

i. In a restricted area on the premises of the casino hotel within the territorial limits of Atlantic City, New Jersey; or

ii. In another facility owned or leased by the casino licensee that is secure, inaccessible to the public, and specifically designed to house that equipment, and where the equipment shall be under the complete control of the casino licensee or its Internet gaming affiliate, within the territorial limits of Atlantic City, New Jersey. For the purposes of this subsection, a secure facility within Atlantic City that is owned or leased by the casino licensee to house Internet gaming equipment shall be considered to be part of the casino hotel facility notwithstanding that the facility may not be contiguous with the premises of the casino hotel.

2. Backup gaming equipment used to conduct Internet or mobile gaming may also be located:

i. Subject to Division approval, in a restricted area on the premises of a casino hotel facility within the territorial limits of Atlantic City to conduct Internet gaming for a time period not to exceed 60 days unless otherwise authorized by the Division; or

ii. In another facility owned or leased by the casino licensee that is secure, inaccessible to the public, and specifically designed to house that equipment, and where the equipment shall be under the complete control of the casino licensee or its Internet gaming affiliate, within the territorial limits of Atlantic City, New Jersey. For the purposes of this subsection, a secure facility within Atlantic City that is owned or leased by the casino licensee to house Internet gaming equipment shall be considered to be part of the casino hotel facility notwithstanding that the facility may not be contiguous with the premises of the casino hotel.

3. Backup gaming equipment that is not used to conduct Internet or mobile gaming but which is used only to restore data to primary Internet gaming equipment may be located within the State of New Jersey.

(o) Internet or mobile gaming systems shall require a patron after 15 minutes of user inactivity, as measured by the Internet or mobile gaming system, to re-enter his or her username and password.

(p) A casino licensee offering Internet or mobile gaming shall comply with all Federal requirements including, but not limited to, suspicious activity reporting and W2-G reporting.

(q) Each casino licensee offering Internet gaming shall perform an annual system integrity and security assessment conducted by an independent professional selected by the licensee, subject to the approval of the Division. The independent professional's report on the assessment shall be submitted to the Division annually and shall include:

1. Scope of review;
2. Name and company affiliation of the individual(s) who conducted the assessment;
3. Date of the assessment;
4. Findings;
5. Recommended corrective action, if applicable; and
6. Casino licensee's response to the findings and recommended corrective action.

(r) A casino licensee shall investigate each patron complaint related to Internet gaming and provide a response to the patron within five calendar days. For complaints that cannot be resolved to the satisfaction of the patron, related to patron accounts, game outcomes, and/or illegal activity, a copy of the complaint and licensee's response including all relevant documentation shall be provided to the Division. All other complaints and responses related to Internet gaming (for example, password problems, online chat disputes and technical matters) shall be provided biweekly or with such frequency approved by the Division.

(s) An Internet or mobile gaming system may offer games that do not require a wager or payment from a patron's Internet gaming account to patrons who have not exceeded any daily time-based limit, provided that the games comply with the following requirements:

1. Any game substantially similar to a game approved by the Division shall utilize a payout percentage equal to or less than the lowest payout percentage of the approved game;
2. Any game not substantially similar to a game approved by the Division shall prominently display the following prior to the start of the game and during game play:
 - i. The game is offered for entertainment purposes only;
 - ii. The game is not approved by the Division; and
 - iii. The game outcomes may not be representative of those for a Division-approved game; and
3. Games traditionally played on social networks that may require a payment for certain game features (social games) shall not be fundable or accessible from a patron's Internet gaming account.

(t) An Internet or mobile gaming system shall not induce a patron to continue placing wagers when play is in session, when the patron attempts to end a session, or when the patron wins or loses a bet.

