

REGULATION 5
OPERATION OF GAMING ESTABLISHMENTS

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5.230 Hosting center; registration required.

1. Before certain parts of any game, gaming device, cashless wagering system or race book or sports pool operation can be operated at a hosting center, the hosting center, along with all owners and operators of the hosting center, and persons having significant involvement with the hosting center as determined by the commission, including but not limited to key employees, must register with the board pursuant to this regulation. Such registration does not become effective until the registration is approved by the board chairman or his or her designee in writing. Any person or entity whose request for registration is not approved by the board chairman or his or her designee may appeal the decision using the administrative appeal process found under Regulations 4.185 through 4.195, inclusive.

2. Registration required by subsection 1, shall be made, processed, and determined using such forms as the chairman may require or approve and must be accompanied and supplemented by such documents and information as may be specified or required. The information requested shall include, but not be limited to, the following:

(a) For the registration of natural persons:

- (1) Full name, including aliases, past and present;
- (2) Residential address or addresses for the last five years;
- (3) Contact information, including phone numbers and email addresses;
- (4) Employment history, both current and for the past ten years;
- (5) Date and place of birth;
- (6) Social Security Number;
- (7) Full legal name of the hosting center to which the person's registration relates;
- (8) Description of the person's relationship with the relevant hosting center, and the person's duties or responsibilities under that relationship;
- (9) List and description of any professional licenses that the person has held, past and present, and any past or current disciplinary action against those licenses;
- (10) List and description of any arrests or convictions of the person by law enforcement involving a felony or crime of moral turpitude;
- (11) List and description of any incidents in which the person has, either individually or part of a group, been refused a gaming license or otherwise been found unsuitable by a regulatory body;

(b) For the registration of business organizations or associations:

- (1) Legal name, address, and contact information of every business organization or association under which the entity does business;
- (2) Date and jurisdiction under which each business organization or association provided under subsection (2)(b)(1) is registered as a legal entity;
- (3) Tax identification number of each business organization or association provided under subsection (2)(b)(1);
- (4) List of all affiliates of the business organization or association as defined under NRS 463.0133;
- (5) Organization chart depicting the business organization's or association's management structure;
- (6) Organization chart depicting the business organization's or association's ownership structure, including, but not limited to any parent and affiliated entities;
- (7) List of the names of all officers, directors, managers, and key employees of the business organization or association;
- (8) Where the business organization or association is not the hosting center itself, a description of the business organization's or association's relationship to the relevant hosting center, and of what duties or responsibilities it will have under that relationship;
- (9) List and description of any professional licenses that the business organization or association has held, past and present, and any past or current disciplinary action against those licenses;
- (10) List and description of any criminal charges brought against the business organization or association involving a felony or crime of moral turpitude; and
- (11) List and description of any incidents where the business organization or association has, either individually or as part of a group, been refused a gaming license or otherwise been found unsuitable by a regulatory body;

(c) For each hosting center provide a description of the facility and services available. The following descriptions must be provided:

(1) Location description including:

- (a) Floor plan;
- (b) Reliability of power and telecommunications;
- (c) Bandwidth availability;
- (d) Compliance of server room to international standards;
- (e) Redundancy of power and telecommunications feeds;
- (f) Offline power capabilities (e.g. UPS and generator power);
- (g) Refueling requirements of generators and fuel acquisition arrangements;
- (h) Fire suppression system(s);
- (i) Temperature and humidity control system(s);

