion in person shall present valid identification credentials containing the person's signature and either a photograph or a general description of that person.
 - (2) Such request may also be submitted by mail addressed to the chief operating officer of the video lottery gaming agent or such officer's designee. Any request for exclusion that is submitted by mail shall be signed before a notary public or other person empowered by law to take oaths and shall contain a certificate of acknowledgment by such notary public or other person attesting to the identity of the person making the request.
- (f) A request for exclusion shall include the following:
- (1) the name of the person requesting exclusion;
 - (2) the address of the person's residence;
 - (3) the person's date of birth;
 - (4) the period for which the person is requesting exclusion;
 - (5) the signature of the person requesting exclusion, indicating acknowledgment of the following or a similar statement: "I certify that the information that I have provided above is true and accurate. I am aware that my signature below authorizes the video lottery gaming agent to authorize my exclusion from the video lottery gaming facility until the expiration of the exclusionary period I have requested. I understand that if found within the video lottery gaming facility after having been voluntarily excluded, I will be subject to arrest for criminal trespass if I refuse to be escorted from the facility. Further, I authorize the video lottery gaming agent to send a copy of my request to each video lottery gaming facility located within New York State."
 - (6) if the request for exclusion is made in person:
 - (i) the type of identification credentials examined containing the person's signature, and whether said credentials included a photograph or general description of the person; and
 - (ii) the signature and occupational license number of a video lottery gaming employee authorized to accept such request, indicating that any physical description or photograph of the person appears to agree with such person's actual appearance.
 - (7) if the request for exclusion is made by mail, a certificate of acknowledgment 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 exclusion.
- (g) Should the excluded person be found within the video lottery gaming facility by the commission, surveillance, security, video lottery gaming facility department or any employee of the video lottery gaming agent, and the patron has refused to be escorted from the facility, then a law enforcement agency shall be immediately notified and requested to effectuate an arrest of the excluded patron for criminal trespass. Employees of the video lottery gaming agent and the commission and the commission's duly

authorized representative shall be empowered to swear the complaint against the excluded person.

- (h) The video lottery gaming agent shall maintain an updated master list of all persons who have requested exclusion pursuant to this part.
 - (1) The video lottery gaming agent shall exclude any listed person, effective immediately.
 - (2) An updated master list of persons who have requested exclusion shall be maintained by the surveillance, security and video lottery gaming facility departments of the video lottery gaming agent.
 - (3) The video lottery gaming agent shall note any exclusion pursuant to this section in a file for the person requesting exclusion, including the following:
 - (i) a copy of any applicable video lottery gaming agent notice of the exclusion; and
 - (ii) the date, time, signature and employee license number of the video lottery gaming agent representative making the exclusion entry in that file.
- (i) The video lottery gaming agent shall not divulge any name on the master list of excluded persons, other than to authorized surveillance, security or video lottery gaming department employees or other video lottery gaming personnel whose duties and functions require access to such information, and the commission or the commission's duly authorized representatives.
- (j) Neither these regulations nor any of the rights, duties, or obligations established hereunder, shall create any cause of action, right of action, claim, or other right whatsoever in favor of any person against the State, the commission, any video lottery gaming agent or any of the representatives or employees of any of the foregoing entities. Each person applying for placement on the List of Excluded Persons shall execute a full and complete Waiver/Release form commission releasing the State, the commission, any video lottery gaming agent or any of the representatives or employees of any of the foregoing entities from any liability associated with the acts relating to this provision.

Regulation: Gaming Commission Regulations (9 NYCRR) § 5117.6. Responsible gaming and self-exclusion.

- (e) Any person may voluntarily exclude himself or herself from the video lottery gaming facility for a period of either one, three, or five years, under penalty of trespass upon violation, by submitting a written request to the video lottery gaming agent in accordance with this section.
 - (1) Such request may be submitted in person at the offices of the video lottery gaming agent. Any person requesting exclusion in person shall present valid identification credentials containing the person's signature and either a photograph or a general description of that person.
 - (2) Such request may also be submitted by mail addressed to the chief operating officer of the video lottery gaming agent or such officer's designee. Any request for exclusion that is submitted by mail shall be signed before a notary public or other person empowered by law to take oaths and shall contain a certificate of acknowledgment by such notary public or other person attesting to the identity of the person making the request.

- (f) A request for exclusion shall include the following:
- (1) the name of the person requesting exclusion;
 - (2) the address of the person's residence;
 - (3) the person's date of birth;
 - (4) the period for which the person is requesting exclusion;
 - (5) the signature of the person requesting exclusion, indicating acknowledgment of the following or a similar statement: "I certify that the information that I have provided above is true and accurate. I am aware that my signature below authorizes the video lottery gaming agent to authorize my exclusion from the video lottery gaming facility until the expiration of the exclusionary period I have requested. I understand that if found within the video lottery gaming facility after having been voluntarily excluded, I will be subject to arrest for criminal trespass if I refuse to be escorted from the facility. Further, I authorize the video lottery gaming agent to send a copy of my request to each video lottery gaming facility located within New York State."
 - (6) if the request for exclusion is made in person:
 - (i) the type of identification credentials examined containing the person's signature, and whether said credentials included a photograph or general description of the person; and
 - (ii) the signature and occupational license number of a video lottery gaming employee authorized to accept such request, indicating that any physical description or photograph of the person appears to agree with such person's actual appearance.
 - (7) if the request for exclusion is made by mail, a certificate of acknowledgment 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 exclusion.
- (g) Should the excluded person be found within the video lottery gaming facility by the commission, surveillance, security, video lottery gaming facility department or any employee of the video lottery gaming agent, and the patron has refused to be escorted from the facility, then a law enforcement agency shall be immediately notified and requested to effectuate an arrest of the excluded patron for criminal trespass. Employees of the video lottery gaming agent and the commission and the commission's duly authorized representative shall be empowered to swear the complaint against the excluded person.
- (h) The video lottery gaming agent shall maintain an updated master list of all persons who have requested exclusion pursuant to this part.
- (1) The video lottery gaming agent shall exclude any listed person, effective immediately.
 - (2) An updated master list of persons who have requested exclusion shall be maintained by the surveillance, security and video lottery gaming facility departments of the video lottery gaming agent.
 - (3) The video lottery gaming agent shall note any exclusion pursuant to this section in a file for the person requesting exclusion, including the following:

- (i) a copy of any applicable video lottery gaming agent notice of the exclusion; and
 - (ii) the date, time, signature and employee license number of the video lottery gaming agent representative making the exclusion entry in that file.
- (i) The video lottery gaming agent shall not divulge any name on the master list of excluded persons, other than to authorized surveillance, security or video lottery gaming department employees or other video lottery gaming personnel whose duties and functions require access to such information, and the commission or the commission's duly authorized representatives.
 - (j) Neither these regulations nor any of the rights, duties, or obligations established hereunder, shall create any cause of action, right of action, claim, or other right whatsoever in favor of any person against the State, the commission, any video lottery gaming agent or any of the representatives or employees of any of the foregoing entities. Each person applying for placement on the List of Excluded Persons shall execute a full and complete Waiver/Release form commission releasing the State, the commission, any video lottery gaming agent or any of the representatives or employees of any of the foregoing entities from any liability associated with the acts relating to this provision.

Statute: Racing, Pari-Mutuel Wagering and Breeding Law, § 1344. List of persons self-excluded from gaming activities.

- 2. The regulations of the commission shall establish procedures for placements on, and removals from, the list of self-excluded persons. Such regulations shall establish procedures for the transmittal to licensed gaming facilities of identifying information concerning self-excluded persons, and shall require licensed gaming facilities to establish procedures designed, at a minimum, to remove self-excluded persons from targeted mailings or other forms of advertising or promotions

Regulation: Gaming Commission Regulations (9 NYCRR) § 5108.2. Purpose, format, submission and amendment of the video lottery gaming agent's system of internal control.

- (h) The video lottery gaming agent shall establish procedures to be approved by the commission for the issuance, distribution and control of temporary and permanent identification and access badges to each such identified employee who is to be permitted, during the normal course of performing such employee's duties or during emergencies, access to one or more restricted areas.
- (4) Each video lottery gaming agent may deny or limit access to any public areas in order to preserve the policies of the act and these regulations, including, but not limited to, the following:
 - (iv) any person who has voluntarily excluded themselves pursuant to the exclusion policy of the video lottery gaming agent.

Restrictions on alcoholic beverages

Statute: Racing, Pari-Mutuel Wagering and Breeding Law, § 1362. Prevention and outreach efforts.

1. Each gaming facility licensee, management company, and holding company involved in the application and ownership or management of a gaming facility shall provide to the commission, as applicable, an applicant's problem gambling plan. An applicant's problem gambling plan shall be approved by the commission before the commission issues or renews a license. Each plan shall at minimum include the following:

(c) Policies and procedures including the following:

- (12) Procedures to prevent patrons impaired by drugs or alcohol, or both, from gambling[.]

Employee training

Regulation: Gaming Commission Regulations (9 NYCRR) § 5117.6. Responsible gaming and self-exclusion.

- (c) The video lottery gaming agent's responsible gaming plan will provide for employee training for responsible gaming.

Treatment and research funding

Statute: Finance Law, § 97-nnnn. Commercial gaming revenue fund.

