

See: 17 N.J.R. 2914(c).

Petition for rulemaking: Petitioner filed request for amendments to section.

See: 18 N.J.R. 114(b).

Amended by R.1986 d.36, effective February 18, 1986 (operative March 1, 1986).

See: 17 N.J.R. 2970(a), 18 N.J.R. 428(b).

(p) substantially amended.

Amended by R.1986 d.365, effective September 8, 1986.

See: 18 N.J.R. 935(b), 18 N.J.R. 1839(b).

Substantially amended (d).

Amended by R.1990 d.362, effective August 6, 1990.

See: 22 N.J.R. 162(a), 22 N.J.R. 2342(d).

In (d)4, added bank verification service may use another verification service to communicate with patron's bank.

Amended by R.1991 d.229, effective May 6, 1991.

See: 22 N.J.R. 3205(a), 23 N.J.R. 1455(a).

In (g), revised text to add new paragraph 5, beginning with "Fortable game play . . ."; Added new paragraph 6 and recodified existing 5 and new 7. Added reference to "Slot Counter Checks" throughout section.

Amended by R.1992 d.110, effective March 2, 1992.

See: 23 N.J.R. 3243(a), 24 N.J.R. 858(c).

In (n): stylistic revisions.

Amended by R.1992 d.153, effective April 6, 1992.

See: 23 N.J.R. 3434(b), 24 N.J.R. 1377(a).

Added new (c)5 regarding patron's name verification.

Amended by R.1992 d.157, effective April 6, 1992.

See: 24 N.J.R. 178(a), 24 N.J.R. 1378(a).

Added new subparagraph (i)4. Deleted subsection (p), because of expiration of 1986 phase-in period.

Amended by R.1993 d.37, effective January 19, 1993.

See: 24 N.J.R. 3695(a), 25 N.J.R. 348(b).

"Casino licensee" substituted for "casino" and "licensee."

Amended by R.1994 d.222, effective May 2, 1994.

See: 26 N.J.R. 912(a), 26 N.J.R. 1852(b).

Amended by R.1994 d.471, effective September 19, 1994.

See: 26 N.J.R. 2212(a), 26 N.J.R. 3891(c).

Amended by R.1995 d.466, effective August 21, 1995.

See: 27 N.J.R. 2113(a), 27 N.J.R. 3219(a).

Added (j).

Amended by R.1996 d.11, effective January 2, 1996.

See: 27 N.J.R. 3770(b), 28 N.J.R. 180(a).

In (g)3 and (i)1i substituted "12 months" for "six months".

Amended by R.1997 d.216, effective May 19, 1997.

See: 29 N.J.R. 325(a), 29 N.J.R. 2469(a).

In (c), inserted "general cage cashier or" and substituted "no ability to grant credit or credit limit increases" for "no incompatible function"; and in (d), inserted "general cage cashier or" throughout.

#### Case Notes

Casino Control Act does not confer private cause of action in favor of losing players. *Miller v. Zoby*, 250 N.J.Super. 568, 595 A.2d 1104 (A.D.1991), certification denied 606 A.2d 366, 127 N.J. 553.

Commission did not violate procedural due process when it considered regulations not cited in complaint. *Adamar of New Jersey, Inc. v. State, Dept. of Law and Public Safety, Div. of Gaming Enforcement*, 250 N.J.Super. 275, 593 A.2d 1237 (A.D.1991).

Extending credit to patron in substantial debt to casino and to other casinos violated regulations. *Adamar of New Jersey, Inc. v. State, Dept. of Law and Public Safety, Div. of Gaming Enforcement*, 250 N.J.Super. 275, 593 A.2d 1237 (A.D.1991).

Casino operator violated regulation by failing to explain in patron's credit file why credit was extended despite receipt of derogatory information. *Adamar of New Jersey, Inc. v. State, Dept. of Law and Public Safety, Div. of Gaming Enforcement*, 250 N.J.Super. 275, 593 A.2d 1237 (A.D.1991).

Casino operator violated regulation by sending debt collection statements directly to its vice-president instead of to patron and failing to report immediately checks returned for insufficient funds. *Adamar of New Jersey, Inc. v. State, Dept. of Law and Public Safety, Div. of Gaming Enforcement*, 250 N.J.Super. 275, 593 A.2d 1237 (A.D.1991).

Casino operator violated regulations by reinstating patron's credit despite derogatory information. *Adamar of New Jersey, Inc. v. State, Dept. of Law and Public Safety, Div. of Gaming Enforcement*, 250 N.J.Super. 275, 593 A.2d 1237 (A.D.1991).

