

## AMENDMENTS TO REGULATION 5.225(19)

**Adopted: 9/21/2023**

**PURPOSE:** To repeal matter under the flush line (↪) of Regulation 5.225(19) to no longer require licensees to submit wagering account rules before amendment or adoption to the Chair of the Board; and to take such additional action as may be necessary and proper to effectuate these stated purposes.

### REGULATION 5

#### OPERATION OF GAMING ESTABLISHMENTS

**EFFECTIVE DATE:** September 21, 2023

Matter in *blue italics* is new language and matter in [red and bracketed] is material to be omitted.

#### **5.225 Wagering accounts.**

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. [No change]
12. [No change]
13. [No change]
14. [No change]
15. [No change]
16. [No change]

Adoption Date: 9/21/2023

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, that the licensee shall keep confidential 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:

(I) The Board;

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

(III) As required by state or federal law.

(2) May share the information with:

(I) Any licensed affiliate;

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

(III) 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]