

PROPOSED AMENDMENTS TO REGULATIONS 5.105 and 5.225

PURPOSE: To modify requirements for licensee hire and termination reporting; to modify the definition of wagering accounts; to change the requirement that a licensee obtain, record, and verify a patron's full social security number for creation of a wagering account; to allow remote sign up and verification for wagering accounts; to allow dissemination of certain information to affiliates and to licensees who lease space to a satellite book; and to take such additional action as may be necessary and proper to effectuate these stated purposes.

REGULATION 5 OPERATION OF GAMING ESTABLISHMENTS

(Draft Date January 24, 2019)

New

~~[Deleted]~~

5.105 Duties of licensee.

1. No Change.
2. No Change.
3. No Change.
4. No Change.
5. No Change.
6. No Change.
7. No Change.
8. No Change.
9. No Change.
10. No Change.

11. On or before the fifteenth (15th) day of each month, each licensee shall submit a written report to the Board containing the name, ~~[social security]~~ gaming registration number, position held, and date of hire of each gaming employee hired during the previous month.

12. On or before the fifteenth (15th) day of ~~[the ensuing]~~ each month ~~[after a calendar quarter]~~, each licensee shall enter a termination date for all gaming employees terminated or separated from service within the preceding ~~[quarter]~~ month into the Board's online gaming employee registration system ~~[or submit a written report to the Board containing the name, social security number, position held, and date of termination or separation of all gaming employees terminated or separated from service within the preceding quarter]~~. With regard to persons required to register pursuant to section 5.320, such entry ~~[or written report]~~ shall include a truthful statement of the reason(s) for each termination and resignation and any additional information regarding the termination or resignation requested by the Chair.

13. No Change.
14. No Change.

5.225 Wagering accounts.

1. Definitions. As used in this section:

- (a) "Chair" means the Chair of the Nevada Gaming Control Board or the Chair's designee.
- (b) "Licensee" means any person to whom a valid gaming license has been issued.
- (c) "Secure personal identification" means a method of uniquely identifying a patron through which the licensee may verify access to, or use of, a wagering account.
- (d) "Wagering account" means an electronic ledger operated and maintained by a licensee for a patron in connection with the patron's use and play of any or all authorized games and gaming devices, including, but not limited to, race books, sports pools, mobile gaming systems, and interactive gaming, wherein information relative to such use and play is recorded on behalf of the patron including, but not limited to, the following types of transactions:
 - (1) Deposits;
 - (2) Withdrawals;
 - (3) Debits;
 - (4) Credits;
 - (5) Service or other transaction-related charges authorized by the patron; and
 - (6) Adjustments to the wagering account.

↪ The term "Wagering account" does not include an electronic ledger used solely by a licensee to track reward points or credits or similar benefits issued by a licensee to a patron and not obtained by the patron through the payment of cash or cash equivalent even if such reward points or credits or similar benefits are redeemable for cash. Such accounts may not allow deposits by a patron.

- 2. No Change.
- 3. No Change.
- 4. No Change.

5. To the extent not otherwise inconsistent with NRS 463.245(3), a licensee may create a wagering account for a patron only after it has registered the patron, either remotely or in person, as follows:

- (a) Obtained, recorded, and verified:
 - (1) The identity of the patron;
 - (2) The patron's date of birth;
 - (3) The patron's physical address; and
 - (4) The last four digits of the patron's social security number, if a United States resident.
- (b) Have the patron affirm:
 - (1) That the information provided by the patron to the licensee to open the wagering account is accurate;
 - (2) That the patron has reviewed and acknowledged the rules and procedures established by the licensee for use of the wagering account;
 - (3) That the patron has been informed of and acknowledged that they are prohibited from allowing any other person not assigned to the wagering account access to or use of their wagering account; and

(4) That the patron consents to the monitoring and recording by the licensee and the Board of the use of the wagering account.

(c) Determined that the patron is not on the list of excluded persons established pursuant to NRS 463.151 and Regulation 28.

↳ A licensee may assign more than one patron to a single wagering account provided that each additional patron is registered as provided herein.

6. No Change.

7. No Change.

8. No Change.

9. No Change.

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11. No Change.

12. No Change.

13. No Change.

14. No Change.

15. No Change.

16. No Change.

17. No Change.

18. No Change.

19. Each licensee that offers wagering accounts shall adopt, conspicuously display, make available, and adhere to written, comprehensive rules governing wagering account transactions. Such rules must include, at a minimum, the following:

(a) That the licensee's house rules apply to wagering accounts, as applicable.

(b) That the licensee shall provide each patron, upon reasonable request and consistent with its internal control policies, with a statement of account showing each wagering account deposit, withdrawal, credit, and debit made during the time period reported by the account statement. The patron may dispute any transaction in accordance with Regulation 7A.

(c) That for all wagers, the licensee is required to make a voice, print, electronic or other approved record of the entire transaction and shall not accept any such wager if the recording system is inoperable. The licensee's record of a patron's confirmation of all wagers shall be deemed to be the transaction of record. Such records are made available to the Board upon request.

(d) That the licensee has the right to;

(1) Refuse to establish a wagering account for what it deems good and sufficient reason;

(2) Refuse deposits to wagering accounts for what it deems good and sufficient reason;

(3) Refuse to accept all or part of any wager for what it deems good and sufficient reason;

(4) Declare that any or all wagers will no longer be received; and

(5) Unless there is a pending Board investigation or patron dispute, suspend or close any wagering account at any time pursuant to the terms of the agreement between the licensee and the patron, provided, however, when a wagering account is closed, the licensee shall immediately return the balance of the wagering account at the time of said action, subject to compliance with these regulations, the licensee's house rules,

and federal and state laws and regulations, by sending a check to the patron's address of record or as otherwise provided pursuant to the terms of the wagering account agreement; and

(e) Except as otherwise expressly provided, [F] that the licensee shall keep confidential ~~[, except from the Board, except from financial institutions participating in a program established in accordance with Section 314(b) of the USA Patriot Act, except as required by state or federal law, or except as otherwise authorized by the patron,]~~ the following:

- (1) The amount of money credited to, debited from, or present in any particular patron's wagering account;
- (2) The amount of money wagered by a particular patron on any game or gaming device;
- (3) The account number and secure personal identification method that identifies the patron;
- (4) The identities of particular entries on which a patron is wagering or has wagered; and

(5) The name, address, and other information in the possession of the licensee that would identify the patron to anyone other than the Board or the licensee.

(f) That the licensee, with regard to the information identified in subsection 19(e):

(1) Shall share the information with:

(A) The Board;

(B) Financial institutions participating in a program established in accordance with Section 314(b) of the USA Patriot Act; and

(C) As required by state or federal law.

(2) May share the information with:

(A) Any licensed affiliate;

(B) A person who has been issued a nonrestricted license for an establishment where the licensee operates a race book or sports pool; and

(C) As authorized by the patron.

(g) That the licensee shall disclose its policy regarding the acceptance of personal checks, cashier's checks, wire transfers, money orders, debit instruments, credit cards and electronic transfers of money to the patron.

➔ Prior to adopting or amending such wagering account rules, a licensee shall submit them to the Chair for approval.

20. No Change.

21. No Change.