5. Notwithstanding the foregoing, monies received pursuant to:
 - a. sections one thousand three hundred forty-five and one thousand three hundred forty-eight of this article shall be exclusively appropriated to the office of alcoholism and substance abuse services to be used for problem gambling education and treatment purposes.

Property signage

Statute: Tax Law, Art. 34, § 1604-a. Posting of signs to assist compulsive gamblers.

The division shall cooperate with the commissioner of alcoholism and substance abuse services to ensure the posting of signs designed to assist compulsive gamblers pursuant to the provisions of subdivision (h) of section 19.09 of the mental hygiene law.

Regulation: Gaming Commission Regulations (9 NYCRR) § 5117.6. Responsible gaming and self-exclusion.

- (b) Announcements encouraging responsible play shall be displayed by the video lottery gaming agent in all video lottery gaming areas as well as the reception and cashier areas.
- (c) Responsible gaming information shall be prominently displayed by the video lottery

gaming agent at the video lottery gaming facility, and problem gambling information shall be posted on each video lottery gaming agent's website and on each video lottery terminal.

Advertising disclosures

Statute: Racing, Pari-Mutuel Wagering and Breeding Law, § 1363. Advertising restrictions.

1. As used in this section:
 - (a) "advertisement" shall mean any notice or communication to the public or any information concerning the gaming-related business of a gaming facility licensee or applicant through broadcasting, publication or any other means of dissemination, including electronic dissemination. Promotional activities are considered advertisements for purposes of this section.
3. Each advertisement shall, clearly and conspicuously, state a problem gambling hotline number.

Statute: Racing, Pari-Mutuel Wagering and Breeding Law, § 1363. Advertising restrictions.

1. As used in this section:
 - (a) "advertisement" shall mean any notice or communication to the public or any information concerning the gaming-related business of a gaming facility licensee or applicant through broadcasting, publication or any other means of dissemination, including electronic dissemination. Promotional activities are considered advertisements for purposes of this section.
 - (b) "direct advertisement" shall mean any advertisement as described in paragraph (a) of this subdivision that is disseminated to a specific individual or individuals.
4. Each direct advertisement shall, clearly and conspicuously, describe a method or methods by which an individual may designate that the individual does not wish to receive any future direct advertisement.
 - (a) The described method must be by at least two of the following:
 - (1) Telephone;
 - (2) Regular U.S. mail; or
 - (3) Electronic mail.
 - (b) Upon receipt of an individual's request to discontinue receipt of future advertisement, a gaming facility licensee or applicant shall block the individual in the gaming facility licensee's database so as to prevent the individual from receiving future direct advertisements within fifteen days of receipt of the request.

Credit restrictions

Statute: Racing, Pari-Mutuel Wagering and Breeding Law, § 1344. List of persons self-excluded from gaming activities.

1. The regulations of the commission shall establish procedures for placements on, and removals from, the list of self-excluded persons. Such regulations shall establish procedures for the transmittal to licensed gaming facilities of identifying information concerning self-excluded persons, and shall require licensed gaming facilities to establish procedures designed, at a minimum, to . . . deny self-excluded persons access to credit . . . [and] check cashing privileges . . . and other similar benefits.

Restrictions on Financial Instruments

Statute: Racing, Pari-Mutuel Wagering and Breeding Law, § 1338. Limitation on certain financial access.

In order to protect the public interest, the commission shall adopt regulations that include provisions that:

1. limit the number and location of and maximum withdrawal amounts from automated teller machines;
2. prohibit authorized automated teller machines from accepting electronic benefit cards, debit cards, or similar negotiable instruments issued by the state or political subdivisions for the purpose of accessing temporary public assistance;
3. prohibit the use of specified negotiable instruments at gaming facilities and the use of credit cards, debit cards, and similar devices in slot machines or at table games; and
4. prohibit consumers from cashing paychecks at gaming facilities.

Regulation: Gaming Commission Regulations (9 NYCRR) § 5117.7. Restrictions on acceptance of public assistance.

Any video lottery gaming agent that cashes or accepts any public assistance check or electronic benefit transfer device issued by a public welfare official or department, or agent thereof, as and for public assistance, as proscribed by section 151 of the Social Services Law, shall be disciplined by the commission pursuant to Part 5113 of this Subchapter.

Required responsible gaming plan

Statute: Ohio Rev. Code Ann. § 3772.18(6). An applicant's compulsive and problem gambling plan.

A casino operator shall submit an annual summary of its compulsive and problem gambling plan to the commission. The plan at a minimum shall contain the following elements:

- (a) The goals of the plan and procedures and timetables to implement the plan;
- (b) The identification of the individual who will be responsible for the implementation and maintenance of the plan;
- (c) Policies and procedures including the following:
 - (i) The commitment of the casino operator to train appropriate employees;
 - (ii) The duties and responsibilities of the employees designated to implement or participate in the plan;
 - (iii) The responsibility of patrons with respect to responsible gambling;
 - (iv) Procedures for providing information to individuals regarding community, public and private treatment services, gamblers anonymous programs, and similar treatment or addiction therapy programs designed to prevent, treat, or monitor compulsive and problem gamblers and to counsel family members;
 - (v) The provision of printed material to educate patrons about compulsive and problem gambling and to inform them about treatment services available to compulsive and problem gamblers and their families;
 - (vi) The employee training program;
 - (vii) Procedures to prevent underage gambling;
 - (viii) Procedures to prevent intoxicated patrons from gambling;
 - (ix) The plan for posting signs within the casino facility containing gambling treatment information.

Regulation: Ohio Adm. Code § 3772:4-04. Other required information [for license applicants].

- (D) The applicant shall submit its responsible gaming plan.
- (E) The applicant shall submit human resources policies regarding training for employees, background checks and responsible gaming.

Treatment and research funding

Ohio Constitution, Article XV, Section 6(C).

- (g) Two percent of the tax on gross casino revenue shall be distributed to a state problem gambling and addictions fund which shall be used for the treatment of problem gambling and substance abuse, and related research.

Statute: Ohio Rev. Code Ann. § 3793.032. Problem casino gambling and addictions fund; administration.

The director of alcohol and drug addiction services shall administer the problem casino gambling and addictions fund. The director shall use the money in the fund to support programs that provide gambling addiction services, alcohol and drug addiction programs that provide alcohol and drug addiction services, other programs that relate to gambling addiction and substance abuse, and research that relates to gambling addiction and substance abuse. Treatment services provided under programs supported by money in the fund under this section shall be services that are provided by alcohol and drug addiction treatment programs certified by the department of alcohol and drug addiction services or provided by counselors who are certified by the department. Prevention services provided under programs supported by money in the fund under this section shall be services that are provided by alcohol and drug addiction prevention programs certified by the department of alcohol and drug addiction services.

Statute: Ohio Rev. Code Ann. § 3793.02(A)(7). Duties of department.

- (A) The department of alcohol and drug addiction services shall promote, assist in developing, and coordinate or conduct programs of education and research for the prevention of alcohol and drug addiction, the prevention of gambling addiction, the treatment, including intervention, of alcoholics and persons who abuse drugs of abuse, including anabolic steroids, and the treatment, including intervention, of persons with gambling addictions. Programs established by the department shall include abstinence-based prevention and treatment programs.
- (7) Provide a program of gambling addiction services on behalf of the state lottery commission, pursuant to an agreement entered into with the director of the commission under division (K) of section 3770.02 of the Revised Code, and provide a program of gambling and addiction services on behalf of the Ohio casino control commission, under an agreement entered into with the executive director of the commission under section 3772.062 of the Revised Code. Under Section 6(C)(3) of Article XV, Ohio Constitution, the department may enter into agreements with local alcohol, drug addiction, and mental health service districts that are authorized and operating in this state, including with such districts of counties in which a casino facility is not located, and nonprofit organizations to provide gambling and addiction services and substance abuse services, and with state institutions of higher education or private nonprofit institutions that possess a certificate of authorization issued under Chapter 1713. of the Revised Code to perform related research.

Required responsible gaming plan

Regulation: OAC § 325:90-1-1. Purpose.

The Rules in this chapter provide requirements and procedures for unresolved patron disputes and for compulsive gambling assistance plans which include minimum standards, employee training and annual reporting regarding compulsive gambling activities.

Regulation: OAC § 325:90-5-2. Compulsive Gambling Assistance Plan.

- (a) An applicant for a Racetrack Gaming Operator License must submit with the application a plan to address compulsive gambling in accordance with the requirements of these regulations for assisting in the prevention and education of compulsive gambling.
- (b) No Racetrack Gaming Operator License application will be approved unless the Commission first approves the applicant's compulsive gambling assistance plan.
- (c) Failure to implement the compulsive gambling assistance plan or to satisfactorily maintain and administer a plan once implemented will be grounds for suspension or revocation of the Racetrack Gaming Operator License, assessment of a fine, or both.
- (d) A plan must meet or exceed the minimum standards set forth in these Rules. The development of such a plan by the applicant and the approval of a plan by the Commission are conditions of issuance of the original Racetrack Gaming Operator License. The maintenance of a plan, as approved by the Commission, is a condition of annual renewal of the license.

Regulation: OAC § 325:90-5-3. Minimum standards for Compulsive Gambling Assistance Plan.

