

February 9, 2004
Revised January 11, 2005**Play Off of Free Spin Bonus Rounds**

In the Colorado limited gaming market, there are a variety of games offering bonus rounds that comprise an indeterminate number of free spins. Such bonus rounds are initiated by the initial wager placed to play the game. These games enable the patron to earn free spins in a bonus round, and even more additional free spins during the free spin rounds. The number of free spins offered is game theme specific. Furthermore, some games have a non-configurable cap on the number of free spins offered, and others do not. The average time it takes to complete one of these bonus rounds varies by game, but the potential exists, however remotely, that it could extend over a period of an hour or longer. These games may present a unique challenge to retail licensees if a patron is in such a bonus round at or near 2:00 a.m. In accordance with Article XVIII, Section 9, paragraph 3 (d) of the Colorado State Constitution, it is unlawful for any person to conduct or participate in limited gaming between the hours of 2:00 a.m. and 8:00 a.m.

These games themselves do not violate any statutory requirements. However, allowing these games to be played between the hours of 2:00 a.m. and 8:00 a.m. does. Retail licensees must develop and implement procedures to ensure compliance with the regulatory requirements that prohibit gaming between 2:00 a.m. and 8:00 a.m. Time is to be measured in accordance with the official United States time established by the National Institute of Standards and Technology (NIST) and the U.S. Naval Observatory (USNO) at www.time.gov.

The retail licensee must have procedures in place to address a situation where a patron is unable to complete the bonus round by 2:00 a.m. The procedures must include provisions that protect the integrity of the game by ensuring the game is not tampered with in any manner between the time the patron is unable to complete the bonus round, and the time the bonus round is subsequently completed. An example of such a set of procedures is as follows:

The game is placed out of service, monitored and recorded with a dedicated PTZ camera. At 8:00 a.m. the following day, the game is placed back in service to continue the bonus round. If the patron is not present to complete the bonus round, the retail licensee completes the bonus round on behalf of the patron. The retail licensee contacts the local Division of Gaming office to give notice of this situation, prior to playing off the bonus round. Two licensed employees of the retail licensee, one of whom holds a key license, complete the bonus round. The game remains under the dedicated PTZ from the time the game is taken out of service until the playoff is completed the following day. Credits displayed are clearly visible on the surveillance coverage throughout the process. When the bonus round is completed, the retail licensee follows its procedures for notifying the

patron of the final outcome and processing any resultant wins. The surveillance tape is maintained by the licensee for 30 days.

This is merely an example. It is the licensee's responsibility to adopt procedures that meet the objectives outlined above.