

CHAPTER 72**CASINO SIMULCASTING****Authority**

Casino Simulcasting Act, P.L. 1992, c.19; N.J.S.A. 5:5-30.

Source and Effective Date

R.1993 d.53, effective January 19, 1993.
See: 24 N.J.R. 3666(b), 25 N.J.R. 315(a).

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Chapter 72, Casino Simulcasting, expires on January 19, 1998.

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SUBCHAPTER 1. GENERAL PROVISIONS**13:72-1.1 Definitions**

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:

“Breakage” means the odd cents over a multiple of five or 10 cents arising from the computation of odds and payouts on amounts wagered on a simulcast horse race, as determined by the law governing the sending track.

“Casino Control Act” means the State of New Jersey Casino Control Act approved June 2, 1977, as amended.

“Casino pari-mutuel cashier” means a casino employee who sells pari-mutuel tickets representing simulcast wagers, sells credit vouchers for simulcast wagers, pays cash for credit vouchers, and makes simulcast payouts in a casino simulcasting facility.

“Casino simulcasting” means the simultaneous transmission by picture of running or harness horse races conducted at racetracks to casino licensees and pari-mutuel wagering at casino simulcasting facilities operated by casino licensees on the results of those races.

“Casino Simulcasting Act” means the State of New Jersey Casino Simulcasting Act, P.L.1992, c.19, approved June 12, 1992.

“Casino simulcasting facility” means a facility in an approved hotel operated by a casino licensee which conforms to the provisions of this chapter.

“Commission” means the New Jersey Casino Control Commission.

“Credit voucher” means a ticket issued by:

1. A pari-mutuel cashier in exchange for cash, gaming chips, slot tokens or coupons;
2. A credit voucher machine in exchange for cash; or
3. A self-service pari-mutuel machine as a simulcast payout or as the balance returnable after a simulcast wager has been placed.

“Credit voucher machine” means a mechanical, electrical or other device connected to a totalisator which, upon the insertion of cash, automatically issues a credit voucher of an equal value.

“Dedicated line” means a telephone line which is reserved for the exclusive use of transmitting pari-mutuel wagering data between a simulcasting facility and a sending track.

“Delay period” means the time between off-time and the start of a simulcast horse race.

“Dial-up line” means a telephone line between a casino simulcasting facility and a sending track which is not reserved for the exclusive use of transmitting pari-mutuel wagering data.

“Division” means the Division of Gaming Enforcement of the New Jersey Department of Law and Public Safety.

“Hub facility” means a facility located in this State which acts as an intermediary between a casino simulcasting facility and a sending track with respect to the transmission of pari-mutuel wagering data and which is responsible for generating all reports necessary for the reconciliation of payments between casino licensees, sending tracks and the Racing Commission. The hub facility may also, but is not required to, perform other functions, including the transmission of pictures of simulcast horse races and pari-mutuel non-wagering data.

“In-State sending track” means a racetrack within the State of New Jersey which is operated by a permit holder and is equipped to conduct casino simulcasting.

“Manual merge” means the process used in the event of a systems or communications failure by which a casino simulcasting facility transmits to a sending track through telephone, facsimile machine, cellular telephone or other means of communication, the casino simulcasting facility’s pari-mutuel wagering information and the process by which the sending track includes such pari-mutuel wagers in the common pari-mutuel pool in such event.

“Minus pari-mutuel pool” means a pari-mutuel pool in which insufficient monies have been wagered to permit the minimum pay-offs of winning wagers required by the rules of pari-mutuel wagering governing the race.

“Off-time,” for the purposes of this chapter, means when the first horse is loaded into the starting gate in a running race and when the starting gate reaches the recall pole in a harness race. In a race, such as a steeplechase, where there is no starting gate, off-time shall mean approximately 15 seconds before the anticipated start of the race.

“Out-of-State sending track” means a racetrack in a jurisdiction other than the State of New Jersey which is equipped to conduct casino simulcasting and the operator of which is lawfully permitted to conduct a horse race meeting and to provide simulcast races to a casino licensee.

“Outstanding pari-mutuel ticket” means a winning or refundable pari-mutuel ticket which is not claimed within six months of the date of its sale.

“Pari-mutuel machine” means a mechanical, electrical or other device which is connected to a totalisator and which generates pari-mutuel tickets and credit vouchers, reads pari-mutuel tickets and receives from the totalisator the amount to be paid for winning, cancelled or refunded pari-mutuel tickets, and reads credit vouchers and calculates the amount to be paid therefor.

“Pari-mutuel ticket” means a ticket issued by a pari-mutuel machine or a self service pari-mutuel machine which represents a wager on a simulcast horse race.