- (a) The compulsive gambling assistance plan must include all of the following elements unless the applicant or Racetrack Gaming Operator Licensee obtains a written waiver of any element from the Commission:
 - (1) Identification of a plan manager or other Person responsible for ensuring that a plan is implemented and administered by the Racetrack Gaming Operator Licensee and monitored to maintain the minimum standards established by these rules;
 - (2) A mission statement that identifies the goals of the Racetrack Gaming Operator Licensee in administering a plan;
 - (3) Policies concerning the handling of compulsive gambling problems, commitment to training, intervention, the employee's role and duties, management's role and duties, and the patron's responsibilities;
 - (4) Procedures to determine appropriate intervention techniques in a given circumstance, and carrying out the intervention techniques;
 - (5) Printed materials to educate patrons about compulsive gambling and inform them of local and Statewide resources available to compulsive gamblers and their families. The materials may include signs and posters located inside the licensed premises and brochures discussing compulsive gambling issues and sources of treatment and

information. A plan must also specify a source of the printed materials and proposed distribution methods;

- (6) Policy and procedures that prohibit facilitating, participating in, or allowing the issuance of any loans or extension of credit to a patron for gaming purposes;
- (7) A comprehensive Gaming Employee and on-site Key Executive training program satisfactory to the Commission, including training manuals and other materials necessary to educate employees about compulsive gambling issues; the training plan must include instruction in the psychology of the compulsive gambling, methods of recognizing compulsive gambling behavior, intervention techniques and other subjects as determined by the Commission;
- (8) Completion and submission of a form certifying to the Commission's satisfaction that each employee required to obtain the training has done so within the time period specified by these Rules;
- (9) Details of a follow-up training program to periodically reinforce employee training;
- (10) Estimated costs for implementation and administration;
- (11) Timetable and procedures for implementing the compulsive gambling assistance plan. A plan must be implemented no later than thirty (30) days from the date gaming commences on the licensed premises;
- (12) Preventing gaming by Minors; and
- (13) Any other policies and procedures designed to encourage responsible gaming that the applicant or Racetrack Gaming Operator Licensee wishes to include.

Regulation: OAC § 325:90-5-5. Annual report regarding Compulsive Gambling Activities.

Each Racetrack Gaming Operator Licensee must submit to the Commission, initially six months following the commencement of gaming activities and thereafter by March 31 annually, a report detailing the Racetrack Gaming Operator Licensee's compulsive gambling activities for the previous calendar twelve month period ending December 31.

Employee training

Regulation: OAC § 325:90-5-4. Employee training regarding Compulsive Gambling Assistance Plan.

- (a) The compulsive gambling assistance plan must be designed with employee training and education as fundamental aspects of a plan. The purpose of the training is to develop awareness of compulsive gambling and to provide resources to assist the employee in handling compulsive gambling issues.
- (b) The employee training program must include training and materials on the following topics:
 - (1) Characteristics and symptoms of compulsive gambling behavior;
 - (2) Prevalence of compulsive gambling in the general population;
 - (3) Relation of compulsive gambling to other addictions;
 - (4) Social costs of compulsive gambling, such as indebtedness, costs for treatment, suicide, criminal behavior, lost jobs, and counseling for family problems;
 - (5) Identification of vulnerable populations, including women, low-income patrons, the elderly and Persons who abuse drugs and alcohol;

- (6) Intervention techniques to be employed where a compulsive gambling problem is identified or suspected; and
 - (7) Assistance and referral programs, including specific resources and training on how to discuss compulsive gambling with a patron and give advice concerning access to available services.
- (c) Training must be conducted within thirty (30) days of the employee's hire date. Certification of such training must be submitted on a form approved by the Commission. Failure to submit the required certification may result in administrative action against the Racetrack Gaming Operator Licensee.

Treatment and research funding

Statute: Okla. Stat. § 3A-724 (Supp. 2014). Prizes . . . Unclaimed prize monies.

- G. Unclaimed prize money shall not constitute net lottery proceeds. The first Five Hundred Thousand Dollars (\$500,000.00) of unclaimed prize money accruing annually shall be transferred to the Department of Mental Health and Substance Abuse Services for the treatment of compulsive gambling disorder and educational programs related to such disorder. All other unclaimed prize money shall be added to the pool from which future prizes are to be awarded or used for special prize promotions.

Required responsible gaming plan

Regulation: 58 Pa. Code § 501a.2. Compulsive and problem gambling plan.

- (a) An applicant for a slot machine license shall submit a compulsive and problem gambling plan for review at the time of submission of the application. The plan must, at a minimum, contain the elements listed in subsection (d).
- (b) The compulsive and problem gambling plan of an applicant for a slot machine license that has been approved to receive a slot machine license must be approved by the Director of OCPG. An applicant for a slot machine license who has been approved to receive a slot machine license will be notified in writing of any deficiencies in the plan and may submit revisions to the plan to the Director of OCPG. A slot machine licensee may not commence operations until the Director of OCPG approves the plan.
- (c) Compliance with the plan approved under this chapter will be a condition of license renewal.
- (d) A compulsive and problem gambling plan must include the following:
 - (1) The goals of the plan and procedures and timetables to implement the plan.
 - (2) The identification of the individual who will be responsible for the implementation and maintenance of the plan.
 - (3) Policies and procedures including the following:
 - (i) The commitment of the licensee to train appropriate employees.
 - (ii) The duties and responsibilities of the employees designated to implement or participate in the plan.
 - (iii) The responsibility of patrons with respect to responsible gambling.
 - (iv) Procedures to identify patrons and employees with suspected or known compulsive and problem gambling behavior.
 - (v) Procedures for providing information to individuals regarding community, public and private treatment services, gamblers anonymous programs and similar treatment or addiction therapy programs designed to prevent, treat, or monitor compulsive and problem gamblers and to counsel family members.
 - (vi) Procedures for responding to patron requests for information regarding community, public and private treatment services, gamblers anonymous programs and similar treatment or addiction therapy programs designed to prevent, treat, or monitor compulsive and problem gamblers and to counsel family members. The provisions of this subsection do not create a duty for a slot machine licensee or its employees to refer compulsive and problem gamblers to qualified treatment professionals.
 - (4) The provision of printed material to educate patrons about compulsive and problem gambling and to inform them about treatment services available to compulsive and problem gamblers and their families. The slot machine licensee shall provide

- examples of the materials to be used as part of its plan, including signs required under § 501a.5 (relating to signage requirements), brochures and other printed material and a description of how the material will be disseminated.
- (5) An employee training program as required under § 501a.3 (relating to employee training program), including training materials to be utilized and a plan for periodic reinforcement training.
 - (6) A certification process established by the slot machine licensee to verify that each employee has completed the training required by the plan.
 - (7) An estimation of the cost of development, implementation and administration of the plan.
 - (8) A list of community, public and private treatment services, gamblers anonymous programs and similar treatment or addiction therapy programs designed to prevent, treat, or monitor compulsive and problem gamblers and to counsel family members.
 - (9) Procedures to prevent underage gambling as required under § 513a.3(b) (relating to responsibilities of licensees, permittees, registrants and certification holders).
 - (10) Procedures to prevent excluded persons from gambling.
 - (11) Procedures to prevent intoxicated patrons from gambling.
 - (12) Details of outreach programs which the slot machine licensee intends to offer to employees and individuals who are not employees of the slot machine licensee.
 - (13) The plan for posting signs required under § 501a.5 within the licensed facility, containing gambling treatment information.
- (e) A slot machine licensee shall also submit other policies and procedures the slot machine licensee intends to use beyond what is required under subsection (d) to prevent and raise awareness of compulsive and problem gambling.
 - (f) The Board may provide the plan submitted by the slot machine licensee to the Department of Health for its use in administering the act. The Department of Health may provide comments and recommendations to the OCPG and the licensee relating to the plan.
 - (g) A slot machine licensee shall submit amendments to the compulsive and problem gambling plan to the Director of OCPG for review and approval at least 30 days prior to the intended implementation date of the amendments. The slot machine licensee may implement the amendments on the 30th calendar day following the filing the amendments unless the slot machine licensee receives a notice under subsection (h) objecting to the amendments.
 - (h) If during the 30-day review period the Director of OCPG determines that the amendments may not promote the prevention of compulsive and problem gambling or assist in the proper administration of responsible gaming programs, the Director of OCPG may, by written notice to the slot machine licensee, object to the amendments. The objection will:
 - (1) Specify the nature of the objection and, when possible, an acceptable alternative.
 - (2) Direct that the amendments not be implemented until approved by the Director of OCPG.
 - (i) When amendments have been objected to under subsection (h), the slot machine licensee may submit revised amendments for review in accordance with subsections (g) and (h).

Regulation: 58 Pa. Code § 501a.4. Reports.

- (a) A slot machine licensee shall submit to the Director of the OCPG an annual summary of its compulsive and problem gambling program by the last business day of July.
- (b) The annual summary must contain, at a minimum, detailed information regarding:

- (1) Employee training, including:

- (i) The dates of live new hire and annual reinforcement compulsive gambling training.
- (ii) The individual or group who conducted the training.
- (iii) The number of employees who completed the new hire compulsive gambling training.
- (iv) The number of employees who completed the annual reinforcement compulsive gambling training.
- (v) The dates of responsible alcohol training.
- (vi) The individual or group who conducted the responsible alcohol training.
- (vii) The number of employees who completed the responsible alcohol training.

- (2) An estimated amount of printed materials provided to patrons regarding:

- (i) Compulsive and problem gambling.
- (ii) The self-exclusion program.
- (iii) Responsible gaming.
- (iv) Available treatment services.

