

1 CALIFORNIA GAMBLING CONTROL COMMISSION  
2 FINAL TEXT OF PROPOSED REGULATIONS  
3 MINIMUM INTERNAL CONTROL STANDARDS (MICS) FOR GAMBLING ESTABLISHMENTS  
4 EMERGENCY PREPAREDNESS, SECURITY AND SURVEILLANCE.

5 CGCC-GCA-2009-06-R  
6

7 TITLE 4. BUSINESS REGULATIONS.

8 DIVISION 18. CALIFORNIA GAMBLING CONTROL COMMISSION.

9 CHAPTER 7. CONDITIONS OF OPERATION FOR GAMBLING ESTABLISHMENTS.  
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11 **ARTICLE 2. EMERGENCY PREPAREDNESS AND EVACUATION PLAN, SECURITY AND**  
12 **SURVEILLANCE PLANS.**

13  
14 **§ 12370. Emergency Planning and Preparedness and Evacuation Plan.**

15 (a) ~~As used in this section:~~

16 (1) ~~"Critical Incident" means a crisis situation involving the threat of serious injury or death~~  
17 ~~and includes not only natural disasters, but also human caused events, such as terrorist acts.~~

18 (2) ~~"Plan" means an emergency preparedness and evacuation plan.~~

19 (b) ~~For the purpose of ensuring the physical safety of patrons, employees, and any other~~  
20 ~~person while in the gambling establishment, each gambling establishment licensed for five or~~  
21 ~~fewer tables shall promptly develop and implement a plan for the gambling establishment that~~  
22 ~~includes, but is not limited to, the following:~~

23 (1) ~~Response plan for fire and other critical incidents.~~

24 (2) ~~Location of a telephone available for placing a 911 emergency call.~~

25 (3) ~~Procedure for securing or protecting the gambling establishment's cash or equivalent~~  
26 ~~assets and records.~~

27 (4) ~~Facility evacuation routes and procedures.~~

28 (5) ~~A diagram of the establishment showing the exits.~~

29 (6) ~~A description of how exits are marked.~~

30 (c) ~~For the purpose of ensuring the physical safety of patrons, employees, and any other~~  
31 ~~person while in the gambling establishment, each gambling establishment licensed for more than~~

1 ~~five tables shall promptly develop and implement a plan that includes, but is not limited to, the~~  
2 ~~following:~~

3 ~~(1) Clear, written policies listing the job titles of the personnel who are responsible for~~  
4 ~~making decisions, monitoring emergency response actions, and securing or protecting the~~  
5 ~~gambling establishment's cash or equivalent assets and records;~~

6 ~~(2) Procedures addressing:~~

7 ~~(A) Fires,~~

8 ~~(B) Earthquakes, Floods and other Natural Disasters,~~

9 ~~(C) Bomb Threats,~~

10 ~~(D) Hazardous Spills or Toxic Exposure,~~

11 ~~(E) Criminal Incidents,~~

12 ~~(F) Other Critical Incidents, and~~

13 ~~(G) Provisions for first aid and for obtaining emergency medical assistance for patrons,~~  
14 ~~employees, and other persons while in the gambling establishment;~~

15 ~~(3) Specific instructions for stopping business activities;~~

16 ~~(4) Facility evacuation procedures, including a designated meeting site outside the facility, a~~  
17 ~~process to account for employees after an evacuation, and a process to ensure that all patrons~~  
18 ~~have been evacuated; and~~

19 ~~(5) Specific training and practice schedules.~~

20 ~~(d) Each plan shall be consistent with state and local requirements. Beginning November 1,~~  
21 ~~2004, each licensee shall submit a copy of its current plan as part of its annual renewal~~  
22 ~~application. Beginning January 1, 2005, as part of its annual renewal application, each licensee~~  
23 ~~shall submit two copies of its current plan, and:~~

24 (a) As required by California Code of Regulations Title 24, Part 9, Chapter 4 (commencing  
25 with Section 401), and Title 19, Section 3.09, a gambling establishment shall prepare and  
26 maintain a fire safety and evacuation plan, conduct emergency evacuation drills and conduct  
27 employee training on the content of their fire safety and evacuation plan. Fire safety and  
28 evacuation plans, emergency evacuation drills and employee training procedures adopted  
29 pursuant to this section shall comply with, as applicable, California Code of Regulations Title  
30 24, Part 9, Chapter 4 (commencing with Section 401) and Title 19, Section 3.09, or those  
31 standards adopted by local ordinance pursuant to Health and Safety Code section 13143.5.

