

PROPOSED AMENDMENTS TO
NEVADA GAMING COMMISSION REGULATION 14.010

Draft Dated: 05/06/2024

PURPOSE STATEMENT: To amend Nevada Gaming Commission (“Commission” or “NGC”) Regulation 14.010(1) to remove the definition of “assume responsibility” because the term is no longer used in the regulation; To amend NGC Regulation 14.010 to renumber the sections accordingly; And to take such additional actions as may be necessary and proper to effectuate this stated purpose.

EFFECTIVE DATES: All changes shall become effective upon adoption by the Commission.

EXPLANATION: Matter in *blue italics* is new language; and matter between ~~red brackets with single strikethrough~~ is material to be omitted.

REGULATION 14

**MANUFACTURERS, DISTRIBUTORS, OPERATORS OF INTER-CASINO
LINKED SYSTEMS, GAMING DEVICES, NEW GAMES, INTER-CASINO
LINKED SYSTEMS, ON-LINE SLOT METERING SYSTEMS, CASHLESS
WAGERING SYSTEMS, MOBILE GAMING SYSTEMS, INTERACTIVE
GAMING SYSTEMS AND ASSOCIATED EQUIPMENT; INDEPENDENT
TESTING LABORATORIES**

14.010 Definitions.

~~[1. “Assume responsibility” has the meaning ascribed to it in paragraph (a) of subsection 2 of NRS 463.01715.]~~

~~[2.]~~ 1. “Board” has the meaning ascribed to it in NRS 463.0137.

~~[3.]~~ 2. “Cashless wagering system” means the collective hardware, software, communications technology, and other associated equipment used to facilitate wagering on any game or gaming device including mobile gaming systems and interactive gaming systems with other than chips, tokens or legal tender of the United States. The term does not include any race and sports computerized bookmaking system that accepts pari-mutuel wagers, or any other race and sports book systems that do not accept wagering instruments, wagering credits or process electronic transfers. This type of associated equipment is further defined in NRS 463.014.

~~[4.]~~ 3. “Chair” means, except where otherwise provided, the Chair of the Nevada Gaming Control Board or the Chair’s designee.

~~[5.]~~ 4. “Commission” has the meaning ascribed to it at NRS 463.0145.

~~[6-]~~ 5. “Control program” means any software, source language or executable code which affects the result of a wager by determining win or loss. The term includes, but is not limited to, software, source language or executable code associated with the:

- (a) Random number generation process;
- (b) Mapping of random numbers to game elements to determine game outcome;
- (c) Evaluation of the randomly selected game elements to determine win or loss;
- (d) Payment of winning wagers;
- (e) Game recall;
- (f) Game accounting including the reporting of meter and log information to on-line slot metering system;
- (g) Monetary transactions conducted with associated equipment;
- (h) Software verification and authentication functions which are specifically designed and intended for use in a gaming device;
- (i) Monitoring and generation of game tilts or error conditions; and
- (j) Game operating systems which are specifically designed and intended for use in a gaming device.

↳ The term does not include software used for artistic attributes of a game including graphics, sound and animation providing entertainment unless such elements are material to game play because they are necessary for the player to understand the game or game outcome.

~~[7-]~~ 6. “Distribution” or “distribute” means the sale, offering for sale, lease, offering for lease, licensing or other offer of any gaming device, associated equipment, cashless wagering system, mobile gaming system or interactive gaming system for use or play in Nevada.

~~[8-]~~ 7. “Distributor” means a person who operates, carries on, conducts or maintains any form of distribution.

~~[9-]~~ 8. “Distributor of associated equipment” is any person that sells, offers to sell, leases, offers to lease, licenses, markets, offers, or otherwise offers associated equipment in Nevada for use by licensees.

~~[10-]~~ 9. “Game of chance” means a game in which randomness determines all outcomes of the game as determined over a period of continuous play.

~~[11-]~~ 10. “Game of skill” means a game in which the skill of the player, rather than chance, is the dominant factor in affecting the outcome of the game as determined over a period of continuous play.

~~[12-]~~ 11. “Game outcome” is the final result of the wager.

~~[13-]~~ 12. “Game variation” means a change or alteration in a game or gambling game that affects the manner or mode of play of an approved game. This includes, but is not limited to, the addition or removal of wagering opportunities or a change in the theoretical hold percentage of the game. The term game or gambling game is defined in NRS 463.0152.

~~[14-]~~ 13. “Gaming session” means the period of time commencing when a player initiates a game or series of games on a gaming device by committing a wager and ending at the time of a final game outcome for that game or series of games.

~~[15-]~~ 14. “Hybrid game” means a game in which a combination of the skill of the player and chance affects the outcome of the game as determined over a period of continuous play.

~~[16-]~~ 15. “Identifier” means any specific and verifiable fact concerning a player or group of players which is based upon objective criteria relating to the player or group of players, including, without limitation:

- (a) The frequency, value or extent of predefined commercial activity;

- (b) The subscription to or enrollment in particular services;
- (c) The use of a particular technology concurrent with the play of a gaming device;
- (d) The skill of the player;
- (e) The skill of the player relative to the skill of any other player participating in the same game;
- (f) The degree of skill required by the game; or
- (g) Any combination of (a) to (f), inclusive.

