

BASIS AND PURPOSE FOR RULE 10

The purpose of Rule 10 is to establish playing rules for authorized types of poker and management procedures for conducting poker games in compliance with section 44-30-302 (2), C.R.S. The statutory basis for Rule 10 is found in sections 44-30-201, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., 44-30-816, C.R.S., and 44-30-818, C.R.S. *Amended 8/14/16*

RULE 10 RULES FOR POKER

30-1099.44 The play – WPT Heads Up Hold'em. *Effective 4/14/2015*

- (6) At the discretion of the retail licensee, the five-card linked progressive wager may be configured in one of the two following ways: *Effective 3/2/22*
- (a) The five-card linked progressive wager may be evaluated by forming a five-card hand with the player's two-card hand and the three community cards (the flop) dealt within the base game.

(B) THE FIVE-CARD LINKED PROGRESSIVE WAGER MAY BE EVALUATED BY FORMING A FIVE-CARD HAND WITH THE PLAYER'S TWO-CARD HAND AND THREE ADDITIONAL FIVE-CARD LINKED PROGRESSIVE COMMUNITY CARDS THAT ARE NOT USED WITHIN THE BASE GAME.

BASIS AND PURPOSE FOR RULE 29

The purpose of Rule 29 is to specify the requirements of licensees and responsible gaming, to designate certain duties of licensees and patrons related to self-restriction, to specify requirements concerning responsible advertising and promotions and to outline the process for involuntary exclusion from retail gaming establishments. The statutory basis for Rule 29 is found in sections 44-30-201, C.R.S., 44-30-202, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., 44-30-502, C.R.S., 44-30-510, C.R.S., 44-30-528, C.R.S., 44-30-531, C.R.S., 44-30-827, C.R.S., 44-30-833, C.R.S. and 44-30-1701, C.R.S., and 44-30-1702, C.R.S., and 44-30-1703, C.R.S.

RULE 29 RESPONSIBLE GAMING AND SELF-RESTRICTION

30-2904 Responsible advertising and promotions.

- (1) All offers and bonuses must:
- (a) Include terms and conditions that are full, accurate, clear, concise, transparent, and do not contain misleading information;
- (b) Have advertising materials that include any material terms and conditions for that offer or bonus and have those material terms in close proximity to the headline claim of the offer or bonus and in reasonably prominent size;
- (c) Not be described as free unless they absolutely are free. If the customer has to risk or lose their own money or has conditions attached to their own money, then the offer or bonus must disclose those terms;
- (d) Not be described as risk free if the customer needs to incur any loss or risk their own money to use or withdraw winnings from the risk-free bet; ~~AND~~
- (e) Not restrict the customer from withdrawing their own funds or withdrawing winnings from bets placed using their own funds; ~~AND~~

- (f) Players that self-exclude shall not, while on the exclusion list, be able to redeem points, bonuses, comps or freeplay.
- (2) Prohibition on advertising that targets underage participants:
- (a) A retail gaming licensee and/or their marketing affiliates shall not target underage persons or create advertising content that is clearly meant, because of message and graphics, for an underage audience.
 - (b) A retail gaming licensee and/or their marketing affiliates shall not advertise on media where the majority of the demographic audience or players/performers are known to be under the legal age to gamble. This does not apply to public venues where the demographics of a normal crowd in attendance cannot be determined.
- (3) Retail gaming licensees on or before October 1, 2023, and on or before October 1 each year thereafter shall submit to the Director a report that describes the efforts of the licensee in the preceding state fiscal year (July 1st through June 30th) to promote responsible gaming in the state via advertising and other promotional methods and the licensee's plans concerning such promotional efforts in the current state fiscal year:
- (4) RETAIL GAMING LICENSEES AND/OR THEIR MARKETING AFFILIATES SHALL INCLUDE A PROMINENT MESSAGE, WHICH STATES, "GAMBLING PROBLEM? CALL OR TEXT 1-800- GAMBLER" ON ALL FORMS OF MEDIA ADVERTISEMENT TO COLORADO CONSUMERS, INCLUDING BUT NOT LIMITED TO: ELECTRONIC MAIL (EMAIL), VIDEO ADVERTISEMENTS, DIGITAL/ONLINE ADVERTISING, TELEVISION ADVERTISEMENTS, RADIO ADVERTISEMENT, LETTERS, PAMPHLETS AND NEWSPAPER/MAGAZINE ADVERTISEMENTS. THE WRITTEN MESSAGE OF "GAMBLING PROBLEM? CALL OR TEXT 1-800- GAMBLER" SHALL APPEAR IN CONSPICUOUS AND LEGIBLE TYPE IN CONTRAST BY TYPOGRAPHY, LAYOUT, OR COLOR WITH ALL OTHER PRINTED MATERIAL ON THE ADVERTISEMENT. VERBAL MESSAGING OF "GAMBLING PROBLEM? CALL OR TEXT 1-800- GAMBLER" SHALL BE AUDIBLE AND UNDERSTANDABLE. ADVERTISEMENTS THAT ONLY REFERENCE RESTAURANTS AND/OR THE HOTEL AT A RETAIL GAMING LICENSEE'S CASINO(S) AND DO NOT MARKET GAMING AND/OR SPORTS BETTING, INCLUDING GAMING AND/OR SPORTS BETTING SPACES, ARE EXEMPT FROM THIS PROVISION.

