

i. Be provided by an authorized representative of the casino games department of the casino licensee or manufacturer or servicing vendor other than the person who will perform the actual installation; and

ii. Include, at a minimum, the following:

(1) A list of each computer program (software or firmware) to be installed including the version number and version date, if applicable, and the date each program was approved by the Commission pursuant to N.J.A.C. 19:46-1.20;

(2) The date of and estimated time needed to complete the installation; and

(3) The name of the person authorized to perform the installation.

7. The procedures for assigning access to the computer installed pursuant to (e)6 above and completing or modifying the progressive payout wager system set up, as applicable;

8. Except as provided by (e)9 below, the procedures utilized by any computer that controls the progressive payout wager system to provide complete and prompt recovery of all system information in the event of any malfunction, which data recovery capability shall, unless otherwise determined by the Commission, include:

i. The recording of all system information as it occurs and in a redundant manner as approved by the Commission; and

ii. The immediate notification of the casino licensee of any malfunction in a manner approved by the Commission and consistent with the provisions of (l) below;

9. In the absence of computer system capability for recording all system information as it occurs and in a redundant manner in accordance with (e)8i above, the procedures utilized by any computer that controls the progressive payout wager system to provide complete and prompt recovery of all system information, except for information not recorded up to five minutes prior to any malfunction, and the procedures utilized by the casino licensee in the event of such malfunction for the manual reconstruction of information not recorded by the system necessary to accurately adjust system meters; and

10. Such other procedures or features that may be required by the Commission as a result of the operation of the specific table game progressive wager.

(f) No progressive meter shall be turned back to a lesser amount unless:

1. The amount has been actually paid to a winning patron;

2. The progressive payout amount won by the patron has been recorded in accordance with an approved system of internal controls;

3. The time limit for the progressive payout established pursuant to (g) below has expired; or

4. The change is necessitated by an equipment or meter malfunction, in which case an explanation must be entered on the Table Game Progressive Summary required in (i) below and the Commission shall preapprove the resetting in writing.

(g) When a casino licensee decides to permanently remove the offer of a table game progressive payout, with approval from the Commission, a time limit of not less than 30 days shall be established and notice of the time limit shall be provided at each table. Upon the expiration of such time limit, the casino licensee may remove the table game progressive payout from the casino or casino simulcasting facility or establish another time limit of not less than 30 days. Nothing in this section shall be deemed to prohibit the immediate and permanent removal by a casino licensee of a table game progressive payout from a gaming table provided that one or more table games offering the progressive payout remain on the casino floor or in the casino simulcasting facility.

(h) Once the time limit in accordance with (g) above has expired, the amount on any progressive meters shall be documented in accordance with procedures approved by the Commission. The initial or reset amount may be retained by the casino licensee and deducted from the ending amount on any meters and the remaining portion shall be paid to the Casino Revenue Fund. If a reset meter is utilized in accordance with (c) above, the entire amount on the reset meter, less the reset amount funded by the casino licensee, shall be paid to the Casino Revenue Fund.

(i) The amount indicated on the "progressive payout meter," "progressive meter," "in-meter" and, if applicable, "reset meter" on each gaming table offering a progressive payout wager shall be recorded on a Table Game Progressive Summary, at a minimum, at least once every seven calendar days and each summary shall be signed by the preparer. If not prepared by the casino accounting department, the Table Game Progressive Summary shall be forwarded to casino accounting by the end of the gaming day on which it is prepared. A representative of the casino accounting department shall be responsible for calculating the correct amount that should appear on the progressive meter. If an adjustment to the progressive meter is necessary, the adjustment shall be made by a member of the table games department as follows:

1. Supporting documentation shall be maintained to explain any addition or reduction in the registered amount on the progressive meter, which documentation shall include, at a minimum, the date, the number of the table, the amount of the adjustment, the reason for the adjustment and the signature of the table games department member making the adjustment; and

2. The adjustment shall be effectuated within 48 hours of the meter reading.

(j) Except as otherwise authorized by this section, any gaming table offering a progressive payout wager may only be removed from the casino or casino simulcasting facility for a period not to exceed five gaming days. The amount on the progressive meter and, if applicable, reset meter upon the return or replacement of the gaming table shall not be less than the amount at the time of removal. Any time limit for the offering of a progressive payout pursuant to (g) above shall be extended by the number of days during which the progressive payout was not offered as the result of any action by a casino licensee pursuant to this subsection.