1        (b) Each applicant as an owner-licensee under Chapter 6 of this Division shall submit to the  
2 Commission one copy of a current fire safety and evacuation plan, pursuant to this section,  
3 together with those application documents required by Section 12342.

4        (c) Each licensee shall submit one copy of its current fire safety and evacuation plan,  
5 pursuant to this section, with the first biennial license renewal application submitted after the  
6 effective date of this section, and with every second renewal application submitted thereafter.

7        (d) If a licensee's fire safety and evacuation plan is revised as a result of the addition of  
8 permanent tables, or as a result of any change to the physical premises which alters the locations  
9 of phones, fire extinguishers, manual fire alarm pull stations or exits, or which alters evacuation  
10 routes or procedures, the licensee shall submit one copy of its revised fire safety and evacuation  
11 plan with the first biennial license renewal application submitted immediately following any  
12 revision, and, subsection (c) notwithstanding, with every second renewal application submitted  
13 thereafter.

14        (e) Each fire safety and evacuation plan submitted to the Commission pursuant to this  
15 Section shall include the following documentation, as applicable:

16        (1) If the responsible local authority provides reviews, the licensee shall send to the  
17 Executive Director ~~documentation of the areas reviewed by the responsible local authority and~~  
18 ~~whether or not the responsible~~ showing that the local authority approved those areas of the fire  
19 safety and evacuation plan under the responsible local authority's jurisdiction, pursuant to Health  
20 and Safety Code section 13143.5, ~~subdivision (f) and California Code of Regulations Title 24,~~  
21 Part 9, Chapter 1, Section 111.2.1.1. Health and Safety Code section 13143.5, subdivision (f),  
22 paragraph (2), provides that any fee charged pursuant to the enforcement authority of subdivision  
23 (f) shall not exceed the estimated reasonable cost of providing the service for which the fee is  
24 charged. ~~The Commission may send one copy of the plan to the Bureau to review those areas of~~  
25 ~~the plan not under the responsible local authority's jurisdiction.~~

26        (2) If the responsible local authority does not provide reviews, the licensee shall send the fire  
27 safety and evacuation plan to the State Fire ~~Marshal~~ Marshal, and shall send to the Commission  
28 Executive Director ~~documentation of whether or not~~ showing that the State Fire Marshal  
29 has approved the plan's fire and panic safety provisions fire safety and evacuation plan. ~~The~~  
30 ~~Commission shall send one copy of the plan to the Bureau to review either paragraph (3) of~~  
31 ~~subsection (b) or paragraphs (1), (2)(E) and (3) of subsection (c), depending on the number of~~

1 ~~tables for which the gambling establishment is licensed.~~

2 (e) ~~Each licensee shall, at least annually, provide for the review of the requirements of the~~  
3 ~~plan with employees, ensuring that each employee has a general understanding of the provisions~~  
4 ~~of the plan applicable to his or her position and understands his or her specific duties under the~~  
5 ~~plan and the appropriate exit or exits to be used, where applicable. This annual review shall be~~  
6 ~~documented, including signatures by the employee and the licensee or key employee who~~  
7 ~~provided the review, as part of the licensee's application for renewal. When a new employee~~  
8 ~~begins work, a licensee or key employee shall review the requirements of the plan with the new~~  
9 ~~employee, ensuring that each new employee has a general understanding of the provisions of the~~  
10 ~~plan applicable to his or her position and understands his or her specific duties under the plan~~  
11 ~~and the appropriate exit or exits to be used, where applicable.~~

12 (f) ~~If the Commission determines that the licensee's plan does not address the elements set~~  
13 ~~forth in this section, then the Commission may issue a determination identifying the deficiencies~~  
14 ~~and specifying a time certain within which those deficiencies shall be cured.~~

15 (g)(f) ~~Failure by a licensee to develop and implement a fire safety and evacuation plan,~~  
16 ~~conduct emergency evacuation drills or conduct employee training on the content of its fire~~  
17 ~~safety and evacuation plan pursuant to this section or to cure a deficiency identified pursuant to~~  
18 ~~subsection (f), constitutes an unsuitable method of operation and also may result in denial of an~~  
19 ~~application for license renewal, pursuant to Section 12348, or in the suspension or revocation of~~  
20 ~~its existing license, pursuant to Chapter 10 of this division.~~

21 (h)(g) ~~In addition to any other remedy under this section~~ the Act or this division, the  
22 Commission may assess a civil penalty of at least \$500 but ~~no~~ not more than \$5000 for each  
23 violation of this section.