30-2905 Exclusion list – Duties and responsibilities

- (1) Database creation.

The Division shall operate a program to consolidate excluded, self-excluded and prohibited individuals in one interactive database repository in order to keep those individuals from participating in Colorado gaming. The program shall provide an interactive protected database for retail gaming licensees, sports betting operations, sports leagues and individuals that participate in gaming in Colorado, AS WELL AS ANY LICENSED THIRD-PARTY VENDORS PRE-APPROVED BY THE DIRECTOR OR THE DIRECTOR'S DESIGNEE WHICH CONTRACT WITH A LICENSEE OR SPORTS BETTING OPERATION. The sole purpose of the exclusion list and database is to ensure timely updates of individuals that may not participate in gaming for all gaming operations in Colorado. The exclusion list shall only be used for the purpose of identifying those individuals who are prohibited from gaming and those that may have excluded themselves because of their gambling problem. Licensees that receive data from the Division shall use it solely to update their database WHETHER DIRECTLY OR THROUGH A DIVISION-APPROVED THIRD-PARTY VENDOR. The information contained in the database and updates provided to the licensees are confidential and shall only be used for its intended purpose. Limited information may be shared with affiliates AND DIVISION-APPROVED THIRD-PARTY VENDORS for the purpose of ensuring those identified SELF-EXCLUDED INDIVIDUALS do not receive direct marketing. It is a violation for any licensee to use the confidential data in any other way. The Director shall determine how each licensee, league or individual interacts with the database.

- (A) Retail gaming licensees shall AS PART OF THEIR SELF-EXCLUSION AND RESPONSIBLE GAMING PROGRAM, make available a self-exclusion form to a patron requesting to self-exclude.

The retail gaming licensee shall input the self-exclusion information provided through the secure Division portal, direct the PATRON/player to a dedicated computer on the licensee's property where the PATRON/player can access the Division's website directly for TO REQUEST self-exclusion or, if the portal is not available, direct the PATRON/player to the Division's website for self-exclusion at a later time.

- (b) Retail gaming licensees that receive updates daily from the Division shall update all new excluded persons within their database WHETHER DIRECTLY OR THROUGH A DIVISION-APPROVED THIRD-PARTY VENDOR. The Director shall provide one or more excluded or prohibited PATRON/player lists to retail gaming licensees. Data records will be in a format detailed by the Director or THE DIRECTOR'S designee. The retail gaming licensee shall use best efforts to determine whether or not new and existing players club members or patrons are on an exclusion list either through the casino's LICENSEE'S own database or by checking the secure Division portal prior to issuing a player's card.
- (c) Retail gaming licensees shall only update the Division database with self-excluded persons that have opted in after January 1, 2023, as determined by the Director. The retail gaming licensees shall make information for players that have self-excluded prior to January 1, 2023, upon request.