- (3) The amount spent on the Compulsive and Problem Gambling Plan for:

- (i) Employee training.
- (ii) Printed materials.
- (iii) Outreach including community training and sponsorships.

- (4) Additional information including:

- (i) The number of underage individuals who were denied access to the gaming floor.
- (ii) The number of self-excluded individuals who were discovered on the gaming floor at the licensed facility.
- (iii) The number of signs within the licensed facility that contain the approved problem gambling statement and helpline number.
- (iv) A summary of any community outreach conducted by the licensee.

Regulation: 58 Pa. Code § 503a.4. Duties of slot machine licensees.

- (g) The list of self-excluded persons is confidential, and any distribution of the list to an unauthorized source constitutes a violation of the act.
- (h) Under section 1516 of the act (relating to list of persons self-excluded from gaming activities), slot machine licensees and employees thereof may not be liable for damages in any civil action, which is based on the following:

- (1) Failure to withhold gaming privileges from or restore gaming privileges to a self-excluded person.
 - (2) Permitting or not permitting a self-excluded person to gamble.
 - (3) Good faith disclosure of the identity of a self-excluded person to someone, other than those authorized by this chapter, for the purpose of complying with this chapter.
- (i) A slot machine licensee shall report the discovery of a self-excluded person on the gaming floor, in areas off the gaming floor where gaming activity is conducted or engaging in gaming related activities to the Director of OCPG within 24 hours.

Restrictions on alcoholic beverages

Regulation: 58 Pa. Code § 501a.3. Employee training program.

- (a) The employee training program required under § 501a.2(d)(5) (relating to compulsive and problem gaming plan) must include instruction in the following:
- (6) Procedures designed to prevent serving alcohol to visibly intoxicated gaming patrons.
 - (7) Procedures designed to prevent persons from gaming after having been determined to be visibly intoxicated.

Employee training

Regulation: 58 Pa. Code § 501a.2. Compulsive and problem gambling plan.

- (d) A compulsive and problem gambling plan must include the following:
- (3) Policies and procedures including the following:
 - (i) The commitment of the licensee to train appropriate employees.
 - (5) An employee training program as required under § 501a.3 (relating to employee training program), including training materials to be utilized and a plan for periodic reinforcement training.
 - (6) A certification process established by the slot machine licensee to verify that each employee has completed the training required by the plan.

Regulation: 58 Pa. Code § 501a.3. Employee training program.

- (a) The employee training program required under § 501a.2(d)(5) (relating to compulsive and problem gaming plan) must include instruction in the following:
- (1) Characteristics and symptoms of compulsive behavior, including compulsive and problem gambling.
 - (2) The relationship of compulsive and problem gambling to other addictive behavior.
 - (3) The social and economic consequences of compulsive and problem gambling, including debt, treatment costs, suicide, criminal behavior, unemployment and domestic issues.

- (4) Techniques to be used when compulsive and problem gambling is suspected or identified.
 - (5) Techniques to be used to discuss compulsive and problem gambling with patrons and advise patrons regarding community, public and private treatment services.
 - (6) Procedures designed to prevent serving alcohol to visibly intoxicated gaming patrons.
 - (7) Procedures designed to prevent persons from gaming after having been determined to be visibly intoxicated.
 - (8) Procedures for the dissemination of written materials to patrons explaining the self-exclusion program.
 - (9) Procedures for removing an excluded person, an underage individual or a person on the self-exclusion list from a licensed facility including, if necessary, procedures that include obtaining the assistance of appropriate law enforcement personnel.
 - (10) Procedures for preventing an excluded person or a person on the self-exclusion list from being mailed any advertisement, promotion or other target mailing no later than 5 business days after receiving notice from the Board that the person has been placed on the excluded person or self-exclusion list.
 - (11) Procedures for preventing an individual under 21 years of age from receiving any advertisement, promotion or other target mailing.
 - (12) Procedures to prevent an excluded person, an individual under 21 years of age or a person on the self-exclusion list from having access to or from receiving complimentary services, or other like benefits.
 - (13) Procedures to prevent an excluded person, an individual under 21 years of age or a person on the self-exclusion list from cashing checks.
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- (b) Training and training materials shall be updated annually and include current research and information on responsible and problem gambling.
 - (c) Training for employees shall be conducted by a person with specialized knowledge, skill, training and experience in responsible gaming employee training programs as part of the employee's orientation.
 - (d) Employees who have received training shall be certified by the slot machine licensee under § 501a.2(d)(6) upon completion of the training.
 - (e) Employees are required to receive periodic reinforcement training at least once every calendar year starting with the year following the year in which the employee was hired. The date of the reinforcement training shall be recorded in each employee's personnel file.
 - (f) Employees shall report suspected or identified compulsive or problem gamblers to a designated key employee or other supervisory employee.
 - (g) The identity of an individual suspected of known compulsive or problem gambling shall be confidential except as provided under § 503a.3(f) (relating to self-exclusion list) and section 1516(d) of the act (relating to list of persons self-excluded from gaming activities).
 - (h) Slot machine licensees may collaborate with a person with specialized knowledge, skill, training and experience in responsible gaming employee training programs to develop an in-house or Internet-based employee training program to provide the training and reinforcement training required under this chapter.

Self-exclusion

Statute: 4 Pa. Cons. Stat. § 1516. List of persons self excluded from gaming activities.

- (a) General rule.--The board shall provide by regulation for the establishment of a list of persons self excluded from gaming activities at all licensed facilities. Any person may request placement on the list of self-excluded persons by acknowledging in a manner to be established by the board that the person is a problem gambler and by agreeing that, during any period of voluntary exclusion, the person may not collect any winnings or recover any losses resulting from any gaming activity at licensed facilities.
- (b) Regulations.--The regulations of the board shall establish procedures for placements on and removals from the list of self-excluded persons. The regulations shall establish procedures for the transmittal to licensed gaming entities of identifying information concerning self-excluded persons and shall require licensed gaming entities to establish procedures designed at a minimum to remove self-excluded persons from targeted mailings or other forms of advertising or promotions and deny self-excluded persons access to complimentaries, check cashing privileges, club programs and other similar benefits.
- (c) Liability.--A licensed gaming entity or employee thereof shall not be liable to any self-excluded person or to any other party in any judicial proceeding for any harm, monetary or otherwise, which may arise as a result of:
 - (1) the failure of a licensed gaming entity to withhold gaming privileges from or restore gaming privileges to a self-excluded person; or
 - (2) otherwise permitting or not permitting a self-excluded person to engage in gaming activity in the facility while on the list of self-excluded persons.
- (d) Disclosure.--Notwithstanding any other law to the contrary, the board's list of self-excluded persons shall not be open to public inspection. Nothing in this section, however, shall be construed to prohibit a licensed gaming entity from disclosing the identity of persons self excluded pursuant to this section to affiliated gaming entities in this Commonwealth or other jurisdictions for the limited purpose of assisting in the proper administration of responsible gaming programs operated by affiliated licensed gaming entities.

Regulation: 58 Pa. Code § 441a.23. Category 3 slot machine licensees.

- (b) A Category 3 slot machine applicant shall submit, as part of its application and its internal controls required under Chapter 465 (relating to accounting and internal controls), a plan detailing how the applicant will monitor the gaming area to ensure compliance with Chapters 503a, 511a and 513a (relating to self-exclusion; persons required to be excluded; and underage gaming)

Regulation: 58 Pa. Code § 465a.9. Surveillance system; surveillance department control; surveillance department restrictions.

- (c) The surveillance system required in this section must include:
 - (6) One or more monitoring rooms in the licensed facility which shall be staffed by employees of the slot machine licensee's surveillance department who shall at all

times monitor the activities enumerated in paragraphs (1), (2) and (3). Each monitoring room shall be equipped with or serviced by:

- (iv) An updated photo library, consisting of photographs that are no more than 4 years old, of all current employees of the slot machine licensee and a separate photo library that contains the photographs of individuals who are on the Board's self-exclusion or exclusion list. These photo libraries shall be available to the Board and the Pennsylvania State Police.

Regulation: 58 Pa. Code § 465a.11. Slot machine licensee's organization; jobs compendium.

- (b) A slot machine licensee's system of internal controls must also include, at a minimum, the following departments and supervisory positions, each of which must be categorized as mandatory and must cooperate with, yet perform independently of, other mandatory departments and supervisory positions of the slot machine licensee. Notwithstanding the foregoing, a department or supervisor that is not required or authorized by this section may operate under or in conjunction with a mandatory department or supervisor provided the organizational structure is consistent with the standards contained within the act and subsection (a). Mandatory departments and supervisory positions are:

- (1) A surveillance department supervised by an individual located at the licensed facility who functions, for regulatory purposes, as the director of surveillance. The director of surveillance shall be subject to the reporting requirements specified in subsection (c) and shall be licensed as a key employee. The surveillance department shall be responsible for the following:
 - (vii) The detection of the presence of any individual who . . . is self-excluded from the gaming floor and gaming activities at all licensed facilities under section 1516 of the act (relating to list of persons self-excluded from gaming activities) and Chapter 503a (relating to self-exclusion).
 - (ix) The provision of immediate notice to supervisors designated in the internal controls, the casino compliance representatives and the Pennsylvania State Police at the licensed facility upon detecting, and also upon commencing video recording of . . . an individual who is . . . self-excluded from the gaming floor and gaming activities at all licensed facilities under section 1516 of the act and Chapter 503a.