Former regulation contained no bar to extension of personal credit line by casino against a corporate account; no evidence of casino bad faith through regulatory violation as regulation in effect at time of transaction not violated. *Schaps v. Bally's Park Place, Inc.*, 58 B.R. 581 (E.D.Pa.1986).

#### 19:45-1.27A Patron request for suspension of credit privileges

(a) Any person may voluntarily suspend his or her credit privileges at all licensed casinos by submitting a written request to the Commission in accordance with this section.

1. Such request may be submitted in person at the offices of the Casino Control Commission, Employee License Information Unit, Arcade Building, 2nd Floor, Tennessee Avenue and the Boardwalk, Atlantic City, New Jersey, or at the Commission inspector's booth at any licensed casino. Any person requesting suspension of credit privileges in person shall present valid identification credentials containing the person's signature and either a photograph or a general description of that person.

2. Such request may also be submitted by mail addressed to the Director of the Compliance Division, Casino Control Commission, Arcade Building, Tennessee Avenue and the Boardwalk, Atlantic City, New Jersey 08401. Any request for suspension of credit privileges which is submitted by mail shall be signed before a notary public or other person empowered by law to take oaths and shall contain a certificate of acknowledgement by such notary public or other person attesting to the identity of the person making the request.

(b) A request for suspension of credit privileges shall be in a form prescribed by the Commission, which shall include the following:

1. The name of the person requesting suspension of credit privileges;
2. The address of the person's residence;
3. The person's date of birth;
4. The name of each licensed casino where the person currently has an approved line of credit;
5. The signature of the person requesting suspension of credit privileges, indicating acknowledgment of the following statement: "I certify that the information which I have provided above is true and accurate. I am aware that my signature below authorizes the Casino Control Commission to direct all New Jersey casino licensees to suspend my credit privileges for a minimum period of 30 days from the date of this request and indefinitely thereafter, until such time as I submit a written request to the Commission for the reinstatement of any such credit privileges";
6. If the request for suspension of credit privileges is made in person:
  - i. The type of identification credentials examined containing the person's signature, and whether said credentials included a photograph or general description of the person; and
  - ii. The signature of a Commission employee authorized to accept such request, indicating that the signature of the person requesting suspension of credit privileges appears to agree with that contained on his or her identification credentials and that any physical description or photograph of the person appears to agree with his or her actual appearance; and
7. If the request for suspension of credit privileges is made by mail, a certificate of acknowledgement executed by a notary public or other person empowered by law to take oaths attesting to the identity of the person who is making the request for suspension of credit privileges.

(c) The Commission shall maintain an updated master list of all persons who have requested suspension of credit privileges pursuant to this section, and shall notify the credit department of each casino licensee in writing of any addi-

tions to or deletions from the list. The casino licensee shall date and time stamp any such notice immediately upon receipt.

1. Each casino licensee shall suspend the credit privileges of any listed person, effective immediately upon receipt of notice that such person's name has been added to the list.

2. An updated master list of persons who have requested suspension of credit privileges shall be maintained by the credit department of each licensed casino.

3. Each casino licensee shall note any suspension or reinstatement of credit privileges pursuant to this section in any existing credit file for the affected patron, including the following:

- i. A copy of any applicable Commission notice of the suspension or reinstatement of credit privileges; and
- ii. The date, time and signature of the credit department representative making the suspension or reinstatement entry in the credit file.

(d) Any person whose credit privileges have been suspended pursuant to this section may, no sooner than 30 days after the request for suspension of credit privileges, request reinstatement of his or her credit privileges by submitting a written request to the Commission in accordance with the procedures specified in (a)1 and 2 above.

1. Such request shall be in a form prescribed by the Commission, which shall include the following:

- i. The information specified in (b)1, 2, 3, 4, 6 and 7 above; and
- ii. The signature of the person requesting reinstatement of credit privileges, indicating acknowledgment of the following statement: "I certify that the information which I have provided above is true and accurate. I am aware that my signature below constitutes a revocation of my previous request for suspension of credit privileges, and authorizes the Casino Control Commission to permit any New Jersey casino licensee to reinstate my credit privileges."

2. The Commission shall delete such person's name from the list established pursuant to (c) above, and so notify the credit department of each casino licensee, no later than three days from submission of the written request for reinstatement of credit privileges. The casino licensee shall date and time stamp any such notice immediately upon receipt.

3. Upon receipt of notice that such person's name has been deleted from the list, a casino licensee may reinstate such person's credit upon reverification of the information required by N.J.A.C. 19:45-1.27(c), or may extend credit to such person in accordance with the procedures set forth in N.J.A.C. 19:45-1.27.