24 Note: Authority cited: Sections 19811, 19824 and 19840, Business and Professions Code. Reference: Sections  
25 19801, 19823, 19841, 19860, and 19920 and 19924, Business and Professions Code; Sections 13143(a) and  
26 13143.5, Health and Safety Code.

27  
28 **§ 12372. Security and Surveillance Plan.**

29 (a) No later than [the first day of the first full month eighteen months following the effective  
30 date of this section], each gambling establishment in Tier I and Tier II, as provided in subsection

31 (b) of Section 12380, shall develop and implement a written security and surveillance plan for  
32 the gambling establishment that includes, but is not limited to, provisions for the following:

1 (1) Close monitoring and control of all controlled gambling and gaming activity;

2 (2) Close monitoring and control of access to restricted areas of the gambling establishment  
3 that include, but are not limited to, cages, count rooms, vaults, security offices and surveillance  
4 rooms;

5 (3) Surveillance procedures, including video recording requirements, as applicable;

6 (4) Lighting in and around the gambling establishment;

7 (5) Specific conditions, procedures and instructions for reporting suspected criminal incidents  
8 or activity to state and local law enforcement agencies;

9 (6) Procedures for securing or protecting persons, property, assets and records.

10 (b) No later than [the first day of the first full month eighteen months following the effective  
11 date of this section], each gambling establishment in Tiers III through and including V, as  
12 provided in subsection (b) of Section 12380, shall develop and implement a security and  
13 surveillance plan for the gambling establishment that, in addition to the requirements of  
14 subsection (a), includes, but is not limited to, provisions for the following:

15 (1) A listing of the names and job titles of the employees who are responsible for making  
16 decisions that involve the security of patrons, patrons' property, employees, employees'  
17 property, and the gambling establishment's property, cash or equivalent assets and records;

18 (2) The presence and duties of uniformed security personnel;

19 (3) Surveillance procedures, including video recording and monitoring requirements, as  
20 applicable;

21 (4) Specific conditions, procedures and instructions for stopping controlled gambling and  
22 gaming activities; and

23 (5) Specific employee training schedules that relate to the gambling establishment's security  
24 and surveillance plan.

25 (c)(1) Each security and surveillance plan shall identify and comply with all state and local  
26 requirements and shall implement all applicable provisions of Article 3 of this chapter. Each  
27 licensee shall submit, pursuant to paragraph (2), (3) or (4), as an attachment to its security and  
28 surveillance plan, copies of identified, applicable local ordinances and any locally-issued  
29 certificate of compliance with those ordinances.

30 (2) Each applicant as an owner-licensee under Chapter 6 of this Division shall submit to the  
31 Commission one copy of a current security and surveillance plan, pursuant to this section,

1 together with those application documents required by Section 12342.

2 (3) Each licensee shall submit to the Commission one copy of its current security and  
3 surveillance plan with the first biennial license renewal application that is submitted eighteen  
4 months after the effective date of this section, and with every second renewal application  
5 submitted thereafter.

6 (4) If a licensee's security and surveillance plan is revised as a result of the addition of  
7 permanent tables, or as a result of any change to the physical premises which alters the locations  
8 or configurations of any restricted areas of the gambling establishment, or which alters or affects  
9 any security or surveillance capabilities or procedures, the licensee shall submit one copy of its  
10 revised security and surveillance plan with the first biennial license renewal application  
11 submitted immediately following any revision to its security and surveillance plan, and,  
12 paragraph (3) notwithstanding, with every second renewal application submitted thereafter.

13 (5) If the responsible local authority provides reviews of security or surveillance plans, the  
14 licensee shall send documentation of the areas reviewed by the responsible local authority and  
15 whether or not the responsible local authority approved those areas of the security and  
16 surveillance plan under the responsible local authority's jurisdiction.