Regulation: 58 Pa. Code § 503a.2. Request for self-exclusion.

- (a) A person requesting placement on the self-exclusion list shall submit, in person, a completed Request for Voluntary Self-exclusion from Gaming Activities Form to the Board. The submission may be made by scheduling an appointment at the Board's Harrisburg office, one of the Board's other offices or at a licensed facility. To make an appointment, a person may contact the OCPG at (717) 346-8300.
- (b) A request for self-exclusion must include the following identifying information:
 - (1) Name, including any aliases or nicknames.
 - (2) Date of birth.

- (3) Address of current residence.
 - (4) Telephone number.
 - (5) Social Security number, when voluntarily provided in accordance with section 7 of the Privacy Act of 1974 (5 U.S.C.A. § 552a).
 - (6) Physical description of the person, including height, weight, gender, hair color, eye color and any other physical characteristic that may assist in the identification of the person.
- (c) The information provided in subsection (b) shall be updated by the self-excluded person within 30 days of a change. Updated information shall be submitted on a Change of Information Form to the following address. A copy of the form can be obtained by calling the OPGC at (717) 346-8300 or by writing to:

PENNSYLVANIA GAMING CONTROL BOARD
OFFICE OF COMPULSIVE AND PROBLEM GAMBLING
P. O. BOX 69060
HARRISBURG, PA 17106-9060

- (d) The length of self-exclusion requested by a person must be one of the following:
- (1) One year (12 months).
 - (2) Five years.
 - (3) Lifetime.
- (e) A request for self-exclusion must include a signed release which:
- (1) Acknowledges that the request for self-exclusion has been made voluntarily.
 - (2) Certifies that the information provided in the request for self-exclusion is true and accurate.
 - (3) Acknowledges that the individual requesting self-exclusion is a problem gambler.
 - (4) Acknowledges that a person requesting a lifetime exclusion is prohibited from requesting removal from the self-exclusion list and that a person requesting a 1-year or 5-year exclusion will remain on the self-exclusion list until a request for removal under § 503a.5 (relating to removal from self-exclusion list) is approved.
 - (5) Acknowledges that if the individual is discovered on the gaming floor, in areas off the gaming floor where gaming activity is conducted or engaging in gaming related activities at any licensed facility, that the individual will be subject to removal and arrest for criminal trespass under 18 Pa.C.S. § 3503 (relating to criminal trespass) and the individual's winnings will be subject to confiscation and remittance to support compulsive and problem gambling programs.
 - (6) Releases, indemnifies, holds harmless and forever discharges the Commonwealth, the Board and all slot machine licensees from claims, damages, losses, expenses or liability arising out of, by reason of or relating to the self-excluded person or to any other party for any harm, monetary or otherwise, which may arise as a result of one or more of the following:

- (i) The failure of a slot machine licensee to withhold gaming privileges from or restore gaming privileges to a self-excluded person.
 - (ii) Otherwise permitting or not permitting a self-excluded person to engage in gaming activity in a licensed facility while on the list of self-excluded persons.
 - (iii) Confiscation of the individual's winnings.
- (f) Self-exclusions for 1 year or 5 years remain in effect until the period of self-exclusion concludes and the person requests removal from the Board's self-exclusion list under § 503a.5.
 - (g) A person submitting a self-exclusion request shall present a valid government-issued photo identification containing the person's signature and photograph when the person submits the request.
 - (h) A person requesting self-exclusion under this chapter shall have a photograph taken by the Board, or agent thereof, upon acceptance of the request to be on the list.

Regulation: 58 Pa. Code § 503a.3. Self-exclusion list.

- (a) The Board will maintain the official self-exclusion list and notify each slot machine licensee of additions to or deletions from the list within 5 business days of the verification of the information received under § 503a.2 (relating to request for self-exclusion) by first class mail or by transmitting the self-exclusion list electronically directly to each slot machine licensee.
- (b) The notice provided to slot machine licensees by the Board will include the following information concerning a person who has been added to the self-exclusion list:
 - (1) Name, including any aliases or nicknames.
 - (2) Date of birth.
 - (3) Address of current residence.
 - (4) Telephone number.
 - (5) Social Security number, when voluntarily provided by the person requesting self-exclusion under section 7 of the Privacy Act of 1974 (5 U.S.C. § 552a).
 - (6) Physical description of the person, including height, weight, gender, hair color, eye color and other physical characteristic, that may assist in the identification of the person.
 - (7) A copy of the photograph taken by the Board under § 503a.2(i).
- (c) The notice provided to slot machine licensees by the Board concerning a person whose name has been removed from the self-exclusion list will include the name and date of birth of the person.
- (d) A slot machine licensee shall maintain a copy of the self-exclusion list and establish procedures to ensure that the copy of the self-exclusion list is updated and that all appropriate employees and agents of the slot machine licensee are notified of any addition to or deletion from the list within 5 business days after the day notice is mailed to each slot machine licensee or transmitted electronically under subsection (a).
- (e) Information furnished to or obtained by the Board under this chapter will be deemed confidential and will not be disclosed except in accordance with this chapter.
- (f) Slot machine licensees, employees or agents thereof may not disclose the name of, or

any information about, a person who has requested self-exclusion to anyone other than employees and agents of the slot machine licensee whose duties and functions require access to the information. Notwithstanding the foregoing, a slot machine licensee may disclose the identity of a self-excluded person to appropriate employees of other slot machine licensees in this Commonwealth or affiliated gaming entities in other jurisdictions for the limited purpose of assisting in the proper administration of responsible gaming programs.

- (g) A self-excluded person may not collect in any manner or in any proceeding any winnings or recover any losses arising as a result of any gaming activity for the entire period of time that the person is on the Board's self-exclusion list.
- (h) Winnings incurred by a self-excluded person shall be remitted to the Board to support compulsive and problem gambling programs of the Board.
- (i) For the purposes of this section, winnings issued to, found on or about, or redeemed by a self-excluded person shall be presumed to constitute winnings subject to remittance to the Board.

Regulation: 58 Pa. Code § 503a.5. Removal from self-exclusion list.

(a) For individuals who are self-excluded for 1 year or 5 years, upon the conclusion of the period of self-exclusion, the individual may request removal from the self-exclusion list by scheduling an appointment with the OCPG at (717) 346-8300. At the scheduled appointment time, the individual requesting removal shall submit, in person, a completed Request for Removal from Voluntary Self-Exclusion Form as required under subsections (b) and (c). With an appointment, removal from the list may be conducted at the Board's Harrisburg office, one of the Board's regional offices or other location approved by the OCPG.

(b) A Request for Removal from Voluntary Self-Exclusion Form must include:

- (1) The identifying information specified in § 503a.2(b) (relating to request for self-exclusion).
- (2) The signature of the person requesting removal from the self-exclusion list indicating acknowledgment of the following statement:

"I certify that the information that I have provided above is true and accurate. I am aware that my signature below constitutes a revocation of my previous request for self-exclusion, and I authorize the Board to permit all slot machine licensees of the Commonwealth of Pennsylvania to reinstate my gaming privileges at licensed facilities."

- (c) A person submitting a Request for Removal from Voluntary Self-Exclusion Form shall be required to present a valid government-issued photo identification containing the person's signature when the form is submitted during the person's scheduled appointment.
- (d) Within 15 business days after the Request for Removal from Voluntary Self-Exclusion Form is accepted by Board staff, the OCPG will delete the name of the individual from the self-exclusion list and notify each slot machine licensee of the removal. An individual who was removed from the voluntary self-exclusion list may not enter the gaming floor, areas off the gaming floor where contests or tournaments are conducted or engage in gaming related activities for 15 business days from the date Board staff accepts the request to be removed

from the voluntary self-exclusion list or may be subject to arrest for trespassing under 18 Pa.C.S. § 3503 (relating to criminal trespass).

Regulation: 58 Pa. Code § 503a.6. Exceptions for individuals on the self-exclusion list.

The prohibition against allowing self-excluded persons to be on the gaming floor or in areas off the gaming floor where gaming activity is conducted does not apply to an individual who is on the self-exclusion list if all of the following apply:

- (1) The individual is carrying out the duties of employment or incidental activities related to employment.
- (2) The slot machine licensee's security department and the Board's office located at the licensed facility have received prior notice.
- (3) Access to the gaming floor or areas off the gaming floor where gaming activity is conducted is limited to the time necessary to complete the individual's assigned duties.
- (4) The individual does not otherwise engage in any gaming activities.

Regulation: 58 Pa. Code § 503a.7. Disclosure of information related to persons on the self-exclusion list.

- (a) The Board may periodically release to the public demographics and general information regarding the self-exclusion list such as the total number of individuals on the list, gender breakdown and age range.
- (b) The Board may make selected data available, upon request, for the limited purpose of assisting in the proper administration of responsible gaming programs.
- (c) The Board will not disclose identifying information or confirm or deny the existence of an individual's name on the Board's voluntary self-exclusion list.

Regulation: 58 Pa. Code § 603a.20. Match Play Coupons; physical characteristics and issuance.