~~[17.]~~ 16. “Independent contractor” has the meaning ascribed to it in paragraph (b) of subsection 2 of NRS 463.01715.

~~[18.]~~ 17. “Independent testing laboratory” means a private laboratory that is registered by the Commission to inspect and certify games, gaming devices, associated equipment, cashless wagering systems, intercasino linked systems, mobile gaming systems or interactive gaming systems, and any components thereof and modifications thereto, and to perform such other services as the Board and Commission may request.

~~[19.]~~ 18. “Inter-casino linked system” means:

(a) A network of electronically interfaced similar games which are located at two or more licensed gaming establishments that are linked to:

- (1) Conduct gaming activities, contests or tournaments; or
- (2) Facilitate participation in a common progressive prize system,

↳ and the collective hardware, software, communications technology and other associated equipment used in such system to link and monitor games or devices located at two or more licensed gaming establishments, including any associated equipment used to operate a multi-jurisdictional progressive prize system.

(b) Systems that solely record a patron’s wagering activity among affiliated properties are not inter-casino linked systems.

(c) The term “multi-jurisdictional progressive prize system” means the collection of hardware, software, communications technology and other associated equipment used to link and monitor progressive slot machines or other games among licensed gaming establishments in this state participating in an inter-casino linked system and one or more lawfully operated gaming locations in other jurisdictions that participate in a similar system for the purpose of participation in a common progressive prize system.

~~[20.]~~ 19. “Interactive gaming system” is a gaming device and means the collective hardware, software, communications technology, and proprietary hardware and software specifically designed or modified for, and intended for use in, the conduct of interactive gaming. The core components of an interactive gaming system, including servers and databases running the games on the interactive gaming system and storing game and interactive gaming account information, must be located in the State of Nevada except as otherwise permitted by the Chair.\

~~[21.]~~ 20. “Manufacture” has the meaning ascribed to it in NRS 463.01715.

~~[22.]~~ 21. “Manufacturer” has the meaning ascribed to it in NRS 463.0172.

~~[23.]~~ 22. “Manufacturer of associated equipment” is any person that manufactures, assembles, or produces any associated equipment, including inter-casino linked systems, for use in Nevada by licensees.

~~[24.]~~ 23. “Mobile gaming system” or “system” means a system that allows for the conduct of games through mobile communications devices operated solely within a 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. A mobile gaming system is a gaming device.

~~[25.]~~ 24. “Modification” means, except as otherwise provided, a change or alteration in a gaming device previously approved by the Commission for use or play in Nevada that affects the manner or mode of play of the device. The term includes a change to control programs and, except as provided in paragraphs (c) and (d) of this subsection, in the theoretical hold percentage. The term does not include:

- (a) Replacement of one component with another, pre-approved component;
- (b) The rebuilding of a previously approved device with pre-approved components;
- (c) A change in the theoretical hold percentage of a mechanical or electro-mechanical device, provided that the device as changed meets the standards of subsection 1 of section 14.040;
- (d) A change in the theoretical hold percentage of an electronic device which is the result of a top award jackpot or bonus jackpot payment which is paid directly by an attendant and which is not accounted for by the device; or
- (e) A change to software used for artistic attributes of a game, including graphics, sound and animation providing entertainment unless such elements are material to game play because they are necessary for the player to understand the game or game outcome.

~~[26.]~~ 25. “On-line slot metering system” is associated equipment and means the collective hardware, software and other associated equipment used to monitor, accumulate, and record meter information from gaming devices within a licensed establishment.

~~[27.]~~ 26. “Operator” means, except as otherwise provided, any person or entity holding a license or approval to operate:

- (a) An inter-casino linked system or mobile gaming system in Nevada;
 - (b) A slot machine route that operates an inter-casino linked system for slot machines only;
 - (c) A nonrestricted gaming operation that operates an inter-casino linked system of affiliates;
- or
- (d) An inter-casino linked system under the preceding paragraphs (a) or (b) of this subsection which system also is linked to or otherwise incorporates a multi-jurisdictional progressive prize system.

~~[28.]~~ 27. “Private residence” means a noncommercial structure used by a natural person as a place of abode and which is not used for a commercial purpose.

~~[29.]~~ 28. “Proprietary hardware and software” means hardware or software specifically designed for use in a gaming device including a mobile gaming system and interactive gaming system.

~~[30.]~~ 29. “Randomness” is the observed unpredictability and absence of pattern in a set of elements or events that have definite probabilities of occurrence.

~~[31.]~~ 30. “Rules of play” means those features of a game necessary for a reasonable person to understand how a game is played including, but not limited to, the following:

- (a) Help screens;
- (b) Award cards; and
- (c) Pay-line information.

↳ The term does not include those inherent features of a game that a reasonable person should know or understand prior to initiating the game.

~~[32.]~~ 31. “Skill” means the knowledge, dexterity or any other ability or expertise of a natural person.

~~[33.]~~ 32. “Theme” means a concept, subject matter and methodology of design.