“Permit holder” means the holder of an annual permit issued by the Racing Commission to conduct a horse race meeting.

“Pool definition” means a computer generated printout, itself generated by a sending track, of the pari-mutuel wagering format and scratch runner information for that day’s racing program.

“Racing Commission” means the New Jersey Racing Commission.

“Receiving track” means a racetrack which is equipped to receive simulcast horse races and to conduct intertrack wagering on those races.

“Scratch” means the withdrawal of an entered horse from a race after the closing of overnight entries.

“Self service pari-mutuel machine” means a mechanical, electrical or other device connected to a totalisator which, upon the insertion of a credit voucher, coupon or currency, or any combination thereof, and the selection of a permissible simulcast wager automatically issues a pari-mutuel ticket together with a credit voucher for any balance which may be due and which, upon the insertion of a winning or refunded pari-mutuel ticket, reads the ticket and automatically issues a credit voucher in the amount of the correct payout.

“Sending track” means an in-State or out-of-State sending track.

“Simulcast horse race” means a running or harness horse race conducted at a racetrack which is simultaneously transmitted by picture to a casino licensee.

“Totalisator” means a computer which, among other things, directly or indirectly through one or more other totalisators, receives pari-mutuel wagering information and calculates pay-offs for winning pari-mutuel tickets, and generates reports with respect to such information.

Amended by R.1994 d.93, effective February 22, 1994.
See: 25 N.J.R. 5110(a), 26 N.J.R. 1108(a).
Public Notice: Action on petition for rulemaking.
See: 28 N.J.R. 2638(a).

13:72-1.2 Rules of Racing Commission

Except as otherwise provided in the Casino Simulcasting Act or this chapter, the rules of racing and conduct of pari-mutuel wagering in casino simulcasting facilities and hub facilities shall be subject to the rules of the Racing Commission.

SUBCHAPTER 2. CONDUCT OF CASINO SIMULCASTING

13:72-2.1 Conduct of casino simulcasting

A casino licensee may conduct casino simulcasting in a casino simulcasting facility in accordance with the provisions of the Casino Simulcasting Act and this chapter.

13:72-2.2 Hub facility

A casino licensee which conducts casino simulcasting shall, absent approval from the Commission and the Racing Commission to do otherwise, utilize a hub facility.

13:72-2.3 Receipt of races from in-State sending tracks

A casino licensee which conducts casino simulcasting shall, as a condition of continued operation of casino simulcasting, receive all live races which are transmitted by in-State sending tracks. A permit holder which is authorized by the Racing Commission to conduct casino simulcasting shall have discretion to transmit all or some of the live horse races conducted at the race track to casino simulcasting facilities; provided, however, any race which is transmitted from an in-State sending track shall be transmitted to all casino simulcasting facilities. A permit holder which wishes to transmit some, but not all, of its live horse races to casino simulcasting facilities shall do so only with the prior approval of the Racing Commission.

13:72-2.4 Receipt of races from out-of-State sending tracks

A casino licensee may, with the approval of the Commission and Racing Commission and subject to the provisions of the Casino Control Act, the Casino Simulcasting Act and this chapter, conduct casino simulcasting on races from an out-of-State sending track which has been approved by the Racing Commission to participate in casino simulcasting. An out-of-State sending track which transmits any race to a casino simulcasting facility shall offer to transmit such race to all casino simulcasting facilities on the same terms.

13:72-2.5 Agreements with sending tracks

(a) Agreements for casino simulcasting between a casino licensee and a sending track shall be in writing and shall be filed with the Racing Commission, and with the Commission in accordance with the provisions of N.J.S.A. 5:12-104. Such agreements may be negotiated on behalf of casino licensees by an entity jointly established by casino licensees.

(b) Every agreement between a casino licensee and a sending track shall, in a manner consistent with the provisions of the Casino Simulcasting Act and this chapter, define, and provide for the distribution of, outstanding pari-mutuel tickets, and define, and provide for the allocation of losses in the event of, a minus pari-mutuel pool. Every such agreement shall also provide for manual merging in the event of a systems or communications failure and shall further set forth a procedure, acceptable to the Commission and Racing Commission, which shall be followed in the event that manual merging is not possible.

13:72-2.6 Conduct of authorized games in a simulcasting facility

A casino license may, subject to the rules of the Commission, conduct any authorized game as defined by N.J.S.A. 5:12-5 or by rule of the Commission, other than slot machines, in a casino simulcasting facility.