- (a) If included in the certificate holder's internal controls, required under § 465a.2, a certificate holder may authorize a gaming service provider to print and mail Match Play Coupons directly to patrons in accordance with the following requirements:
 - (7) The certificate holder is responsible for ensuring that the gaming service provider does not mail Match Play Coupons to individuals on the self-exclusion list under Chapter 503a (relating to self-exclusion) or the exclusion list under Chapter 511a (relating to persons required to be excluded).

Regulation: 58 Pa. Code § 503a.4. Duties of slot machine licensees.

- (a) A slot machine licensee shall train its employees and establish procedures to:
 - (1) Identify a self-excluded person when present on the gaming floor, in areas off the gaming floor where gaming activity is conducted or engaging in gaming related activities and, upon identification, immediately notify the following persons:
 - (i) Employees of the slot machine licensee whose duties include the removal of self-excluded persons.
 - (ii) Casino compliance representatives at the licensed facility.
 - (iii) The Pennsylvania State Police.

- (2) Refuse wagers from and deny gaming privileges to a self-excluded person.
 - (3) Deny gaming related activities, gaming junket participation and other similar privileges and benefits to a self-excluded person.
 - (4) Ensure that self-excluded persons do not receive, either from the slot machine licensee or any agent thereof, gaming junket solicitations, targeted mailings, telemarketing promotions, player club materials or other promotional materials relating to gaming activities at its licensed facility as required under § 501a.3(a)(10) (relating to employee training program).
 - (5) Comply with § 503a.3(d) (relating to self-exclusion list).
 - (6) Make available to patrons written materials explaining the self-exclusion program.
- (b) A slot machine licensee shall submit a copy of its procedures and training materials established under subsection (a) to the Director of OCPG for review and approval at least 30 days prior to initiation of gaming activities at the licensed facility. The slot machine licensee will be notified in writing of any deficiencies in the procedures and training materials and may submit revisions to the procedures and training materials to the Director of OCPG. A slot machine licensee may not commence operations until the Director of OCPG approves the procedures and training.
 - (c) A slot machine licensee shall submit amendments to the procedures and training materials required under subsection (b) to the Director of OCPG for review and approval at least 30 days prior to the intended implementation date of the amendments. The slot machine licensee may implement the amendments on the 30th calendar day following the filing of the amendments unless the slot machine licensee receives a notice under subsection (d) objecting to the amendments.
 - (d) If during the 30-day review period the Director of OCPG determines that the amendments to the procedures and training materials may not promote the prevention of gaming by self-excluded individuals or assist in the proper administration of the self-exclusion program, the Director of OCPG may, by written notice to the slot machine licensee, object to the amendments. The objection will:
 - (1) Specify the nature of the objection and, when possible, an acceptable alternative.
 - (2) Direct that the amendments not be implemented until approved by the Director of OCPG.
 - (e) When the amendments to the procedures and training materials have been objected to under subsection (d), the slot machine licensee may submit revised amendments in accordance with subsections (c) and (d).

Regulation: 58 Pa. Code § 503a.3. Self-exclusion list.

- (h) Winnings incurred by a self-excluded person shall be remitted to the Board to support compulsive and problem gambling programs of the Board.
- (i) For the purposes of this section, winnings issued to, found on or about, or redeemed by a self-excluded person shall be presumed to constitute winnings subject to remittance to the Board.

Treatment and research funding

Statute: 4 Pa. Cons. Stat. § 1408. Transfers from State Gaming Fund.

- (a) Transfer for compulsive and problem gambling treatment.--Each year, the sum of \$2,000,000 or an amount equal to .002 multiplied by the total gross terminal revenue of all active and operating licensed gaming entities, whichever is greater, shall be transferred into the Compulsive and Problem Gambling Treatment Fund established in section 1509 (relating to compulsive and problem gambling program).
- (a.1) Transfer.--Beginning on the first business day of January 2010 and annually thereafter, the sum of \$3,000,000 shall be transferred [sic] to the Department of Health to be used to provide drug and alcohol addiction treatment services, including treatment for drug and alcohol addiction related to compulsive and problem gambling, as set forth in section 1509.1 (relating to drug and alcohol treatment).

Statute: 4 Pa. Cons. Stat. § 1509. Compulsive and problem gambling program.

- (b) Compulsive and Problem Gambling Treatment Fund.--There is hereby established in the State Treasury a special fund to be known as the Compulsive and Problem Gambling Treatment Fund. All moneys in the fund shall be administered by the Department of Health and expended solely for programs for the prevention and treatment of gambling addiction and other emotional and behavioral problems associated with or related to gambling addiction and for the administration of the compulsive and problem gambling program, provided that the Department of Health shall annually distribute at least 50% of the money in the fund to single county authorities under subsection (d). The fund shall consist of money annually allocated to it from the annual payment established under section 1408(a) (relating to transfers from State Gaming Fund), money which may be allocated by the board, interest earnings on moneys in the fund and any other contributions, payments or deposits which may be made to the fund.
- (d) Single county authorities.--The Department of Health shall make grants from the fund established under subsection (b) to single county authorities created pursuant to the act of April 14, 1972 (P.L.221, No.63), known as the Pennsylvania Drug and Alcohol Abuse Control Act, for the purpose of providing compulsive gambling and gambling addiction prevention, treatment and education programs. Treatment may include financial counseling, irrespective of whether the financial counseling is provided by the single county authority, the treatment service provider or subcontracted to a third party. It is the intention of the General Assembly that any grants made by the Department of Health to any single county authority in accordance with the provisions of this subsection be used exclusively for the development and implementation of compulsive and problem gambling programs authorized under this section.
- (d.1) Eligibility.--Eligibility to receive treatment services for treatment of compulsive and problem gambling under this section shall be determined using financial eligibility and other requirements of the single county authorities as approved by the Department of Health.
- (d.2) Report.--No later than October 1, 2010, and each October 1 thereafter, the Department of Health, in consultation with the board, shall prepare and submit a report on the

impact of the programs funded by the Compulsive and Problem Gambling Treatment Fund to the Governor and to the members of the General Assembly. The report shall include aggregate demographic-specific data, including race, gender, geography and income of those individuals treated.

- (e) Definition.--As used in subsection (d), the term “single county authority” means the agency designated by the Department of Health pursuant to the act of April 14, 1972 (P.L.221, No.63), known as the Pennsylvania Drug and Alcohol Abuse Control Act, to plan and coordinate drug and alcohol prevention, intervention and treatment services for a geographic area, which may consist of one or more counties.

Statute: 4 Pa. Cons. Stat. § 1509.1. Drug and alcohol treatment.

- (a) Duties of Department of Health.--Annually, the Department of Health shall allocate and transfer all funds received by it under section 1408(a.1) (relating to transfers from State Gaming Fund) to the single county authorities.
- (b) Duties of single county authorities.--The funds allocated and transferred to the single county authorities under subsection (a) shall be used by the single county authorities solely for drug and alcohol addiction assessments, including drug and alcohol addiction assessment associated or related to compulsive and problem gambling, and for the related addiction treatment, in nonhospital residential detoxification facilities, nonhospital residential rehabilitation facilities and halfway houses licensed by the Department of Health to provide addiction treatment services.
- (c) Eligibility.--Eligibility to receive treatment services for treatment of drug and alcohol addiction or drug and alcohol addiction associated with or related to compulsive and problem gambling shall be determined using financial eligibility and other requirements of the single county authorities as approved by the Department of Health.
- (d) Report.--No later than October 1, 2010, and each October 1 thereafter, the Bureau of Drug and Alcohol Programs shall prepare and submit a report to the Governor and to the members of the General Assembly on the data and progress on activities initiated under this section.

Statute: 4 Pa. Cons. Stat. 1102. Legislative intent.

The General Assembly recognizes the following public policy purposes and declares that the following objectives of the Commonwealth are to be served by this part:

- (10) The public interest of the citizens of this Commonwealth and the social effect of gaming shall be taken into consideration in any decision or order made pursuant to this part.
- (13) The authorization of limited gaming in this Commonwealth requires the Commonwealth to take steps to increase awareness of compulsive and problem gambling and to develop and implement effective strategies for prevention, assessment and treatment of this behavioral disorder.
- (14) Research indicates that for some individuals compulsive and problem gambling and drug and alcohol addiction are related. Therefore, the General Assembly intends to establish an approach to compulsive and problem gambling prevention, assessment and treatment that will ensure the provision of adequate resources to identify, assess and treat both compulsive and problem gambling and drug and alcohol addiction.

Statute: 4 Pa. Cons. Stat. § 1509. Compulsive and problem gambling program.

- (a.1) Duties of Department of Health.--From funds available in the Compulsive and Problem Gambling Treatment Fund, the Department of Health shall:
- (2) Facilitate, through in-service training and other means, the availability of effective assistance programs for problem and compulsive gamblers and family members affected by problem and compulsive gambling.
 - (3) At its discretion, conduct studies to identify individuals in this Commonwealth who are or are at risk of becoming problem or compulsive gamblers.
 - (4) Provide grants to and contract with single county authorities and other organizations which provide services as set forth in this section.
 - (5) Reimburse organizations for reasonable expenses incurred assisting the Department of Health with implementing this section.
- (a.2) Duties of Department of Health and board. Within 60 days following the effective date of this subsection, the Department of Health's Bureau of Drug and Alcohol Programs and the board's Office of Compulsive and Problem Gambling shall jointly collaborate with other appropriate offices and agencies of State or local government, including single county authorities, and providers and other persons, public or private, with expertise in compulsive and problem gambling treatment to do the following:
- (1) Implement a strategic plan for the prevention and treatment of compulsive and problem gambling.
 - (2) Adopt compulsive and problem gambling treatment standards to be integrated with the Bureau of Drug and Alcohol Program's uniform Statewide guidelines that govern the provision of addiction treatment services.
 - (3) Develop a method to coordinate compulsive and problem gambling data collection and referral information to crisis response hotlines, child welfare and domestic violence programs and providers and other appropriate programs and providers.
 - (4) Develop and disseminate educational materials to provide public awareness related to the prevention, recognition and treatment of compulsive and problem gambling.
 - (5) Develop demographic-specific compulsive and problem gambling prevention, intervention and treatment programs.
 - (6) Prepare an itemized budget outlining how funds will be allocated to fulfill the responsibilities under this section.