17 (d) The Bureau shall review the licensee's security and surveillance plan, including those  
18 provisions under the responsible local authority's jurisdiction, whether reviewed by the local  
19 authority or not, and those provisions not under the responsible local authority's jurisdiction. If  
20 the Bureau determines that the licensee's security and surveillance plan does not address the  
21 elements set forth in this section, then the Bureau may issue a determination identifying the  
22 deficiencies and specifying a time certain within which those deficiencies shall be cured.

23 (e)(1) Each licensee shall, at least annually, provide for a review of the requirements of the  
24 security and surveillance plan with those employees that have been assigned duties under the  
25 plan, ensuring that each employee has a general understanding of the provisions of the plan  
26 applicable to his or her position and understands his or her specific duties under the plan. This  
27 annual review shall be documented, including a signature from each employee indicating that  
28 they have participated in the review and a signature from the person who provided the review.

29 (2) When a new employee begins work, the licensee, or the licensee's designate, shall review  
30 the requirements of the security and surveillance plan with the new employee, ensuring that each  
31 new employee has a general understanding of the provisions of the plan applicable to his or her

1 position and understands his or her specific duties under the plan. This initial review shall be  
2 documented as provided in paragraph (1).

3 (f) Failure by a licensee to develop and implement a security and surveillance plan, or to cure  
4 a deficiency identified pursuant to subsection (d), constitutes an unsuitable method of operation  
5 and also may result in denial of an application for license renewal pursuant to Section 12348, or  
6 in the suspension or revocation of its existing license pursuant to Chapter 10 of this division.

7 (g) In addition to any other remedy under the Act or this division, the Commission may  
8 assess a civil penalty of at least \$500 but no more than \$5000 for each violation of this section.

9 NOTE: Authority cited: Sections 19811, 19824, 19840, 19841 and 19924, Business and Professions Code.  
10 Reference: Sections 19841, 19860, 19920 and 19924, Business and Professions Code.

11

12 **ARTICLE 3. MINIMUM INTERNAL CONTROL STANDARDS (MICS) FOR GAMBLING**  
13 **ESTABLISHMENTS.**

14 **§ 12395. Security.**

15 (a) The policies and procedures for all Tiers shall meet or exceed the following standards for  
16 security:

17 (1) Access to restricted areas of the gambling establishment, including but not limited to  
18 cages, count rooms, vaults, security offices and surveillance rooms, shall be limited to authorized  
19 personnel in the performance of their duties and shall be closely controlled.

20 (2) For the purpose of video surveillance recordings, gambling establishments shall provide  
21 adequate lighting of all public areas, entrances and exits, and for all adjoining parking areas  
22 owned, operated or otherwise controlled by the licensee for use by its patrons.

23 (3) Licensees shall file an incident report with the Bureau's Criminal Intelligence Unit within  
24 five business days of either of the following:

25 (A) Any owner or key employee contacting a local law enforcement agency, pursuant to the  
26 provisions of the licensee's security plan, regarding any reasonably suspected violation of the  
27 Act, this division, Division 3 of Title 11 of the California Code of Regulations, any statute set  
28 forth in sections 330 through 337z of the Penal Code that pertains to gambling, section 1916-3(b)  
29 of the Civil Code (loan-sharking), chapter 1 (commencing with section 11000) of division 10 of  
30 the Health and Safety Code (illegal possession or distribution of controlled substances), section  
31 4022 of the Business & Professions Code (illegal possession or distribution of dangerous drugs),  
32 or any violation of the following Penal Code sections: 186.10 (money laundering), 211

1 (robbery), 245 (assault with deadly weapon), 266h (pimping), 266i (pandering), 459 (burglary),  
2 470 (forgery), 476 (fraud), 487 (grand theft), 488 (petty theft), 503 (embezzlement), 518  
3 (extortion), 641.3 (commercial bribery), 648 (counterfeit currency), 653.22 (loiter for  
4 prostitution), 653.23 (pimping), or 647(b) (prostitution).

5 (B) Any owner or key employee obtaining knowledge or notice of any reasonably suspected  
6 violation listed in subparagraph (A).

7 (4) An incident report shall include, when available and applicable, the following  
8 information:

9 (A) The date and time of the incident or event.

10 (B) The identity of each perpetrator or suspect, including the following:

11 1. Full name.

12 2. Address.

13 3. Date of birth.

