

CALIFORNIA CODE OF REGULATIONS
TITLE 4. BUSINESS REGULATIONS.
DIVISION 18. CALIFORNIA GAMBLING CONTROL COMMISSION.
(AMENDED REGULATIONS EFFECTIVE JULY 31, 2013)

CHAPTER 6. GAMBLING LICENSES AND APPROVALS FOR GAMBLING ESTABLISHMENTS AND OWNERS; PORTABLE PERSONAL KEY EMPLOYEE LICENSES.

ARTICLE 4. ANNUAL FEE; REQUESTS FOR ADDITIONAL TABLES.

§ 12357. Annual Fee.

(a) The annual fee required by Business and Professions Code section 19951, subdivision (b), paragraph (2), subparagraph (B) shall be based on the criteria in paragraph (1) or (2) of this subsection, whichever is applicable, and shall be due and payable to the Bureau annually by the gambling enterprise no later than 120 calendar days following the end of the gambling enterprise's fiscal year. To be considered timely, the annual fee must be received by the Bureau no later than the date due or, if delivered by mail, be postmarked no later than the date due.

(1) The annual fee specified in subdivision (c) of section 19951 shall be based on the number of tables authorized by the license at the close of the gambling enterprise's preceding fiscal year.

(2) The annual fee specified in subdivision (d) of section 19951 shall be based on the gambling enterprise's gross revenues for the preceding fiscal year.

(b) Each owner-licensee shall submit, with their payment of the annual fee specified in this section, a completed Gambling Establishment Annual Fee Calculation form, BGC-028 (Rev. 06/13), which is hereby incorporated by reference.

(c) If the full amount of the annual fee has not been received by the Bureau within 90 days after the payment due date, and the gambling license has been deemed surrendered pursuant to Business and Professions Code section 19955, the license shall be subject to the provisions of subsection (b) of Section 12347 of Article 2.

Note: Authority cited: Sections 19811(b), 19823, 19824, 19840, 19841, 19876(a), 19951 and 19955, Business and Professions Code. Reference: Sections 19841, 19876(a), 19951, 19954 and 19955, Business and Professions Code.

CHAPTER 7. CONDITIONS FOR OPERATION OF GAMBLING ESTABLISHMENTS.

ARTICLE 6. PROGRAM FOR RESPONSIBLE GAMBLING.

§ 12463. Self-Restriction Program.

(a) Licensees shall implement, by July 1, 2007, a program that allows patrons to self-limit their access to the gambling establishment entirely, or to the issuance of credit, check cashing, or marketing by that licensee. That program shall contain, at a minimum, the following:

(1) The development of written materials for dissemination to patrons explaining the program;

(2) The development of written forms allowing patrons to participate in the program, which may include use of a form entitled Self-Restriction Form, CGCC-036 (Rev. 07/13), attached in Appendix A to this chapter;

(3) Policies and procedures for maintaining and updating a list of self-restricted persons, wherein the confidentiality of the list is protected pursuant to Section 12466 and only agents or employees have access, unless needed by Bureau staff or law enforcement pursuant to an

investigation or in assisting in a Problem Gambling program by an entity approved by the Commission;

(4) Policies and procedures that allow a patron to be excluded from certain games or gaming activities within the gambling establishment, if the licensee determines that the segregation of games is feasible, or from the gambling establishment completely during the term of exclusion, with the exception of access for the sole purpose of carrying out the duties of employment, including:

(A) Removal procedures for patrons who attempt entry after requesting to be excluded,

(B) Notification to the Bureau of any incidents of removals where the police and/or security are called to remove a person from the premises, and

(C) Forfeiture of any money or prizes won or any losses recovered by an excluded person and the remittance of such for deposit into the Gambling Addiction Program Fund for problem gambling prevention and treatment services through the State Department of Public Health, Office of Problem and Pathological Gambling;

(5) Policies and procedures that allow a patron to be excluded from access to check cashing or the issuance of credit during the term of restriction;

(6) Policies and procedures that allow a patron to be excluded from customer lists maintained by the licensee for direct mail marketing, telephone marketing, and other direct marketing regarding gaming opportunities or promotions at the gambling establishment during the term of restriction;

(7) Policies and procedures for removal of a patron from check-cashing, credit, or marketing opportunities by the licensee.

(b) This section does not mandate that a licensee provide the services of a notary public for persons who wish to complete the Self-Restriction form.

Note: Authority cited: Sections 19811, 19840, 19841(o) and 19920, Business and Professions Code. Reference: Sections 19801, 19920 and 19954, Business and Professions Code; and Section 4369.4, Welfare and Institutions Code.

§ 12464. Self-Exclusion Program.

(a) Licensees shall implement, by July 1, 2007, a program that allows patrons to self-exclude themselves from gambling establishments using a form entitled Self-Exclusion Form, CGCC-037 (Rev. 07/13), attached in Appendix A to this chapter. That program shall contain, at a minimum, the following:

(1) Policies and procedures for providing Self-Exclusion forms and for sending any completed Self-Exclusion forms to the Bureau;

(2) Policies and procedures for maintaining and updating a list of self-excluded persons, wherein the confidentiality of the list is protected pursuant to Section 12466 and only agents or employees have access, unless needed by Bureau staff or law enforcement pursuant to an investigation or in assisting in a Problem Gambling program by an entity approved by the Commission;

(3) Policies and procedures designed to thwart self-excluded patrons, as noticed by the Bureau, from entering the gambling area during the term of exclusion, with the exception of access for the sole purpose of carrying out the duties of employment, including removal procedures for patrons who attempt entry after requesting to be excluded and notification to the Bureau of any incidents of removals, where the police and/or security are called to remove a person from the premises;

(4) Policies and procedures for the forfeiture of any money or prizes won or any losses recovered by an excluded person and the remittance of such for deposit into the Gambling Addiction Program Fund for problem gambling prevention and treatment services through the State Department of Public Health, Office of Problem and Pathological Gambling;

(5) Policies and procedures for removal of a patron from customer lists maintained by the licensee for direct mail marketing, telephone marketing, and other direct marketing regarding gaming opportunities or promotions at the gambling establishment;

(6) Policies and procedures for removal of a patron from check-cashing, credit, or marketing opportunities by the licensee.

(b) This section does not mandate that a licensee provide the services of a notary public for persons who wish to complete the Self-Exclusion form.

Note: Authority cited: Sections 19811, 19840, 19841(o) and 19920, Business and Professions Code. Reference: Sections 19801, 19920 and 19954, Business and Professions Code; and Section 4369.4, Welfare and Institutions Code.