Property signage

Statute: 4 Pa. Cons. Stat. 1509. Compulsive and problem gambling program.

- (a.1) Duties of Department of Health.--From funds available in the Compulsive and Problem Gambling Treatment Fund, the Department of Health shall:
- (1) Maintain a compulsive gamblers assistance organization's toll-free problem gambling telephone number to provide crisis counseling and referral services to individuals and families experiencing difficulty as a result of problem or compulsive gambling.

(c) Notice of availability of assistance.--

- (1) Each slot machine licensee shall obtain a toll-free telephone number to be used to provide persons with information on assistance for compulsive or problem gambling. Each licensee shall conspicuously post at least 20 signs similar to the following statement: If you or someone you know has a gambling problem, help is available. Call (Toll-free telephone number).
The signs must be posted within 50 feet of each entrance and exit, within 50 feet of each automated teller machine location within the licensed facility and in other appropriate public areas of the licensed facility as determined by the slot machine licensee.
- (2) Each racetrack where slot machines or table games are operated shall print a statement on daily racing programs provided to the general public that is similar to the following:
If you or someone you know has a gambling problem, help is available. Call (Toll-free telephone number).
- (3) A licensed facility which fails to post or print the warning sign in accordance with paragraph (1) or (2) shall be assessed a fine of \$1,000 a day for each day the minimum number of signs are not posted or the required statement is not printed as provided in this subsection.

Regulation: 58 Pa. Code 501a.5. Signage requirements.

Under section 1509(c) of the act (relating to compulsive and problem gambling program), each slot machine licensee shall post at least 20 signs that include a gambling assistance message that complies with § 501a.7(d) (relating to advertising). The complete text of the sign shall be submitted for approval to the Director of OCPG utilizing the process contained in § 501a.2(g) (relating to compulsive and problem gambling plan). The signs must be prominently posted at the following locations:

- (1) Within 50 feet of each entrance and exit of the facility.
- (2) Above or below the cash dispensing opening on all automated teller machines, automated gaming voucher and coupon redemption machines, and other machines that dispense cash to patrons in the licensed facility.

Regulation: 58 Pa. Code 503a.4. Duties of slot machine licensees.

- (f) A slot machine licensee shall post signs at all entrances to a licensed facility indicating that a person who is on the self-exclusion list will be subject to arrest for trespassing under 18 Pa.C.S. § 3503 (relating to criminal trespass) if the person is on the gaming floor, in areas off the gaming floor where gaming activity is conducted or engaging in gaming related activities in the licensed facility. The text and font size of the signs shall be submitted for approval to the Director of OCPG under the procedures specified in subsection (b).

Advertising disclosures

Regulation: 58 Pa. Code 501a.7. Advertising.

- (c) Advertisements used by a licensee, certified or registered entity, or its agent may not:
- (3) Use a font, type size, location, lighting, illustration, graphic depiction or color obscuring conditions or limiting factors associated with the advertisement or the statement required under subsection (d).
- (d) Advertisements must contain a gambling assistance message that is similar to one of the following:
- (1) If you or someone you know has a gambling problem, help is available. Call (toll free telephone number).
 - (2) Gambling Problem? Please call (toll free telephone number).
 - (3) Gambling Problem? Call (toll free telephone number).
- (e) The complete text of the gambling assistance message and the font to be used for the statement, if it has not been previously approved, shall be submitted to the Director of OCPG for approval utilizing the process in § 501a.2(g) (relating to compulsive and problem gambling plan) and comply with the following:
- (1) For signs, direct mail marketing materials, posters and other print advertisements, the height of the font used for the gambling assistance message must be the greater of:
 - (i) The same size as the majority of the text used in the sign, direct mail marketing material, poster or other print advertisement.
 - (ii) Two percent of the height or width, whichever is greater, of the sign, direct mail marketing material, poster or other print advertisement.
 - (2) For billboards, the height of the font used for the gambling assistance message must be at least 5% of the height or width, whichever is greater, of the face of the billboard.
 - (3) For video and television, the gambling assistance message must be visible for either:
 - (i) The entire time the video or television advertisement is displayed. The height of the font used for the gambling assistance message must be at least 2% of the height or width, whichever is greater, of the image that will be displayed.
 - (ii) From the first time a table game, table game device, slot machine, associated equipment or casino name is displayed or verbally referenced, and on a dedicated screen shot visible for at least the last 3 seconds of the video or television advertisement. If the licensee elects to utilize this option, the height of the font used for the gambling assistance message displayed:
 - (A) During the advertisement must be at least 2% of the height or width, whichever is greater, of the image that will be displayed.

(B) On the dedicated screen shot must be at least 8% of the height or width, whichever is greater, of the image that will be displayed.

(4) For web sites, including social media sites:

- (i) The gambling assistance message must be posted on each webpage or profile page and on a gaming related advertisement posted on the webpage or profile page.
- (ii) The height of the font used for the gambling assistance message must be at least the same size as the majority of the text used in the webpage or profile page.
- (iii) For advertisements posted on the webpage or profile page, the height of the font used for the gaming assistance message must comply with paragraph (1).

Credit restrictions

Statute: 4 Pa. Cons. Stat. 1504. Wagering on credit.

Except as otherwise provided in this section, slot machine licensees shall not extend credit. Slot machine licensees shall not accept credit cards, charge cards or debit cards from a patron or a player for the exchange or purchase of slot machine credits or for an advance of coins or currency to be utilized by a player to play slot machine games or extend credit in any manner to a player so as to enable the player to play slot machines. Slot machine licensees who hold a table game operation certificate may extend credit for slot machine gaming in accordance with section 13A26 (relating to cash equivalents).

Statute: 4 Pa. Cons. Stat. 13A27. Other financial transactions.

- (c) Credit application verification.--Prior to approving an application for credit, a certificate holder shall verify:
 - (1) The identity, creditworthiness and indebtedness information of the applicant by conducting a comprehensive review of the information submitted with the application and any information regarding the applicant's credit activity at other licensed facilities which the certificate holder may obtain through a casino credit bureau and, if appropriate, through direct contact with other slot machine licensees.
 - (2) That the applicant's name is not included on an exclusion list under section 1514 (relating to regulation requiring exclusion or ejection of certain persons) or 1516 (relating to list of persons self excluded from gaming activities) or the voluntary credit suspension list under subsection (h).
- (d) Establishment of credit.--Upon completion of the verification required under subsection (c), a certificate holder may grant a patron credit.
- (f) Reduction or suspension of credit.--A certificate holder may reduce an individual's credit limit or suspend credit to an individual for any reason.
- (g) Voluntary credit suspension.--An individual may request a certificate holder to suspend the individual's credit. Each certificate holder shall inform the board when an individual requests a suspension of credit and shall provide the board with all information necessary to maintain the voluntary credit suspension list under subsection (h).

- (h) Voluntary credit suspension list.--The board shall maintain a voluntary credit suspension list of all individuals who have requested suspension of credit privileges and shall provide the list on a continuous basis to the credit department of each certificate holder. An individual may request placement on the voluntary credit suspension list by submitting to the board the individual's name, address and date of birth. The individual does not need to provide a reason for the request. Notwithstanding any other provision of law to the contrary, the board's list of individuals who have had credit privileges voluntarily suspended shall be confidential, and neither the board nor the credit department of a certificate holder shall divulge the name of any individual on this list to any person or entity other than those provided for in this subsection. To be removed from the list, the individual shall submit a request to the board. The board shall remove the individual from the list and inform the credit department of each certificate holder not later than three business days after the board's receipt of the request.
- (i) Liability.--A certificate holder or employee thereof shall not be liable to any individual on the voluntary credit suspension list or to any other party in any judicial proceeding for any harm, monetary or otherwise, which may arise as a result of:
 - (1) the failure of a certificate holder to restore credit privileges to an individual on the voluntary credit suspension list; or
 - (2) otherwise permitting an individual on the voluntary credit suspension list to engage in gaming activity in the licensed facility while on the voluntary credit suspension list.

Regulation: 58 Pa. Code 609a.3. Application and verification procedures for granting credit.

- (c) Prior to a certificate holder's approval of a patron's credit limit, a credit clerk shall:
 - (5) Verify that the patron's name is not on:
 - (ii) The list of individuals who have voluntarily placed themselves on the self-exclusion list under Chapter 503a (relating to self-exclusion).

Restrictions on financial instruments

Statute: Pa. Cons. Stat. 1523. Electronic funds transfer terminals.