14 4. Driver license or identification card number.

15 (C) Law enforcement report number.

16 (D) Detailed description of the event or suspected incident, including an identification of any  
17 witnesses and a description of any evidence.

18 (5) Licensees shall maintain a list of all mechanical keys or electronic card keys to the  
19 locking devices used to secure the gambling establishment, restricted areas of the gambling  
20 establishment, or any fixtures, appurtenances and equipment used in the gambling operation, the  
21 names of all gambling establishment employees who have been issued, possess or have access to  
22 any of those keys, and the location where un-issued keys are stored. If any coded mechanical or  
23 electronic locking devices are used, the list shall include all access codes and combinations, as  
24 applicable, and the names of all gambling establishment employees who possess any code or  
25 combination, or who control the mechanism to open any of the locks. The licensee may maintain  
26 a master list or separate departmental lists. Each list shall be:

27 (A) Continuously maintained while current, at a minimum, in a permanent, written form and  
28 dated as of the date created or updated;

29 (B) Updated as changes in the information contained in the list changes;

30 (C) Kept in a secure, locked receptacle, such as a key control box, safe, locking file drawer or  
31 similar container; and

1 (D) Retained for a minimum of one year after the list has been updated.

2 (b) In addition to the requirements of subsection (a), the policies and procedures for Tiers III  
3 through and including V shall meet or exceed the following standards for security:

4 (1) Except as otherwise provided, licensees shall install and maintain a minimum of at least  
5 one secure key control box for the storage and safeguarding of all un-issued gambling-related  
6 keys and access code cards associated with the gambling establishment; e.g., keys to the  
7 gambling establishment, cage, count room or other restricted areas of the gambling  
8 establishment, and any fixtures, appurtenances and equipment used in the gambling operation,  
9 including but not limited to gambling tables and drop boxes. This paragraph does not apply to an  
10 individual licensee, who does not employ, except in unforeseeable exigencies, more than one  
11 person or any person except members of his or her immediate family. For the purposes of this  
12 paragraph, "immediate family member" means spouse, child, stepchild, brother, stepbrother,  
13 sister, stepsister, mother, stepmother, father, or stepfather.

14 (2) All key control boxes shall meet or exceed the following requirements:

15 (A) The key control box shall have a minimum of one keyed locking mechanism. A coded  
16 key lock or a mechanical or electronic combination lock is acceptable.

17 (B) The key control box shall be securely attached to a permanent structure within the  
18 gambling establishment. The hardware used to attach the box shall not be visible or accessible  
19 externally.

20 (C) All keys, stored within a key control box shall be easily identifiable and individually  
21 labeled.

22 (D) Access to a key control box shall be limited to the licensed gambling establishment  
23 owners, key employees, or other employees designated by the owner of the gambling  
24 establishment.

25 (3) Licensees shall maintain a key control log for each key control box maintained pursuant  
26 to paragraph (1). The key control log shall document the issuance and return of all gambling-  
27 related keys used to control access by gambling establishment employees to restricted areas of  
28 the gambling establishment, or any fixtures, appurtenances and equipment, associated with the  
29 department or operation.

30 (4) During any period of time, between one-half hour before or after sunset and one-half hour  
31 before or after sunrise, in which the gambling establishment is open for business or patrons are

1 present on the premises, licensees shall have at least one uniformed security officer on duty, who  
2 shall periodically patrol the exterior of the gambling establishment, including all adjoining and  
3 adjacent parking areas owned, operated or otherwise controlled by the licensee for use by its  
4 patrons. Any security officer, whether an employee, agent or contractor of the licensee, who is a  
5 gambling enterprise employee as defined in subdivision (m) of section 19805 of the Business and  
6 Professions Code, shall be required to hold a work permit pursuant to paragraph (1) of  
7 subdivision (a) of section 19912 of the Business and Professions Code, and Chapter 2 of this  
8 division. Any contract security officer whose scope of employment is limited to performance of  
9 his or her duties exclusively outside the licensee's gambling establishment shall not be required  
10 to hold a work permit under these regulations.

11 (c) In addition to the requirements of subsections (a) and (b), the policies and procedures for  
12 Tiers IV and V shall meet or exceed the following standards for security:

13 (1) Licensees shall install and maintain a backup generator that is sufficient, during power  
14 outages, to provide for the operation of lighting systems, information systems, and surveillance  
15 and recording systems for a time necessary to protect the safety and security of patrons and  
16 employees, patrons' property, and the licensee's assets and property while gambling operations  
17 are terminated and patrons exit the premises.

