



ADVISORY NOTICE

APPROVED REGULATIONS REGARDING: PROGRAM FOR RESPONSIBLE GAMBLING

(CGCC-GCA-2015-01-R)

On March 24, 2016, the Office of Administrative Law (OAL) approved regulations which update the California Gambling Control Commission's (Commission) procedures for the Responsible Gambling Program. The approved regulations were filed with the Secretary of State on March 24, 2016, and **will become effective July 1, 2016.**

In general, these regulations update the Commission's existing regulations for the Program for Responsible Gambling. Programs related to the lists of self-restricted and self-excluded individuals are modified to reflect the needs of the patrons, the Bureau of Gambling Control (Bureau) and gambling enterprises (cardrooms). The main changes are as follows: (1) repeals the 5-year term option for patrons that submit a Self-Restriction Request form or a Self-Exclusion Request form; (2) allows patrons who submitted a Self-Exclusion Request Form with a lifetime ban to request removal from the lifetime self-exclusion list at any time after one year from the effective date of the original request; (3) authorizes the Office of Problem Gambling (OPG) to review a gambling enterprise's Responsible Gambling Program; (4) increases the training requirements of gambling enterprise employees including requirements for food service employees to receive training; and, (5) requires gambling enterprises to establish policies and procedures for verifying the identity of patrons and checking the list of self-excluded persons in certain situations.

Approved Regulations

This regulatory action has made changes in Chapter 1 of Division 18 of Title 4 of the California Code of Regulations. Those changes are as follows:

Section 12460. Article Definitions.

This proposed action provides non-substantive, editorial revisions to the definitions in Section 12460.

The term "Self-Exclusion" is modified to remove the reference to "irrevocability." The definition is also revised to remove duplicative operative text. Additionally, the reference to games is changed to controlled games.

The term "Self-Restriction" is revised to clarify that self-restriction only applies to a single gambling establishment. The definition is also revised to remove operative text as the relevant regulation section already includes these provisions and they are unnecessary in the definition.

Section 12461. Posting Referral Information.

The requirement for posting problem gambling messages is expanded to include third-party providers of proposition player services (TPPPS) and gambling businesses. Additionally, advertising materials are required to contain a responsible gambling message as specified.

Section 12462. Training Requirements.

This section is modified to clarify the minimum requirements for the policies and procedures related to problem gambling training for gambling enterprise employees. This section is expanded to provide requirements related to any employee that has direct interaction with gambling patrons in the gambling areas, including food and beverage servers. The requirements provide for a scaled instruction minimum, where individuals in lower level positions are required to have less instruction.

Section 12463. Self-Restriction Program.

This section is modified to be consistent with other changes in regulation; including, updating the form name, clarifying that all law enforcement personnel may receive information related to the program and correct references to exclusion.

Additionally, this section is modified to remove the requirement that the Bureau be contacted for every violation of the Self-Restriction Program, and replaces it with maintaining records that are accessible to the Bureau upon request.

Finally, the requirement that a violation include the forfeiture of any winnings or losses recovered is replaced by the requirement that any unredeemed jackpots be forfeited.

Section 12464. Self-Exclusion Program.

This section is modified to be consistent with other changes in regulation; including, updating the form name, clarifying that all law enforcement personnel may receive information related to the program and correct references to exclusion.

Additionally, this section is modified to remove the requirement that the Bureau be contacted for every violation of the Self-Exclusion Program, and replaces it with a requirement that the Bureau only be contacted if law enforcement is required.

Finally, two new requirements are added. The gambling enterprise is now required to submit to the Bureau any completed Self-Exclusion Request forms within 10 business days and establish policies and procedures to verify a patron's status on the list of self-excluded persons before cashing any check, awarding a prize or jackpot, extending credit or selling or redeeming chips if the patron's identify is otherwise verified by the gambling enterprise.

Section 12465. Removal from the List of Self-Excluded Persons.

This section maintains the current one-year exclusion period but repeals the five-year exclusion period. The lifetime exclusion period is modified from actually being the term of the patron's life to being a minimum of a one-year period but with no automatic end date. At

any time after the year has elapsed, the patron may request removal from the list of self-excluded persons, if a request for removal is submitted to the Bureau.

Section 12466. Responsible Gambling Program Review.

This section is amended to move the authority to issue notices of deficiency from the Executive Director to the Bureau. Additionally, the OPG and Commission staff is authorized to request and review a gambling enterprise's elements of its Responsible Gambling Program.

Regulations Text

A copy of the recently approved regulations is available on the Commission's Website under "Regulations/Recently Approved Regulations" at www.cgcc.ca.gov.

Problem Gambling Prevention and Treatment Services

OPG offers problem gambling prevention and treatment services for persons suffering negative impacts due to problem gambling. Help is available 24/7 at 1-800-GAMBLER or at www.problemgambling.ca.gov. All services are confidential.

Questions, Concerns, Suggestions

For any questions regarding the adoption of this regulation, please contact Josh Rosenstein, Analyst, at (916) 264-5823.

For information regarding compliance and enforcement of this regulation, please contact the Bureau of Gambling Control at (916) 227-3584.