- (a) Prohibition.--A slot machine licensee may not install, own or operate or allow another person to install, own or operate on the premises of the licensed facility a slot machine or table game that is played with a device that allows a player to operate the slot machine or table game by transferring funds electronically from a debit card, credit card or by means of an electronic funds transfer terminal.
- (b) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

“Electronic funds transfer terminal.” An information-processing device or an automatic teller machine used for executing deposit account transactions between financial institutions and their account holders by either the direct transmission of electronic

impulses or the recording of electronic impulses for delayed processing. The fact that a device is used for other purposes shall not prevent it from being considered an electronic funds transfer terminal under this definition.

Other

Statute: 4 Pa. Cons. Stat. 1509. Compulsive and problem gambling program.

- (a) Establishment of program.--The Department of Health, in consultation with organizations similar to the Mid-Atlantic Addiction Training Institute, shall develop program guidelines for public education, awareness and training regarding compulsive and problem gambling and the treatment and prevention of compulsive and problem gambling. The guidelines shall include strategies for the prevention of compulsive and problem gambling. The Department of Health may consult with the board and licensed gaming entities to develop such strategies.

Required responsible gaming plan

Statute: G.L.R.I. 42-61.2-14. Compulsive and problem gambling program.

The Division and the State acknowledge that the vast majority of gaming patrons can enjoy gambling games responsibly, but that there are certain societal costs associated with gaming by some individuals who have problems handling the product or services provided. The Division and the State further understand that it is their duty to act responsibly toward those who cannot participate conscientiously in gaming. Pursuant to the foregoing, Twin River and Newport Grand, in cooperation with the State, shall offer compulsive and problem gambling programs that include, but are not limited to (a) problem gambling awareness programs for employees; (b) player self-exclusion program; and (c) promotion of a problem gambling hotline. Twin River and Newport Grand shall modify their existing compulsive and problem-gambling programs to include Table Games to the extent such games are authorized at such facilities. Twin River and Newport Grand shall reimburse and pay to the Division no less than one hundred thousand dollars (\$100,000) in aggregate annually for compulsive and problem gambling programs established by the Division. The contribution from each facility shall be determined by the Division.

Self-exclusion

Regulation: RI Lottery Rule 20.2

- A. Licensed Video Lottery and Table Game Retailers shall adhere to all established Rules and Regulations, Policies and Procedures, and the following:
 18. The Video Lottery and Table Game Retailers, authorized by Chapter 61.2 of this title, shall develop and implement a comprehensive self-exclusion program. Information on this program shall be posted at the Retailer location and on the Retailer website. Retailers shall also keep conspicuously posted on their Premises the name and telephone number of the Division sponsored Problem Gambling Helpline and a statement of its availability to offer assistance. The Division shall supply the retailers with the required notice.

Restrictions on alcoholic beverages

Regulation: RI Lottery Rule 20.2

- A. Licensed Video Lottery and Table Game Retailers shall adhere to all established Rules and Regulations, Policies and Procedures, and the following:
 2. The Video Lottery and Table Game Retailers shall not permit any visibly intoxicated Person to play a Video Lottery or Table Game or any Person under eighteen (18) years of age.

Employee training

Regulation: R.I. Lottery Rule 20.2

- A. Licensed Video Lottery and Table Game Retailers shall adhere to all established Rules and Regulations, Policies and Procedures, and the following:
 - 19. Video Lottery and Table Game Retailers shall offer a problem gambling awareness program for employees, Player self-exclusion programs, and promotion of the Division-sponsored Problem Gambling Helpline. The Table Game Retailer shall modify its existing programs to include Table Games. . . .

Treatment and research funding

Regulation: R.I. Lottery Rule 20.2

- A. Licensed Video Lottery and Table Game Retailers shall adhere to all established Rules and Regulations, Policies and Procedures, and the following:
 - 19. The Video Lottery and Table Game Retailers shall reimburse and pay to the Division no less than one hundred thousand dollars (\$100,000.00) in aggregate annually for problem gambling programs established by the Division. The contribution from each Facility shall be determined by the Division.

Treatment and research funding

Statute: SDCL 42-7B:48.3. Gaming addiction treatment and counseling program grants from Gaming Commission fund.

The commission may grant an amount not to exceed thirty thousand dollars each fiscal year from the Gaming Commission fund to the Department of Human Services to fund gaming addiction treatment and counseling programs in the state.

Credit restrictions

Statute: SDCL 42-7B:45. Extension of credit prohibited – Violation as felony.

No licensed gaming establishment, licensee acting within the scope of employment as a licensee, or employee of a licensed gaming establishment acting within the scope of the employee's employment may extend credit to another person for participation in limited card games and slot machines. A violation of this section is a Class 6 felony.

Self-Exclusion

Regulation: WV CSR § 179-8-126. Exclusion List; duty to exclude.

1. Entry into the casino shall be denied to any person who is excluded under this rule. If the Director places a person on the Commission's exclusion list, the person is prohibited from entering the casino until a determination is made by the Commission or a court to the contrary.
2. The casino licensee shall exclude or eject any excluded person from its premises if the casino licensee or the licensee's agents know or reasonably should know that the person is on the Commission's exclusion list.
3. The casino licensee shall inform the Commission, in writing, of the names of persons that it knows or should know who meet the criteria for placement on an exclusion list and the reason the person meets the exclusion criteria.
4. This rule does not preclude the casino licensee from ejecting or barring a person from its casino for reasons considered necessary by the licensee. The casino licensee may seek to have a person it has ejected or barred from its premises placed on the Commission exclusion list.

Regulation: WV CSR §179-8-127. Distribution and availability of exclusion lists.

1. The Commission shall maintain a list of persons to be ejected or excluded from the casino. The exclusion list is a public record. The list may be distributed to law enforcement agencies.

Regulation: WV CSR 179-8-128. Criteria for exclusion and placement on exclusion list.

1. The Director may place a person on the exclusion list pending a hearing if any of the following provisions apply to the person:
 - (e) The person has realized that he or she has a compulsive gaming disorder and has requested in writing to be excluded from the casino and/or all of the state's four pari-mutuel racetracks.

Regulation: WV CSR § 179-8-129. Procedure for entry of names on exclusion list.

1. Upon a determination that a person comes under any of the criteria for exclusion, the person may be subject to exclusion and the Director shall file a notice of exclusion. The notice shall include all of the following information:
 - a. The identity of the person;
 - b. The nature and scope of the circumstances or reasons that the person should be placed on the exclusion list;
 - c. The names of potential witnesses; and
 - d. A recommendation as to whether the exclusion or ejection should be permanent. The notice shall also inform the person of the availability of a hearing before the Commission.

Treatment and research funding

Statute: W. Va. Code 29-22A-19. Compulsive gambling treatment fund.

- (a) There is hereby created and established a separate special account to be known as the “Compulsive Gambling Treatment Fund”. The fund shall be appropriated from the Commission’s administrative expense account and shall be not less than one hundred fifty thousand dollars nor more than five hundred thousand dollars per fiscal year, as determined by the Commission, as well as other amounts designated for in this chapter to provide funds for compulsive gambling treatment programs in the state.
- (b) The Department of Health and Human Resources shall administer the grants and funds issued from the “Compulsive Gambling Treatment Fund”.
- (k) Once any contract to render services under a compulsive gambling treatment program is awarded pursuant to this section, the contract shall be administrated by the Department of Health and Human Resources and the department shall maintain all records pertaining to each request for reimbursement and disbursement for under said contract for a minimum of five (5) years.
- (l) The contractor may prominently promote, display or advertise the Compulsive Gambler’s Treatment Program, its purpose, its hotline, or its program events in any location in which the Lottery Commission promotes, displays advertises or conducts its operations or in any other location: Provided, That the Lottery Commission’s name, logo or other indicia may not appear on any advertising, marketing or promotional material of the contractor

Statute: W. Va. Code 29-22B-1408. Distribution of state’s share of gross terminal income.

- (a) The state’s share of gross terminal income is calculated as follows:
 1. From this amount, not less than one hundred fifty thousand dollars nor more than one million dollars per fiscal year, as determined by the commission each year, shall be transferred to the compulsive gambling treatment fund created in section 29-22A-19 of this chapter. In the event that the percentage allotted under this subsection for the commission’s costs and expenses incurred in administering this article generates a surplus, the surplus shall be allowed to accumulate to an amount not to exceed two hundred fifty thousand dollars.

Statute: W. Va. Code 29-22C-27. West Virginia Lottery Racetrack Table Games Fund; Community-Based Service Fund; State Debt Reduction Fund; distribution of funds.

- (e) All expenses of the commission incurred in the administration and enforcement of this article shall be paid from the Racetrack Table Games Fund, including reimbursement of state law-enforcement agencies for services performed at the request of the commission pursuant to this article. . . . From this allowance, the commission shall transfer at least \$100,000 but not more than \$500,000 into the Compulsive Gambling Treatment Fund created in section nineteen, article twenty-two-a of this chapter.

Restrictions on financial instruments

Statute: W. Va. Code 29-22B-702. Additional duties of limited video lottery retailers.

- (10) Provide no access by a player to an automated teller machine (ATM) in the restricted access adult-only facility where video lottery games are played, accept no credit card or debit card from a player for the exchange or purchase of video lottery game credits or for an advance of coins or currency to be utilized by a player to play video lottery games and extend no credit, in any manner, to a player so as to enable the player to play a video lottery game;



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