18 (2) Any gambling establishment that elects to continue gambling operations during a power  
19 outage shall install and maintain a backup generator that is sufficient to provide for the full and  
20 continued operation of all lighting systems, all information systems, and all surveillance and  
21 recording systems.

22 (d) In addition to the requirements of subsections (a), (b) and (c), the policies and procedures  
23 for Tier IV shall include standards for security that require at least two uniformed security  
24 officers, as specified in paragraph (4) of subsection (b), to be on duty during all hours of  
25 operation, one of which shall periodically patrol the exterior of the gambling establishment,  
26 including all adjoining and adjacent parking areas owned, operated or otherwise controlled by  
27 the licensee for use by its patrons.

28 (e) In addition to the requirements of subsections (a), (b), (c) and (d), the policies and  
29 procedures for Tier V shall include standards for security that require at least two uniformed  
30 security officers, as specified in paragraph (4) of subsection (b), to be on duty during all hours of  
31 operation, one of which shall continuously patrol the exterior of the gambling establishment,

1 including all adjoining and adjacent parking areas owned, operated or otherwise controlled by  
2 the licensee for use by its patrons.

3 (f) Licensees shall establish and implement the applicable standards for security specified in  
4 subsections (a) through and including (e) no later than [the first day of the first full month  
5 eighteen months following the effective date of this section].

6 NOTE: Authority cited: Sections 19801(g), 19826(b), 19840, 19841, 19856(c), 19857 and 19924, Business and  
7 Professions Code. Reference: Sections 19841, 19856(c), 19857, 19912, 19922 and 19924, Business and  
8 Professions Code.

9

10 **§ 12396. Surveillance.**

11 (a) The policies and procedures for all Tiers shall meet or exceed the following standards for  
12 surveillance:

13 (1) Licensees shall install and maintain, on site in their gambling establishment, a  
14 surveillance system, with video recording and closed circuit television (CCTV) monitoring  
15 capabilities, to record critical activities related to the licensees' gambling operations. The  
16 surveillance system shall record with reasonable coverage and clarity, at a minimum, the  
17 gambling operation, the payment of player drop fees, the collection of drop boxes, the drop count  
18 processes, cage and cashier activities, gambling equipment storage areas, except for furniture  
19 storage areas, and the interior of gambling establishment entrances and exits. The video  
20 recording equipment shall include date and time generators which shall display the current date  
21 and time of recorded events on videotape or digital recordings. The displayed date and time  
22 shall not significantly obstruct the view of recorded images. The surveillance system may have  
23 remote, off-site access capabilities, but only ancillary to any on-site systems required by this  
24 section.

25 (2) All surveillance recordings shall be made in real time mode, or at a speed sufficient to  
26 capture and record with reasonable completeness the actions of all individuals being observed,  
27 except that any recordings of the gambling establishment parking areas, and the gambling  
28 establishment entrances and exits may be recorded in time-lapse mode, at a minimum speed of  
29 15 frames per second.

30 (3) All video surveillance cameras shall be installed in a manner that prevents them from  
31 being intentionally obstructed, tampered with or disabled by patrons or employees, to the extent  
32 reasonably possible. All recording and monitoring equipment shall be located in secure rooms or

1 areas of the gambling establishment so that access is controlled.

2 (4) The surveillance system operation shall be checked daily to ensure that all surveillance  
3 equipment is functioning properly and reasonable efforts shall be made to repair malfunctioning  
4 surveillance equipment within 72 hours of the discovery of the malfunctions.

5 (5) If a digital video recording (DVR) system is utilized, the system shall meet the following  
6 standards:

7 (A) The DVR system shall have a failure notification system that, at a minimum, provides a  
8 visual notification of any failure in the surveillance system or the DVR media storage system.

9 (B) The DVR system shall have a media storage system that is configured so that a failure of  
10 any single component will not result in the loss of any data from the media storage system.

11 (C) The DVR system shall have the capability to reproduce or copy all or any portion of the  
12 stored data from the media storage system to a digital video disk (DVD).