(k) Each gaming table offering a progressive payout wager shall have such other devices, equipment, features and capabilities as may be required by the Commission for the game after the prototype model is examined by the Commission.

(l) Following any malfunction of a computer that controls the progressive payout wager system, the casino licensee shall immediately notify the Commission and Division and shall not utilize the system until the malfunction has been successfully repaired. Notwithstanding the foregoing, the Commission may permit a casino licensee to utilize the system prior to it being successfully repaired, for a period not to exceed 48 hours, provided that:

1. The malfunction is limited to a single storage media device;

2. In addition to the malfunctioning storage media device, the system contains a backup storage media device not utilized in the normal operation of the system, which backup device shall immediately and automatically replace the malfunctioning device, to permit a complete and prompt recovery of all information in the event of an additional malfunction; and

3. Continued use of the malfunctioning system would not limit the ability to perform a complete and prompt recovery of all information and would not otherwise harm or affect the normal operation of the progressive payout wager.

(m) Whenever a casino licensee seeks to install a modification to any computer that controls a progressive payout wager system, including, but not limited to, a new or modified computer program (software or firmware) or hardware design, the installation shall occur only after advance written notice of at least three business days to the MIS department of the casino licensee and to designated representatives of the Commission and Division. The written notice shall:

1. Be provided by an authorized representative of the casino games department of the casino licensee or manufacturer or servicing vendor other than the person who will perform the actual installation; and

2. Include, at a minimum, the following:

i. If the modification involves computer programs:

(1) A list of each computer program (software or firmware) to be modified or replaced, including the

version number and version date, if applicable, and the date each modification was approved by the Commission pursuant to N.J.A.C. 19:46-1.20; and

(2) A list of each new computer program to be installed, if any, including the version number and version date, if applicable, and the date each new program was approved by the Commission pursuant to N.J.A.C. 19:46-1.20;

ii. If the modification involves hardware design, a list of each type of hardware being modified or replaced, including the date that each modified or new type of hardware was approved by the Commission pursuant to N.J.A.C. 19:46-1.20;

iii. The date of and estimated time needed to complete the installation; and

iv. The name of the person authorized to perform the installation.

(n) If an installation notice contains all the required elements set forth in (e)6 or (m) above, the Commission shall approve the installation. Any installation authorized pursuant to this section shall be performed in the presence of a representative of the MIS department of the casino licensee and a Commission inspector. Following the completion of the installation, the computer that controls the progressive payout wager system shall generate a record of the installation or, if the computer does not have the capability to generate such a record, the casino licensee shall otherwise create such record of the installation as the Commission may require. In the event the Commission determines that testing by the casino licensee is required, the Commission shall also approve the scope and results of such testing.

New Rule, R.1995 d.430, effective August 7, 1995.

See: 27 N.J.R. 1767(b), 27 N.J.R. 2967(a).

Amended by R.1996 d.315, effective July 15, 1996.

See: 28 N.J.R. 1947(a), 28 N.J.R. 3623(a).

Amended by R.1996 d.440, effective September 16, 1996.

See: 28 N.J.R. 2537(a), 28 N.J.R. 4241(b).

Administrative correction.

See: 29 N.J.R. 2184(a).

Amended by R.1999 d.281, effective August 16, 1999.

See: 31 N.J.R. 1171(a), 31 N.J.R. 2372(a).

In (g), substituted a reference to table game progressive payouts for gaming tables in the second sentence, and added the last sentence.

Amended by R.2001 d.402, effective November 5, 2001.

See: 33 N.J.R. 2633(a), 33 N.J.R. 3762(a).

Rewrote the section.

Amended by R.2002 d.368, effective November 18, 2002.

See: 34 N.J.R. 2547(a), 34 N.J.R. 3977(a).

In (c), rewrote the introductory paragraph, deleted former 1 and recodified former 2 and 3 as 1 and 2; in (e)8, substituted "Except as provided by (e)9 below, the" for "The" in the introductory paragraph and substituted "(l)" for "(a)" in ii; added a new (e)9 and recodified former (e)9 as (e)10.

Petition for Rulemaking: Notice of Receipt of Petition for Rulemaking.

See: 38 N.J.R. 3683(b).

Petition for Rulemaking: Notice of Action on Petition for Rulemaking: Accounting and Internal Controls: Table Game Progressive Payout Wager.

See: 38 N.J.R. 4763(d).