- (j) Procedures for switching to offline power; and
 - (2) Security description including:
 - (a) Perimeter boundary fences;
 - (b) Use of security guards (employees or contracted);
 - (c) Access controls;
 - (d) Alarm systems;
 - (e) Video surveillance coverage and storage;
 - (f) Monitoring of personnel access to sensitive areas; and
 - (g) Anti-surveillance measures;
 - (h) Tenants; and
 - (i) Contractors in use for services such as cleaning and maintenance.
 - (3) Disaster recovery capabilities, testing, and auditing.
 - (4) Internal Control Procedures including:
 - (a) Visitor access procedures and controls;
 - (b) Maintenance and audit of access logs;
 - (c) Alarm procedures for technical and security response;
 - (d) Due diligence performed on contractors, tenants, and staff;
 - (e) Emergency access procedures; and
 - (f) Any other relevant procedures.
 - 3. Any request for registration pursuant to subsection 1 shall contain a statement subscribed by the applicant for registration that:
 - (a) The information being provided to the board is accurate and complete;
 - (b) That the applicant for registration agrees to cooperate with requests, inquiries, or investigations of the board and commission; and
 - (c) The applicant for registration acknowledges that the commission may demand the person or entity to submit an application for finding of suitability, and that a failure to submit such an application within 30 days of the demand may constitute grounds for a finding of unsuitability by the commission.
 - 4. Any applications for registration required under this section shall be prepared and submitted by the relevant hosting center.
 - 5. By the 15th day of each January, each registered hosting center shall inform the board in writing of any changes in the information provided in its application for registration, and the applications for registration of any owner, operator, or person having significant involvement with the hosting center, or provide the board with an affirmative statement indicating that there have been no changes to that information. If such information or statement is not provided to the board within ninety days of January 15th of each year, the hosting center's registration, and the registrations of each owner, operator, and person having significant involvement with the hosting center will lapse. If any registrations lapse pursuant to this subsection, the applicable registrants must reapply for registration with the board in order to reinstate the person's or entity's registered status.
 - 6. The board chairman, or his or her designee, in his or her sole and absolute discretion may, upon receipt of a written request:
 - (a) Waive the registration requirements of subsections 2(a) and 2(b) for an individual or entity that currently holds a nonrestricted gaming license, or an affiliate thereof that has been registered or found suitable by the commission; or
 - (b) Waive the registration requirements of subsection 2(c) if the hosting center can demonstrate, to the chairman's or his or her designee's satisfaction, that the disclosure to the board of certain information required under that subsection would hinder operations or pose a hardship due to contractual obligations.
- (Adopted: 7/28/11.)

5.231 Hosting center; access to premises.

- 1. The premises on which a registered hosting center is located is subject to the power and authority of the board and commission pursuant to NRS 463.140, as though the premises is where gaming is conducted and as if the hosting center is a gaming licensee. The chairman may waive this requirement for portions of the hosting center premises if the hosting center can demonstrate to the chairman's satisfaction that:
 - (a) Such portions do not host certain parts of any game, gaming device, cashless wagering system or race book or sports pool operation; and

(b) Access to such portions of the premises causes undue hardship on the hosting center or its tenants.

(Adopted: 7/28/11.)

5.232 Hosting center; determination of suitability.

1. The commission may, upon recommendation of the board, require a person or entity owning, operating or having a significant involvement with a hosting center to file an application for finding of suitability to be associated with licensed gaming, including race book or sports book operations.

2. The commission shall give written notice to a person or entity of its decision to require the filing of an application for a finding of suitability under subsection 1. Unless otherwise stated by the commission in its written notice, a person or entity that has been ordered to file an application for a finding of suitability may continue to own, operate, or otherwise be involved with a registered hosting center unless and until the commission finds the person unsuitable.

3. If the commission finds any person or entity to be unsuitable under this section:

(a) The registration of such person or entity is thereupon cancelled; and

(b) All registered hosting centers and gaming licensees shall, upon written notification from the board, terminate any existing relationship, direct or indirect, with such person.

4. Failure of a gaming licensee to terminate any association or agreement, direct or indirect, with a person or entity found unsuitable under this section upon receiving written notice of the determination of unsuitability constitutes an unsuitable method of operation.

5. Failure of a registered hosting center to terminate any association or agreement with a person or entity found unsuitable under this section upon receiving written notice of the determination of unsuitability shall constitute grounds for the revocation of the hosting center's registration.

6. The commission retains jurisdiction to determine the suitability of a person or entity described in paragraph 1 regardless of whether or not that person or entity has severed any relationship with a registered hosting center or gaming licensee.

7. Failure on the part of a person or entity described in paragraph 1 to submit an application for a finding of suitability within 30 days of being demanded to do so by the commission shall constitute grounds for a finding of unsuitability of that person or entity.

(Adopted: 7/28/11.)

5.235 Hosting center; requirements on licensees utilizing hosting centers; limitations on operations at hosting centers.

1. Gaming licensees may only operate parts of any game, gaming device, cashless wagering system or race book or sports pool operation at hosting centers that have an active registration with the board pursuant to regulation 5.230.

2. A gaming licensee must report in writing to the board the name of any registered hosting center it intends to utilize along with a description of what operations will take place at the hosting center. A gaming licensee must inform the board in writing should any operations at the hosting center change or if the gaming licensee ceases operations at the hosting center altogether.

3. The parts of the operation of any game, gaming device, cashless wagering system or race book or sports pool operation that involve the physical acceptance of a wager from a patron or payout of winnings to a patron cannot occur at the hosting center, but rather must only occur in such manner and location as allowed under the Gaming Control Act or the regulations adopted thereunder.

(Adopted: 7/28/11.)