

## **Title 13: Gaming**

### **Part 4: EXCLUSION OF PERSONS**

#### **Part 4 Chapter 1: IN GENERAL**

##### *Rule 1.1 Duty To Exclude.*

No excluded person shall be permitted entry into any portion of a licensed gaming establishment. When a person is placed on the exclusion list by the Executive Director, such person shall be prohibited from contact of any kind with any licensed establishment unless and until a determination is made by the Commission or a court to the contrary. It shall be the duty of the licensee and of his employees to exclude or eject from a licensed establishment any excluded person when such licensee or employee knows or reasonably should know of the presence of such excluded person. It shall further be the duty of the licensee to inform the Executive Director in writing of the names of persons such licensee reasonably believes meet the criteria for placement on an Exclusion List.

(Adopted: 09/25/1991.)

Source: *Miss. Code Ann. § 75-76-33*

##### *Rule 1.2 Distribution And Availability Of Exclusion Lists.*

The Commission shall maintain a list of persons to be ejected or excluded from licensed establishments. The list shall be distributed to each licensed establishment which shall acknowledge receipt of the list in writing. The list shall also be distributed to law enforcement agencies. The following information, to the extent known, shall be provided for each excluded person:

- (a) The full name and date of birth and all aliases;
- (b) A physical description;
- (c) The effective date the person's name was placed on the list;
- (d) A photograph, if available;
- (e) The person's occupation and his current home and business address; and
- (f) Such other information as deemed necessary by the Executive Director.

(Adopted: 09/25/1991.)

Source: *Miss. Code Ann. § 75-76-33*

##### *Rule 1.3 Criteria For Exclusion Or Ejection And Placement On An Exclusion List.*

The Executive Director may place a person on the exclusion list pending a hearing if such person has:

- (a) Been convicted of a felony in any jurisdiction, of any crime of moral turpitude or of a crime involving Gaming;
- (b) Violated or conspired to violate the provisions of the Act relating to involvement in gaming without required licenses, or willful evasion of fees or taxes;
- (c) A notorious or unsavory reputation which would adversely affect public confidence and trust in gaming; or

(d) His name on any valid and current exclusion list from another jurisdiction in the United States.

(Adopted: 09/25/1991.)

Source: *Miss. Code Ann. § 75-76-33*

*Rule 1.4 Procedure For Entry Of Names.*

(a) Upon a determination that a person comes under any one of the criteria listed in ~~Section 3~~Part 4 Chapter 1 Rule 1.3, such person shall be deemed a candidate for exclusion and a petition for exclusion may be filed by the Executive Director. Such petition shall include the identity of the candidate and the nature and scope of the circumstances or reasons that such person should be placed on the exclusion list. The petition shall also notify such person of the availability of a hearing by the Commission pursuant to Section 20 of the Act. Notice of the petition must be given pursuant to Section 19 of the Act.

(b) If the Commission or a subsequent judicial review finds in favor of the candidate or excluded person, then his name shall be removed from the exclusion list and his exclusion shall be terminated as of the date of the action by the Commission or the court. If the finding is against the candidate or excluded person, his name shall be placed on the exclusion list. If no hearing is requested, the person's name shall be placed on the exclusion list.

(Adopted: 09/25/1991.)

Source: *Miss. Code Ann. § 75-76-33*

*Rule 1.5 Petition For Removal From Exclusion List.*

Any person who has been placed on any exclusion list may petition the Commission in writing and request that his name be removed from the list.

(Adopted: 09/25/1991.)

Source: *Miss. Code Ann. § 75-76-33*