

Title 13: Gaming

Part 5: EXCLUSION OF PERSONS

Part 5 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, 75-76-35(2)*

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, 75-76-35(2)*

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, 75-76-35(2)*

Rule 1.4 Procedure For Entry Of Names.

(a) Upon a determination that a person comes under any one of the criteria listed in Part 5 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, 75-76-35(2)*

Rule 1.5 Petition For Removal From Exclusion List.

Any person who has been placed on the exclusion list may petition the Commission in writing and request that his name be removed from the list. Consideration by the Commission is not a matter of right, but is within the sound discretion of the Commission. This process does not apply to the self-exclusion created by Title 13, Part 3, Rule 10 of the Mississippi Administrative Code.

(Adopted: 09/25/1991.)

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Part 5: INTERNAL CONTROLS FOR GAMING ESTABLISHMENTS

Part 5 Chapter 1: DEFINITIONS

Rule 1.1 Definitions in General

The following terms as used in the Mississippi Gaming Commission Regulations for Gaming Establishments will have these meanings:

(a) "Baccarat Commission" means:

1. A fee assessed by a licensee on cash paid out as a loss to a patron at baccarat to modify the odds of the game; or

2. A rate or fee charged by a licensee for the right to participate in a baccarat game.

(Adopted: 09/23/1999.)

(b) "Business year" means the annual period used by a licensee for internal accounting purposes.

(c) "Card game" means a game in which the licensee is not party to wagers and from which the licensee receives compensation in the form of a rake off, a time buy in, or other fee or payment from a player for the privilege of playing, and includes poker, bridge, whist, solo and panguingui and bourre.

(d) "Card game drop box" means a locked container marked with a permanent number corresponding to the card table. The container shall be locked to the card table and shall be separately keyed from the container itself.

(e) "Credit instrument" means a writing which evidences a gaming debt owed to a person who holds a license at the time the debt is created, and includes any writing taken in consideration, consolidation, redemption or payment of a prior credit instrument.

(f) "Currency Acceptor Box" means a locked container securely attached to the gaming device for the purpose of collecting currency, wagering vouchers, and coupons.

(g) "Drop" means:

1. For table games, the total amount of currency, coins, chips, tokens, and credit instruments contained in the drop boxes.

2. For slot machines, the total amount of currency, wagering vouchers, coins, and tokens removed from the drop boxes or for cashless slot machines, the amounts deducted from a player's slot account as a result of slot machine play.

(h) "Drop box" means:

1. For table games, a locked container permanently marked with the game, shift, and a number corresponding to a permanent number on the table. All markings must be clearly visible from a distance of at least twenty feet. The container must be locked to the table, separately keyed from the container itself. All currency exchanged for chips or tokens or credit instruments at the table and all other items or documents pertaining to transactions at the table must be put into the container.

2. For slot machines, a container in a locked portion of the machine or its cabinet used to collect currency, wagering vouchers, coupons, coins, and/or tokens.

(i) Unless otherwise specified, "Executive Director" means the Executive Director of the Mississippi Gaming Commission or his designee.

(j) "Game" or "gambling game" means any banking or percentage game played with cards, with dice or with any mechanical, electromechanical or electronic device or machine for money, property, checks, credit or any representative of value, including, without limiting the generality of the foregoing, faro, monte, roulette, keno, fan tan, twenty one, blackjack, seven and a half, big injun, klondike, craps, poker, chuck-a-luck (dai shu), wheel of fortune, chemin de fer, baccarat, pai gow, beat the banker, paguingui, slot machine, or any other game or device approved by the Mississippi Gaming Commission. However, "game" or "gambling game" shall not include:

1. bingo games or raffles which are held pursuant to the provisions of Miss Code Section 97-33-51;