13:72-2.7 Hours of operation

A casino simulcasting facility may be open during permitted hours of casino operation, and shall be open and operated during such hours whenever simulcast horse races are being transmitted to a casino licensee.

13:72-2.8 Gaming and simulcast wagering by certain persons prohibited

It shall be unlawful for any person who is prohibited from wagering at a game in a casino in this State pursuant to N.J.S.A. 5:12-100n to wager in a casino simulcasting facility on either an authorized game or on casino simulcasting.

13:72-2.9 Wagering limited to simulcasting facility

Wagering on simulcast horses within the premises of a casino licensee shall be conducted only in a casino simulcasting facility. However, pictures and sound of simulcast

horse races may be shown in such other areas of the establishment as approved by the Commission.

Amended by R.1994 d.93, effective February 22, 1994.
See: 25 N.J.R. 5110(a), 26 N.J.R. 1108(a).

13:72-2.10 No fee to be charged

No fee shall be charged for placing a wager on a simulcast horse race in addition to the amount wagered.

13:72-2.11 Ticket claims

(a) Subject to the time limitations imposed by N.J.A.C. 13:72-2.12, a winning pari-mutuel ticket purchased at a casino simulcasting facility shall be presented for cashing at a pari-mutuel window at that facility.

(b) No claim shall be considered for tickets which have been discarded, lost, altered, destroyed or mutilated beyond identification.

(c) Payment of wagers will be made only upon presentation of appropriate pari-mutuel tickets.

Amended by R.1994 d.556, effective November 7, 1994.
See: 26 N.J.R. 2546(a), 26 N.J.R. 4420(c).

13:72-2.12 Expiration of pari-mutuel tickets

A pari-mutuel ticket shall be claimed within six months of the date of its sale, after which it becomes an outstanding pari-mutuel ticket to be paid to the Racing Commission and deposited in the Casino Simulcasting Special Fund for distribution in accordance with the provisions of the Casino Simulcasting Act. Notice of this expiration provision shall be prominently posted in a casino simulcasting facility or printed on the pari-mutuel tickets sold at the casino simulcasting facility.

SUBCHAPTER 3. CASINO SIMULCASTING FACILITY

13:72-3.1 Location

A casino simulcasting facility shall be a contiguous area located within an approved hotel operated by a casino licensee and may be adjacent to, but shall not be part of, the room in which casino gaming is conducted pursuant to the provisions of the Casino Control Act. Notwithstanding the above, a casino licensee may construct barriers within the room for the purposes of permitting the conduct of authorized games and simulcast wagering in a manner maximizing patron comfort and the efficient operation of the facility, provided that such barriers are approved by the Commission and do not interfere with security or surveillance within the facility.

13:72-3.2 Space not to reduce space authorized for casino gaming

The space required to establish and maintain a casino simulcasting facility shall not reduce the space authorized for casino gaming pursuant to N.J.S.A. 5:12-83.

13:72-3.3 Square footage requirements

(a) A casino licensee which wishes to conduct casino simulcasting shall establish and maintain a casino simulcasting facility of sufficient square footage to promote:

1. Maximum comfort for patrons and efficient operation of the facility;
2. Viewing of simulcast horse races by patrons in a comfortable manner which is not obtrusive to the conduct of authorized games within the facility; and
3. Optimum security of the facility, which shall include the installation and maintenance of security and surveillance equipment, including closed circuit television equipment, according to specifications approved by the Commission. The Commission and Division shall have direct access to the system or its signal.

13:72-3.4 Satellite cage

A casino licensee which wishes to conduct casino simulcasting shall, unless otherwise approved by the Commission, establish and maintain a satellite cage in, or immediately adjacent to, its casino simulcasting facility.

SUBCHAPTER 4. PARI-MUTUEL POOLS

13:72-4.1 Horse races from in-State sending tracks

Sums wagered in a casino simulcasting facility on horse races at an in-State sending track shall be included in the appropriate pari-mutuel pool generated at the in-State sending track for the race being transmitted, and the pari-mutuel pool shall be divided in accordance with the provisions of the Casino Simulcasting Act. Pari-mutuel pay-offs at casino simulcasting facilities shall be made in accordance with the odds generated at the in-State sending track.

13:72-4.2 Horse races from out-of-State sending tracks

(a) Except as provided in this section, sums wagered in a casino simulcasting facility on horse races at an out-of-State sending track shall be combined with comparable pari-mutuel pools at the out-of-State sending track, and the types of wagering, takeout, distribution of winnings, rules of racing and percentage of deposits remaining undistributed from pari-mutuel pools after payment is made to winning ticket holders shall be determined in accordance with the law or policy applicable to the out-of-State sending track.