(u) If a patron is prohibited by the permit holder or the Internet gaming intermediary from engaging in Internet wagering for reasons other than those enumerated in (i) above, the casino licensee shall notify the Division within 24 hours of the patron's prohibited status and suspend the Internet gaming account of that patron and prohibit such patron from creating an Internet gaming account. If an account suspended pursuant to this section is reinstated, the casino licensee shall notify the Division within 24 hours of the reinstatement.

(v) An Internet or mobile gaming system shall allow patrons to access a player protection page at all times while logged into their Internet or mobile gaming account. The player protection page shall include all features listed in (l)14 above.

(w) Employees of an Internet gaming operator who perform activities such as Internet casino accounting, patron identification and verification, problem gaming detection, anti-money laundering detection, fraud prevention, or other similar functions and that require access to confidential patron account information shall be physically present in New Jersey.

(x) Internet gaming operators and related vendors shall be prohibited from retaining patron account information without the expressed written consent of the Internet gaming permit holder.

(y) All Internet gaming operators with employees who have direct contact with patrons via phone, e-mail, electronic chat, or other means, shall implement training for those employees, at the start of their employment and at regular intervals thereafter, addressing areas set forth in (y)1 through 3 below. If the training requirement under this subsection follows the standards set forth by the Council on Compulsive Gambling of New Jersey it shall be deemed sufficient.

1. Recognizing the nature and symptoms of problem gambling behavior and how to assist players in obtaining information regarding help for a gambling problem and self-exclusion programs;
2. Responding to patrons who may disclose that they have a gambling problem; and
3. Responding to reports from third parties, such as family members, about patrons who may have a gambling problem.

(z) The authorization to conduct Internet gaming shall expire on October 21, 2020.

Amended by R.2014 d.129, effective August 18, 2014.
See: 46 N.J.R. 843(a), 46 N.J.R. 1817(c).

Rewrote (k); in (n), inserted the first occurrence of "gaming", and substituted "in a restricted area on the premises of a casino hotel facility within" for "outside"; in (r), inserted "that cannot be resolved to the satisfaction of the patron,;" rewrote (s) and (u); added new (w) and (x), and recodified former (w) as (y).

Amended by R.2016 d.040, effective May 2, 2016.

See: 47 N.J.R. 1300(a), 48 N.J.R. 716(a).

In (l)14ii, inserted "and" at the end; added new (l)14iii and (y); recodified former (l)14iii as (l)14iii(3); and recodified former (y) as (z).

Amended by R.2016 d.053, effective June 6, 2016.

See: 47 N.J.R. 2905(a), 48 N.J.R. 976(b).

Rewrote (n).

13:690-1.3 Internet or mobile gaming accounts

(a) Prior to engaging in Internet or mobile gaming, a patron shall establish an Internet or mobile gaming account. The Internet or mobile gaming system shall be required to display a message stating that those casino key employees and casino employees prohibited from wagering in any casino or simulcasting facility in the State shall not be permitted to establish an Internet or mobile account.

(b) In order to establish an Internet or mobile gaming account, a casino licensee shall:

1. Create an electronic patron file, which shall include at a minimum:

- i. Patron's legal name;
- ii. Patron's date of birth;
- iii. Entire or last four digits of the patron's Social Security number, if voluntarily provided, or equivalent for a foreign patron such as a passport or taxpayer identification number;
- iv. Patron's Internet and/or mobile account number;
- v. Patron's address;
- vi. Patron's electronic mail address;
- vii. Patron's telephone number;
- viii. Any other information collected from the patron used to verify his or her identity;
- ix. The method used to verify the patron's identity; and
- x. Date of verification.

2. Encrypt all of the following information contained in an electronic patron file:

- i. Patron's Social Security number or equivalent for a foreign patron such as a passport or taxpayer identification number;
- ii. Patron's passwords and/or PINs; and
- iii. Credit card numbers, bank account numbers, or other personal financial information.

3. Verify the patron's identity in accordance with:

- i. N.J.A.C. 13:69D-1.5A and, in addition, record the document number of the government issued credential examined; or