

## PROPOSED AMENDMENTS TO REGULATION 5.220

**PURPOSE:** To set out where a mobile gaming system may be exposed for play and where such a system is prohibited from being exposed for play; to modify or delete certain definitions in line with recent statutory changes concerning mobile gaming; to provide for waiver of regulatory requirements prohibiting mobile gaming systems from being exposed for play in certain areas; to provide for designation by the board chairman of areas where a mobile gaming system may be exposed for play; to provide for review and appeal of a decision made by the board chairman; 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 August 18, 2011)

New  
~~{Deleted}~~

#### 5.220 Operation of a mobile gaming system.

1. Definitions. As used in this section:

- (a) No Change.
- (b) No Change.
- (c) No Change.
- (d) No Change.
- (e) No Change.
- (f) No Change.

(g) "Mobile gaming system" or "system" means a system that allows for the conduct of games through mobile communications devices operated solely within a ~~{public area of the}~~ licensed gaming establishment by the use of communications technology that allows a patron to bet or wager, and corresponding information related to the display of the game, gaming outcomes or other similar information.

(h) "Operator of a mobile gaming system" or "operator" means a licensee who has been licensed to operate a mobile gaming system, or a person or entity, who, under any agreement whereby consideration is paid or payable for the right to place a mobile gaming system, engages in the business of placing and operating a mobile gaming system within ~~{the public area of}~~ a licensed gaming establishment and who is authorized to share in the revenue from the mobile gaming system without having been individually licensed to conduct gaming at the establishment.

- (i) No Change.
- (j) No Change.

2. ~~{A}~~ Except as otherwise set forth in this subsection, a system may only be exposed for play to the public by an operator licensed by the commission in public areas at a licensed gaming establishment.

(a) A licensee may submit a request to the chairman for a waiver allowing a system to be exposed for play at its establishment in areas other than public areas.

(1) Such request must specify at a minimum:

(I) In what areas, other than public areas, the system will be exposed for play;

(II) How the licensee intends to:

(A) adequately monitor play of the system when the system is exposed for play in areas other than public areas and

(B) reasonably assure only players of lawful age will operate the mobile communications devices when the system is exposed for play in areas other than public areas; and

(III) Such additional information as the chairman may require.

(2) If the licensee is aggrieved by the chairman's decision, it may submit the matter for review by the board and commission pursuant to NGC Regulations 4.185 through 4.195, inclusive.

3. No Change.
4. No Change.
5. No Change.
6. No Change.
7. No Change.