(e) Information furnished to or obtained by the Commission pursuant to this section shall be deemed confidential, and shall not be disclosed except in accordance with this section and N.J.A.C. 19:40-4. No casino licensee shall divulge that any person's name is designated on the master list maintained pursuant to subsection 101(j) of the Act and this section, other than to authorized credit department employees or other casino personnel whose duties and functions require access to such information.

1. If, in the ordinary course of business, a casino licensee is requested to provide information regarding the status of the patron's credit account, the casino licensee shall not disclose any information other than to identify the credit account as voluntarily suspended.

New Rule, R.1992 d.153, effective April 6, 1992.  
See: 23 N.J.R. 3434(b), 24 N.J.R. 1377(a).  
Amended by R.1995 d.232, effective May 1, 1995.  
See: 27 N.J.R. 655(a), 27 N.J.R. 1816(a).

#### 19:45-1.28 Procedure for depositing checks received from gaming patrons

(a) Unless redeemed or consolidated prior to the time requirements herein, all checks received from gaming patrons in conformity with N.J.A.C. 19:45-1.25 shall be deposited in the casino licensee's bank account or presented directly to the patron's bank in accordance with (g) below, in accordance with the casino licensee's normal business practice, which practice must be previously submitted in writing to both the Commission and Division. Such deposit or presentment shall occur no later than:

1. The banking day after the date of the check for a non-gaming check;
2. Seven calendar days after the date of the check for a check in an amount of \$1,000 or less;
3. Fourteen calendar days after the date of the check for a check in an amount greater than \$1,000 but less than or equal to \$5,000; or
4. Forty-five calendar days after the date of the check for a check in an amount greater than \$5,000.

(b) All checks received for consolidation in conformity with N.J.A.C. 19:45-1.26 shall be deposited in the casino licensee's bank account or presented directly to the patron's bank in accordance with (g) below, within:

1. Seven calendar days after the date of the initial check for a consolidating check where the consolidating check is in an amount of \$1,000 or less;
2. Fourteen calendar days after the date of the initial check for a consolidating check where the consolidating check is in an amount greater than \$1,000 but less than or equal to \$5,000; or
3. Forty-five calendar days after the date of the initial check for a consolidating check where the consolidating check is in an amount greater than \$5,000.

(c) All checks received as part of a redemption in conformity with N.J.A.C. 19:45-1.26 shall be deposited in the casino licensee's bank account or presented directly to the patron's bank in accordance with (g) below, within:

1. Seven calendar days after the date of the initial check if the initial check is in an amount of \$1,000 or less;
2. Fourteen calendar days after the date of the initial check if the initial check is in an amount greater than \$1,000 but less than or equal to \$5,000; or
3. Forty-five calendar days after the date of the initial check if the initial check accepted is in an amount greater than \$5,000.

(d) In computing a time period prescribed by this section, the last day of the period shall be included unless it is a Saturday, Sunday, or a State or Federal holiday, in which event the time period shall run until the next business day.

(e) In the event of a series of consolidation or redemption transactions with a patron, the initial check shall be the earliest dated check returned to the patron in the first of the series of consolidation or redemption transactions.

(f) Any check deposited into a bank will not be considered clear until a reasonable time has been allowed for such check to clear the bank. The licensee must submit to the Commission and Division the time allotted for checks to clear the bank.

(g) In accordance with N.J.S.A. 5:12-101 and its approved internal controls, a casino licensee may present a patron check directly to the patron's bank for payment.

1. All such internal controls shall include procedures for:
  - i. Documenting the release of the patron check from the cashiers' cage to a casino key employee of the casino licensee or to a licensed attorney, for the purpose of presentment to the patron's bank;
  - ii. Prompt deposit of the proceeds of the check to the casino's bank account via a wire transfer or a check drawn by the patron's bank and made payable only to the casino licensee, if the patron's check is honored and paid; and
  - iii. Notice to the casino licensee that the check has been paid in full by the patron's bank.

2. A patron check presented in this manner shall be considered paid in full when honored and paid by the patron's bank.

Amended by R.1989 d.434, effective August 21, 1989.  
See: 21 N.J.R. 1288(a), 21 N.J.R. 2530(b).

In all sections: reduced deposit times for unredeemed counterchecks and changed deposit times from "banking days" to "calendar days." In (a)2-4, (b)1-3 and (c)1-3 changed amounts in following manner: Changed amount from "less than \$1,000" to "\$1,000 to less;"

Changed "of at least \$1,000" to "greater than \$1,000," and deleted "\$2,500" and replaced with "equal to \$5,000;"

Changed "Ninety banking days" to "Forty-five calendar days" and changed "of \$2,500 or more" to "greater than \$5,000."

