

1 Title 36 STATE LOTTERY AND
2 GAMING CONTROL AGENCY

3
4 Subtitle 03 GAMING PROVISIONS

5
6 Chapter .06 Enforcement of Voluntary Exclusion Program

7
8 Authority: State Government Article, § 9-1A-24, Annotated Code of Maryland
9

10 .01 Enforcement

11
12 A. The Commission shall notify each State facility operator of the placement of an
13 individual on the voluntary exclusion list established in COMAR 36.01.0403.

14
15 B. A facility operator may disclose information about ~~an individual~~ **individual** on the
16 voluntary exclusion list to:

17
18 (1) ~~the~~ **The** Commission;

19
20 (2) ~~and to the~~ **The** facility's:

21
22 (1) **(a)** Manager;

23
24 (2) **(b)** Security department;

25
26 (3) **(c)** Surveillance department; or

27
28 (4) **(d)** Employees who are directly responsible for excluding unauthorized
29 individuals from ~~the premises of~~ the facility; **and**
30

For Commission August 22, 2013. Staff proposes these amendments to address concerns of: (1) individuals in the voluntary exclusion program about consistency in how they are handled if found on the property of a facility; and (2) operators and law enforcement as to consistently handling voluntary exclusion violators who trespass at a video lottery facility. The proposed amendments would: (1) place individuals in the program on notice that they may be subject to criminal charges if found on the property of a video lottery facility; (2) clarify that a facility operator must include in its responsible gaming plan a means of dealing with an individual who is on the exclusion list and found on the premises of a facility; and (3) clarify that, if a facility operator pursues criminal charges against an individual on the exclusion list, it may disclose the individual's VEP status to law enforcement-related persons.

1 **(3) If the facility operator pursues criminal charges against an individual on**
2 **the voluntary exclusion list who is suspected of trespassing at a video**
3 **lottery facility, to:**

4
5 **(a) A law enforcement officer; or**

6
7 **(b) A person who is legally authorized to be involved in the criminal**
8 **prosecution of an individual on the voluntary exclusion list who is**
9 **suspected of trespassing at a video lottery facility.**

10
11 C. A facility operator shall immediately notify the Commission if an individual on the
12 voluntary exclusion list is found on the premises of the facility. **If an individual on the**
13 **voluntary exclusion list is found on the premises of a video lottery facility, the**
14 **operator:**

15
16 **(1) Shall immediately notify the Commission; and**

17
18 **(2) May pursue criminal charges against the individual for trespassing or**
19 **any other appropriate criminal charge.**

20
21 D. A facility operator shall not:

22
23 (1) Permit an individual on the voluntary exclusion list to:

24
25 (a) Enter into the video lottery facility; or

26
27 (b) Play a video lottery terminal or table game;

28
29 (2) Knowingly fail to exclude from the premises an individual on the voluntary
30 list; or

31
32 (3) Disclose information about individuals on the voluntary exclusion list beyond
33 the disclosures that are authorized under § B of this regulation.

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1 **.02 Responsible gaming plan.**

2
3 A. A facility shall establish a responsible gaming plan that sets forth the facility's plan
4 for addressing problem gambling at the facility that shall include at least the following
5 elements of the plan:

- 6
7 (1) Goals;
- 8
9 (2) Procedures and deadlines for implementation;
- 10
11 (3) Identification of facility personnel responsible for implementation;
- 12
13 (4) Responsibilities of facility personnel identified as responsible for
14 implementation;
- 15
16 (5) Training for facility personnel on problem gambling and voluntary exclusion;
- 17
18 (6) Means of controlling access to records pertaining to voluntary exclusion;
- 19
20 (7) Means of educating players about:
- 21
22 (i) Problem gambling;
- 23
24 (ii) Problem gambling treatment resources, including treatment and
25 prevention programs established under State Government Article, § 9-1A-
26 33; and
- 27
28 (iii) Voluntary exclusion; and
- 29
30 (8) Placement of responsible gambling awareness materials in the facility as
31 required under Regulation .03 of this chapter;
- 32

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1 (9) Ensuring that an individual in the Voluntary Exclusion **Program** is not
2 permitted to ~~claim a jackpot; and;~~

3
4 (a) **Enter the video lottery facility;**

5
6 (b) **Play a video lottery terminal or table game; or**

7
8 (c) **Claim a jackpot;**

9
10 **(10) The facility's response to the discovery of an individual who is enrolled**
11 **in the voluntary exclusion program on facility property, which may include**
12 **pursuing criminal charges against the individual; and**

13
14 ~~(1011)~~ Any other element required by the Commission.

15
16 B. A facility operator shall submit to the Commission the responsible gaming plan
17 required under § A of this regulation at least 60 days before video lottery terminal
18 operations are to commence.

19
20 C. A facility operator shall submit any amendments to a facility's responsible gaming
21 plan to the Commission prior to implementation.

22
23 D. A facility operator shall submit to the Commission an annual report describing the
24 ~~operation~~ the facility's responsible gaming plan.

25
26 **.03 Requirements.**

27
28 A. In this regulation the following terms have the meaning indicated.

29
30 (1) "Advertisement" means any material that is:

31
32 (a) Disseminated to the public through broadcasting, publication, mail or
33 any other means; and

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1
2 (b) Intended to encourage video lottery terminal or table game play.
3

4 (2) "Billboard advertisement" means a road side sign, aviation banner or event
5 banner that is intended to encourage video lottery terminal or table game play.
6

7 (3) "Gambling assistance message" means the phrase: "Please play responsibly,
8 for help visit mdgamblinghelp.org or call 1-800-522-4700;"
9

10 (4) "Printed advertisement" means an advertisement that appears in or on a sign,
11 direct mailing, poster, brochure or other written material and is intended to
12 encourage video lottery terminal or table game play.
13

14 (5) "Responsible gambling awareness materials" means a sticker, brochure,
15 wallet card, or other material that conveys only problem gambling resource
16 information.
17

18 (6) "Underage warning message" means the phrase: "No person under the age of
19 21 is permitted on the casino floor."
20

21 B. A facility operator shall:
22

23 (1) Post signage approved by the Commission that prominently bears the
24 gambling assistance message and the underage warning message at each customer
25 entrance to the gaming floor;
26

27 (2) Include the gambling assistance message on an advertisement that is intended
28 to encourage video lottery terminal or table game play at its facility;
29

30 (3) Ensure that a printed advertisement bears the gambling assistance message
31 and meets requirements of COMAR 36.03.03.08;
32

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- 1 (4) Ensure that a billboard bearing a printed advertisement bears the gambling
2 assistance message and meets requirements of COMAR 36.03.03.08;
3
4 (5) Ensure that a radio, television or video advertisement bears the gambling
5 assistance message and meets requirements of COMAR 36.03.03.08;
6
7 (6) Ensure that the gambling assistance message is printed on a paper product
8 that is associated with player consumption of food or beverage if the paper
9 product is:
10
11 (1) Special ordered; and
12
13 (2) Branded with the facility's logo;
14
15 (7) Ensure that the gambling assistance message is printed on ticket stock; and
16
17 (8) Shall place in the facility responsible gambling awareness materials according
18 to its responsible gaming plan required under Regulation .02 of this chapter.
19
20

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