13 (D) A single DVR system shall not have more than 8 cameras required by the standards of  
14 this section, unless the DVR system has an appropriate backup system to ensure that there is no  
15 loss of data in the event of a failure of the primary DVR system or any single component of that  
16 system.

17 (6) Videotapes or other recording media shall be marked or coded to denote the activity  
18 recorded.

19 (7)(A) Unless otherwise requested by the Bureau, all recordings shall be retained for a  
20 minimum of seven complete days of operation, except that recordings that are determined by the  
21 Bureau or a law enforcement agency to be of evidentiary value shall be retained for a period  
22 specified in writing by the determining agency. Recordings of any criminal offense subject to  
23 reporting pursuant to paragraph (3) of subsection (a) of Section 12395 shall be retained  
24 indefinitely, or until the Bureau authorizes their disposal.

25 (B) Subsection (f) notwithstanding, the seven day retention period specified in subparagraph  
26 (A) shall be increased to 14 days no later than [the first day of the first full month 36 months  
27 following the effective date of this section].

28 (8) For the purpose of enforcing the provisions of the Act, this division, or Division 3 of Title  
29 11 of the California Code of Regulations, Bureau staff, with the approval of the chief, may, at  
30 any time during the gambling establishment's actual hours of operation, demand immediate  
31 access to the surveillance room and any area of the gambling establishment where surveillance

1 equipment is installed or maintained or where surveillance video recordings are stored, and such  
2 access shall be provided by the licensee or the licensee's authorized representative. The Bureau  
3 may, pursuant to subparagraph (D) of paragraph (1) of subdivision (a) of section 19827 of the  
4 Business and Professions Code, take custody of and remove from the gambling establishment the  
5 original of any video recording, or a copy of any digital recording, required to be made and  
6 maintained pursuant to the Act or this division. Any surveillance video recording that is in the  
7 custody of the Bureau pursuant to this paragraph may be disclosed by the Bureau only when  
8 necessary to administer or enforce the provisions of the Act, this division, or Division 3 of Title  
9 11 of the California Code of Regulations or when necessary to comply with a court order. Upon  
10 reasonable request of the licensee or the licensee's authorized representative, a copy of the  
11 recordings shall be made and left on the premises if copying equipment is available to enable  
12 Bureau staff to make copies. If copying equipment is not available to Bureau staff, upon  
13 reasonable request of the licensee or the licensee's authorized representative, a copy of the  
14 recordings will be provided to the licensee at the licensee's expense, unless the Bureau expressly  
15 waives its costs of providing the copies.

16 (9) Licensees shall prominently display in a place and manner conspicuous to all patrons  
17 entering and exiting the gambling establishment, a sign containing the following statement  
18 printed in bold lettering of sufficient size to be visible and readable: **"All Public Areas,**  
19 **Entrances and Exits of This Establishment are Subject to Surveillance and Video**  
20 **Recording."** The lettering and background shall be of contrasting colors, and the sign shall  
21 comply in all respects with applicable signage requirements, if any, of the local jurisdiction.

22 (b) In addition to the requirements of subsection (a), the policies and procedures for Tiers II  
23 through and including V shall meet or exceed the following standards for surveillance:

24 (1) The surveillance system shall, at a minimum, record both the interior and the exterior of  
25 gambling establishment entrances and exits.

26 (2) The surveillance system shall have a sufficient number of cameras dedicated to gambling  
27 tables to be capable of viewing and recording, with reasonable coverage and clarity, patrons,  
28 dealers, wagers, cards, and game outcome at each table. For the purposes of this paragraph, an  
29 overhead view of patrons and dealers is acceptable. This paragraph shall not apply to  
30 demonstration or instructional tables, when cash or prizes are not being wagered, won or lost.

31 (3) The surveillance system shall include an audio recording of, at a minimum, any areas of

1 the gambling establishment that are used for vault or count room functions.

2 (c) In addition to the requirements of subsections (a) and (b), the policies and procedures for  
3 Tiers III through and including V shall include standards for surveillance that require the  
4 surveillance system to include coverage and recording of all adjoining parking areas owned,  
5 operated or otherwise controlled by the licensee for use by its patrons.

6 (d) In addition to the requirements of subsections (a), (b) and (c), the policies and procedures  
7 for Tier IV shall include a requirement that, during all hours of operation, a gambling  
8 establishment owner or key employee be on duty who has the ability to access live video from  
9 surveillance cameras and previous surveillance video recordings.