2. games, devices or machines designed and manufactured for bona fide amusement purposes which, as a result of the insertion of coins, tokens or tickets, award prizes based more upon the skill of the player rather than upon the element of chance, if: (i) the amount of consideration required to play the game or operate the device or machine is fixed in an unvarying amount and cannot be increased or decreased to vary the potential prize, and; (ii) the amount of consideration required to play the game or operate the device or machine is not more than \$0.25, and; (iii) a prize of some value or a token or ticket redeemable

toward a prize is awarded on each play of the game or operation of the device or machine, and; (iv) prizes are limited to non-cash merchandise, prizes, toys, or novelties, and; (v) the maximum value of any potential prize earned on a single play of the game or operation of the device or machine has a wholesale value not exceeding five dollars (\$5.00), and; (vi) the game, device or machine is not classified by the United States government as requiring a federal gaming stamp under applicable provisions of the Internal Revenue Code; and
3. amusement skill devices or machines, if:

- i. prizes are limited to non-cash merchandise, toys or novelties; and
 - ii. the element of skill is a determinate in the awarding of any prize; and
 - iii. the player, on any single play of the device or machine, may not be awarded or become entitled to any prize with a wholesale value of more than \$10.00; and
 - iv. the amount of consideration required to operate the device or machine one time is fixed in an unvarying amount not to exceed \$1.00; and
 - v. there is no banking mechanism or automatic percentaging mechanism that determines whether a player wins or loses with any play of the device or machine.
- “Skill” for purposes of this Regulation VII. A. 10. means that a player’s experience, precision, dexterity or ability to use his or her knowledge enables him or her to obtain more frequent rewards or prizes than those obtained by another less experienced, precise, dexterous or knowledgeable player.

(Adopted: 04/21/1994; Readopted: 04/29/1995; Amended: 11/20/2002; Amended: 07/15/2005.)

(k) “Jackpot payout” means:

1. Currency, tokens, credit to a player's slot account, and the actual cost to the licensee of personal property, other than travel expenses, food, refreshments, lodging, or services, distributed to a slot machine player as the result of a legitimate winning wager; and
2. Cash paid directly to an independent financial institution by a licensee for the purchase of an annuity designed to pay a player's winnings over several years.

(Adopted: 11/18/1999)

(l) “Override” means manual manipulation of the computerized system to generate a jackpot payout or hopper fill slip by inputting or changing the dollar amount.

(m) “Periodic Compliance Investigation” means an investigation conducted for the purpose of determining a licensee’s ability to maintain compliance with the Mississippi Gaming Control Act and the regulations promulgated thereunder, including, but not limited to, internal controls for gaming establishments.

(n) “Signature” means: An individual’s signature as recorded on their signature card and a legible unique identification number (i.e. work permit number, or some uniquely generated number issued by the property in order to ensure that duplicate employee numbers are not utilized by employees) assigned by the licensee.

(o) “Statistical drop” means the dollar amount of chips or tokens purchased at a table by a patron with currency or credit instruments.

(p) “Statistical win” means the dollar amount won by the licensee through table play.

(q) “Supplemental Jackpot Payout Procedures” means a jackpot payout disbursed by the Slot Attendant or Slot Supervisor to a patron for a non-taxable jackpot from an imprest bank that was issued from the casino cage.

(r) “Wagering Voucher (“Voucher”)” means: An encoded credit voucher, produced by a printer inside of a slot machine that is interfaced to a cashless wagering system.

(s) “Verifier” means:

~~1. For a jackpot payout or other payout, a Slot Attendant, Slot Supervisor, or Slot Manager other than the initiator of the jackpot payout slip who must physically verify the payout to a patron.~~

~~2. For a hopper fill, a Slot Attendant, a Slot Supervisor, a Slot Manager other than the initiator of the hopper fill slip, a Slot Mechanic or Security Officer who witness the deposit of the tokens/coins in the slot machine or compartment and the closing and locking of the slot machine or compartment.~~

~~(t) "Wager" means a sum of money or thing of value risked on an uncertain occurrence.~~

~~(Adopted: 04/21/1994; Readopted: 04/29/1995; Amended: 09/23/1999; Amended: 11/18/1999; Amended: 10/16/2002; Amended: 11/20/2002; Amended: 07/15/2005; Amended: 06/15/2006.)~~

~~Source: Miss. Code Ann. § 75-76-33~~