Added new (d) and recodified (d) and (e) as (e) and (f).

Amended by R.1995 d.466, effective August 21, 1995.

See: 27 N.J.R. 2113(a), 27 N.J.R. 3219(a).

Added provisions for presentment of patron's checks directly to the patron's bank for payment in (g).

#### Case Notes

Check not deposited within seven banking days from date of transaction. Resorts Intern. Hotel, Inc. v. Salomone, 178 N.J.Super. 598, 429 A.2d 1078, (App.Div., 1981).

#### 19:45-1.29 Procedure for collecting and recording checks returned to the casino after deposit

(a) All dishonored checks returned by a bank ("returned checks") after deposit shall be returned directly to, and controlled by, accounting department employees and shall be maintained by check bank cashiers. Such employees shall have no incompatible functions.

(b) No person other than one licensed in a separate collection section within the accounting department as a casino key employee or as a casino employee, and one who has no incompatible functions may engage in efforts to collect returned checks except that an attorney-at-law representing a casino licensee may bring action for such collection. Any verbal or written communication with patrons regarding collection efforts shall be documented in the collection section.

(c) Continuous records of all returned checks shall be maintained by accounting department employees with no incompatible functions. Such records shall include, at a minimum, the following:

1. The date of the check;
2. The name and address of the drawer of the check;
3. The amount of the check;
4. The date(s) the check was dishonored;
5. The Counter Check or Slot Counter Check serial number for Counter Checks or Slot Counter Checks; and
6. The date(s) and amount(s) of any collections received on the check after being returned by a bank, including the date(s) and amount(s) of any complimentary cash gifts applied as payment on the check after being returned by a bank.

(d) A check dishonored by a bank may be immediately redeposited if there is sufficient reason to believe the check will be honored the second time.

(e) Statements shall be sent to patrons, by accounting department employees with no incompatible functions, immediately upon initial receipt of a returned check or immediately upon receipt of a check returned for a second time if

the check was immediately redeposited pursuant to (d) above, and such statements shall include, but not be limited to, the following:

1. The name and address of the drawer;
2. The date of the check;
3. The amount of the check; and
4. The date(s) and amount(s) of any collections received on the check after being returned by the bank.

(f) Patrons to whom statements are sent shall be advised of a return address and department to which replies shall be sent.

(g) Employees with no incompatible functions shall receive directly and shall initially record all collections.

(h) Copies of statements and other documents supporting collection efforts shall be maintained and controlled by accounting department employees.

(i) A record of all collection efforts shall be recorded and maintained by the collection area within the accounting department.

(j) After reasonable collection efforts, returned checks may be considered uncollectible for accounting purposes and charged to the casino licensee's allowance for uncollectible patrons' checks. A check which is unenforceable pursuant to section 101 of the Act shall not be charged to the allowance account for the purpose of computing the maximum provision allowed pursuant to section 24 of the Act. Any patron's indebtedness, in excess of \$1,000, may only be considered uncollectible for accounting purposes and charged to the allowance for uncollectible patrons' checks account after the following information has been included in the patron's credit file:

1. Documentation of the casino licensee's collection department efforts to collect the patron's outstanding checks and the reason why such collection efforts were unsuccessful; and/or
2. A letter from an attorney representing the casino documenting the efforts to collect the patron's outstanding checks and the reasons why such collection efforts were unsuccessful or were not pursued further.

(k) Listings of uncollectible checks shall be approved in writing by, at a minimum, the chief executive officer, a casino key employee approved by the Commission and the controller or the person to whom the controller directly reports. All such uncollectible checks and listings shall be maintained and controlled by accounting department employees. A continuous trial balance of all uncollectible checks shall be maintained by employees of the accounting department. The continuous trial balance shall be adjusted for any subsequent collections.

Amended by R.1981 d.437, eff. November 16, 1981.  
See: 13 N.J.R. 534(b); 13 N.J.R. 848(b).

(b) added "in a separate . . . department," and "any verbal section."

(i): added.

Renumbered (i) as (j) without change in text.

Amended by R.1984 d.624, effective January 21, 1985.

See: 16 N.J.R. 2076(a), 17 N.J.R. 212(a).

(j) substantially amended; (k) added.

Petition for Rulemaking: Procedure for collecting and recording checks returned to the casino after deposit.

See: 19 N.J.R. 664(b).

Amended by R.1991 d.229, effective May 6, 1991.

See: 22 N.J.R. 3205(a), 23 N.J.R. 1455(a).

In (c)5: added "Slot Counter Check" to text.

Amended by R.1994 d.65, effective February 7, 1994.

