

PROPOSED AMENDMENTS TO REGULATION 4

PURPOSE: In accordance with NRS 463.145, 463.150, 463.665, 463.673, 463.677, and 463.750, to amend regulation 4 to create a new section 4.200 which creates a comprehensive and unified framework for the registration of independent agents, independent hosts, manufacturers and distributors of associated equipment, and service providers, including without limitation: 1) that the Board shall maintain a list on its website of those persons registered and make available to licensees written notice of registrations that are objected to or cancelled; 2) provisions regarding what must be included in an application for registration including the information that must be provided, and the required application and investigation fees; 3) provisions regarding the expiration and renewal of registrations; 4) to set forth a process for objecting to or cancelling registrations and related consequences thereof; 5) to provide for a process to withdraw an application for registration; and to take such additional action as may be necessary and proper to effectuate these stated purposes.

REGULATION 4

APPLICATIONS: PROCEDURE

(As Adopted: July 28, 2022)

New
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4.200 Registrations - Independent Agents, Independent Hosts, Manufacturers and Distributors of Associated Equipment, and Service Providers.

1. All persons required to register with the Board pursuant to Regulations 5.240, 5.345, 14.020, and 25.020, shall register in accordance with the provisions of this section. The provisions of this section shall apply to all such registrations to the extent not inconsistent with the provisions of Regulations 5.240, 5.345, 14.020, and 25.020, as applicable.

2. The Board shall maintain a list of those persons registered pursuant to this section and publish the list on its website. In the event the Board objects to or cancels a person's registration, the Board shall make available to every licensee written notice of such objection or cancellation.

3. All applications for registration, including applications for renewal of registration, must include:

(a) Completed forms, information, and documents as required by the Board Chair or the Chair's designee.

(b) A written statement, signed under penalty of perjury on a form furnished or approved by the Board, affirming that the registrant:

(1) Submits to the jurisdiction of the State of Nevada, the Board, and the Commission;

(2) Agrees to be governed and bound by the laws of the State of Nevada and the regulations of the Commission;

(3) Provided complete and accurate information to the Board; and

(4) Will cooperate with all requests, inquiries, and investigations of the Board or Commission.

(c) If a natural person, a complete set of fingerprints.

(d) A nonrefundable application fee in the amount of \$500 and an investigation fee, as determined by the Board Chair or the Chair's designee.

(e) If a natural person, a signed statement agreeing to comply with any drug testing required by the Board Chair or the Chair's designee.

(f) Any additional information requested by the Board Chair or the Chair's designee.

4. A person registered, or a person who has a pending application for registration, pursuant to this section shall report changes to the information required pursuant to subsection 3 to the Board within 10 days of such change. The Board Chair or the Chair's designee may require a new registration pursuant to subsection 3 of this section if there is a change in ownership.

5. A registration issued by the Board pursuant to this section expires five years after the Board Chair or the Chair's designee sends notice to the registrant that the person is registered with the Board, and every five years thereafter if a completed application for renewal of registration is received by the Board prior to the expiration of the registration. A completed application for renewal of registration must be submitted to the Board not less than 60 days prior to the expiration of the registration. A person who submits an application for renewal of registration less than 60 days prior to the expiration of their registration may be subject to an additional investigation fee, as determined by the Chair or the Chair's designee.

6. At any time prior to notifying a person applying for registration in writing that the person is registered with the Board or that the person's registration with the Board is renewed, the Board Chair may object to the registration of the person for any cause deemed reasonable. If the Board Chair objects to the registration of a person, the Board Chair shall send written notice of the decision to the person and such person shall not be registered.

7. At any time after registration, the Board Chair may cancel a person's registration if the person:

(a) is convicted of a felony;

(b) is convicted for illegal activity occurring on the premises of a licensee; or

(c) fails to comply with any drug testing ordered by the Board Chair or the Chair's designee or a drug test ordered by the Board

Chair or the Chair's designee shows a positive result for a controlled substance.

↳ If the Board Chair cancels a person's registration, the effective date of the cancellation shall be 5 days after the Board provides written notice of cancellation to the person's last known address on file with the Board.

8. The objection or cancellation of a person's registration shall be considered an administrative decision subject to review upon appeal by the person pursuant to the procedures established by Regulations 4.185, 4.190, and 4.195. A person is prohibited from applying for registration with the Board for 1 year from the date of notice of the objection to or cancellation of the person's registration, or the final appeal of such objection or cancellation, whichever occurs later.

9. A person seeking registration does not have a right to the granting of the registration. Any registration is a revocable privilege, and no holder acquires any vested right therein or thereunder. Judicial review is not available for decisions of the Board or Commission regarding the objection or cancellation of a registration.

10. If the Board objects to or cancels a person's registration, it shall be an unsuitable method of operation for a gaming licensee to maintain or enter into any agreement, directly or indirectly, with such person for services that require the person to be registered, unless and until that person becomes registered again.

11. A request to withdraw an application for registration may be made at any time prior to when the Board gives written notice that the person is registered with the Board or that the Board Chair objects to the registration of the person. The Board Chair or the Chair's designee, in his or her discretion, may grant or deny the request to withdraw.