10 (e) In addition to the requirements of subsections (a), (b), (c) and (d), the policies and  
11 procedures for Tier V shall meet or exceed the following standards for surveillance:

12 (1) Licensees shall establish a surveillance unit separate and apart from the security  
13 department. The head of the surveillance unit and all surveillance unit personnel shall be  
14 independent of the security department and have no other gambling-related duties.

15 (2) Licensees shall establish and maintain a separate surveillance room that meets or exceeds  
16 the following requirements:

17 (A) The surveillance room shall have controlled access through a secured door or doors,  
18 which shall be under constant recorded video surveillance.

19 (B) No entrance or exit door of a surveillance room shall be readily observable or accessible  
20 from the gambling operation area.

21 (3) Routine access and entry into the surveillance room shall be limited to on-duty employees  
22 of the surveillance unit assigned to monitor gambling operations. Owners, managers and other  
23 employees of the gambling establishment who hold a valid gambling license or work permit may  
24 be granted access to the surveillance room for the purpose of performing their duties. Other  
25 persons may be granted limited access to the surveillance room for educational, investigative or  
26 maintenance purposes, if accompanied at all times by a surveillance unit employee.

27 (4) At least one surveillance employee shall be present in the surveillance room and actively  
28 monitoring the gambling operations, via the surveillance room equipment, during all hours of  
29 operation, except that the surveillance room may be unattended for no more than a total of one  
30 hour during any shift or eight-hour period to allow for required meal and rest breaks for staff.

31 No controlled gambling may take place when a surveillance employee is not present and on duty

1 in the gambling establishment, whether on a break or not.

2 (5) Count room surveillance shall include closed circuit television (CCTV) monitoring and  
3 video recording.

4 (6) Licensees shall maintain a record of all surveillance activity in the surveillance room, by  
5 surveillance period or shift, in a surveillance activity log. The surveillance activity log entries  
6 shall be made by on-duty surveillance personnel and shall include, at a minimum, the following:

7 (A) The date and time of commencement of the surveillance period or shift;

8 (B) The printed name(s) of the person(s) conducting the surveillance;

9 (C) The date and time of termination of the surveillance period or shift;

10 (D) A summary of the results of the surveillance, including a notation of the time of  
11 recording of any event, activity, occurrence, process or procedure that was monitored during the  
12 surveillance period or shift, whether the recording or monitoring was required or not;

13 (E) A notation of the time of the discovery or occurrence of any equipment or camera  
14 malfunctions during the surveillance period or shift;

15 (F) A notation of the time of the correction or repair of any equipment or camera  
16 malfunctions occurring during the surveillance period or shift, if corrected or repaired during that  
17 period or shift;

18 (G) A notation of the time of the correction or repair of any equipment or camera  
19 malfunctions discovered and noted in a previous surveillance period or shift, if corrected or  
20 repaired during the current period or shift;

21 (H) A notation of the time of occurrence of any medical emergency event or law enforcement  
22 event, including any incident number generated by the responding entity, if available;

23 (I) A notation of the time(s) of drop box collection occurring during the surveillance period  
24 or shift;

25 (J) A notation of the time of drop count procedure(s) occurring during the surveillance period  
26 or shift; and

27 (K) A notation of the times of patron disputes occurring during the surveillance period or  
28 shift that require the intervention of the security department, if any.

29 (7) Each gambling table must have a dedicated camera, meeting the requirements of  
30 paragraph (2) of subsection (a), providing clear surveillance coverage of all controlled gambling  
31 at all hours of operation. In addition, one Pan/Tilt/Zoom (PTZ) camera must be installed for

1 every ten or fewer authorized tables present in any gambling operations area of the gambling  
2 establishment. A reasonable attempt must be made to pan the faces of patrons and dealers for  
3 identification at least once per work shift of surveillance unit employees.

4 (f) Licensees shall establish and implement the applicable standards for surveillance specified  
5 in subsections (a) through and including (e) no later than [the first day of the first full month  
6 eighteen months following the effective date of this section].

7 NOTE: Authority cited: Sections 19840, 19841 and 19924, Business and Professions Code. Reference: Sections  
8 19827, 19841, 19922 and 19924, Business and Professions Code.

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