See: 25 N.J.R. 5114(a), 26 N.J.R. 826(a).

Amended by R.1994 d.471, effective September 19, 1994.

See: 26 N.J.R. 2212(a), 26 N.J.R. 3891(c).

Amended by R.1996 d.30, effective January 16, 1996.

See: 27 N.J.R. 4177(a), 28 N.J.R. 283(a).

Amended (e) and (j)1.

Amended by R.1996 d.70, effective February 5, 1996.

See: 27 N.J.R. 4178(a), 28 N.J.R. 900(b).

Administrative correction.

See: 29 N.J.R. 1518(b).

In (a), inserted "shall be maintained by check bank cashiers. Such employees".

#### Cross References

Casino licensee's right to apply chips, plaques, slot tokens or prize tokens presented by a patron towards redemption of patron's slot counter checks, see N.J.A.C. 19:46-1.5 and N.J.A.C. 19:46-1.35.

#### Case Notes

Commission did not violate procedural due process when it considered regulations not cited in complaint. *Adamar of New Jersey, Inc. v. State, Dept. of Law and Public Safety, Div. of Gaming Enforcement*, 250 N.J.Super. 275, 593 A.2d 1237 (A.D.1991).

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Casino operator violated regulation by sending debt collection statements directly to its vice-president instead of to patron and failing to report immediately patron's checks returned for insufficient funds. *Adamar of New Jersey, Inc. v. State, Dept. of Law and Public Safety, Div. of Gaming Enforcement*, 250 N.J.Super. 275, 593 A.2d 1237 (A.D.1991).

Use of reserve by casino to calculate provision for uncollectible patron checks; statutes prohibiting underreporting of revenues. *Division of Gaming Enforcement v. Trump Plaza Associates*, 94 N.J.A.R.2d (CCC) 102.

Casino violated statute by discharging casino credit debt of a patron. *Division of Gaming Enforcement v. Boardwalk Regency Corporation*, 94 N.J.A.R.2d (CCC) 73.

#### 19:45-1.30 Procedure for shift changes at gaming tables

(a) Whenever gaming tables are to remain open for gaming activity at the conclusion of a shift, the gaming chips, coins and plaques remaining at the gaming tables at the time of the shift change shall be counted by either the dealer or boxman assigned to the outgoing shift and the dealer or boxman assigned to the incoming shift or the dealer or boxman assigned to the gaming table at the time of a drop box shift change which does not necessarily coincide with an employee shift change. The count shall be observed by the casino supervisor assigned to the gaming table of the outgoing shift or the casino supervisor assigned to the table game at the time of the drop box shift change.

(b) The gaming chips, coins and plaques counted shall be recorded on Table Inventory Slips by the casino supervisor assigned to the gaming table of the outgoing shift or the casino supervisor assigned to the gaming table at the time of a drop box shift change.

(c) Table Inventory Slips shall be two-part forms, at a minimum, and on the original of the slip ("Closer") and the duplicate of the slip ("Opener"), the casino supervisor shall record the following:

1. The date and identification of the shift ended;
2. The game and table number;
3. The total value of each denomination of gaming chips, coins and plaques remaining at the gaming table; and
4. The total value of all denominations of gaming chips, coins and plaques remaining at the gaming table.

(d) Signature attesting to the accuracy of the information recorded on the Table Inventory Slips shall be of either the dealer or boxman and the casino supervisor assigned to the incoming and the outgoing shifts of the dealer or boxman and the casino supervisor assigned to the gaming tables at the time of a drop box shift change.

(e) Upon meeting the signature requirements as described in (d) above, the Closer shall be deposited in the drop box that is attached to the gaming table immediately prior to the change of shift and the Opener shall be deposited in drop box that is attached to the gaming table immediately following the change of shift.

#### 19:45-1.31 Procedure for closing gaming tables

(a) Whenever gaming activity at a gaming table is concluded, the gaming chips, coins and plaques remaining at the gaming table shall be counted by the dealer or boxman assigned to the gaming table and observed by a casino supervisor assigned to the gaming table.

(b) The gaming chips, coins and plaques counted shall be recorded on a Table Inventory Slip by the casino supervisor assigned to the gaming table.

(c) The Table Inventory Slips shall be two-part forms, at a minimum, and on the original copy of the slip ("Closer") and the duplicate of the slip ("Opener"), the casino supervisor shall record the following:

1. The date and identification of the shift ended;
2. The game and table number;
3. The total value of each denomination of gaming chips, coins and plaques remaining at the gaming table; and
4. The total value of all denominations of gaming chips, coins and plaques remaining at the gaming table.