(D) A LICENSED THIRD-PARTY VENDOR MAY VIEW AND USE THE CONFIDENTIAL INFORMATION CONTAINED IN THE DIVISION'S EXCLUSION LIST AND DATABASE, SO LONG AS THE THIRD-PARTY VENDOR HAS COMPLIED WITH THE FOLLOWING:

- (i) THE THIRD-PARTY VENDOR HAS ENTERED INTO A CONTRACT OR WRITTEN AGREEMENT WITH A LICENSEE OUTLINING THE THIRD-PARTY VENDOR'S ACCESS AND USE OF THE CONFIDENTIAL INFORMATION CONTAINED IN THE DIVISION'S EXCLUSION LIST AND DATABASE.
- (ii) THE THIRD-PARTY VENDOR HAS COMPLETED AND SUBMITTED A FORM PREPARED BY THE DIRECTOR OR THE DIRECTOR'S DESIGNEE. AS PART OF THE FORM, THE THIRD-PARTY VENDOR MUST DISCLOSE ALL RETAIL GAMING LICENSEES AND SPORTS BETTING OPERATIONS THAT IT IS PROVIDING SERVICES TO RELATED TO THE DIVISION'S EXCLUSION LIST AND DATABASE. AS PART OF THE FORM, THE THIRD-PARTY VENDOR MUST AFFIRMATIVELY AGREE NOT TO DISCLOSE THE CONFIDENTIAL INFORMATION CONTAINED IN THE DIVISION'S EXCLUSION LIST AND DATABASE, AND ALSO AGREE TO ONLY USE SUCH CONFIDENTIAL INFORMATION FOR ITS INTENDED PURPOSE.
- (iii) THE THIRD-PARTY VENDOR MAY NOT ACCESS AND/OR USE THE CONFIDENTIAL INFORMATION CONTAINED IN THE DIVISION'S EXCLUSION LIST AND DATABASE UNTIL APPROVED IN WRITING BY THE DIRECTOR OR THE DIRECTOR'S DESIGNEE.
- (iv) THE THIRD-PARTY MUST IMMEDIATELY INFORM THE DIVISION OF ANY CHANGES TO ITS ADDRESS, ANY CHANGES TO ITS CONTRACT OR WRITTEN AGREEMENT WITH A RETAIL GAMING LICENSEE AND/OR SPORTS BETTING OPERATION, OR ITS CESSATION OF SERVICES RELATING TO THE PROVISION OF THIS REGULATION WITHIN FIVE (5) CALENDAR DAYS OF THE CHANGES OR CESSATION OF SERVICES.
- (v) THE THIRD-PARTY VENDOR MUST IMMEDIATELY DISCLOSE TO THE DIVISION WITHIN FIVE (5) CALENDAR DAYS ANY DISCLOSURE OF THE CONFIDENTIAL INFORMATION CONTAINED IN THE DIVISION'S EXCLUSION LIST AND DATABASE OR INAPPROPRIATE USE OF SUCH CONFIDENTIAL INFORMATION. THE LICENSE WITH WHICH THE THIRD-PARTY VENDOR HAS CONTRACTED AND/OR ENTERED INTO A WRITTEN AGREEMENT MAY BE SUBJECT TO DISCIPLINE IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 30 OF TITLE 44, C.R.S., AND/OR THE GAMING AND SPORTS BETTING RULES AND REGULATIONS UNDER 1 C.C.R. 207-1 AND 1 C.C.R. 207-2 RESPECTIVELY.

(2) Database inclusion.

- (a) The following persons shall be included and maintained in the Division database, updated and transferred to retail gaming licensees and Sports Betting Operators OPERATIONS, AND LICENSED THIRD-PARTY VENDORS APPROVED BY THE DIRECTOR OR THE DIRECTOR'S DESIGNEE WHICH CONTRACT WITH A LICENSEE OR A SPORTS BETTING OPERATION:
- (i) Individuals that have voluntarily self-excluded from any operator, retail casino or through the Division.
 - (ii) Sports betting individuals who are prohibited from placing wagers on certain sporting events to the extent that those individuals reside in the Division's exclusion list database.
 - (iii) Individuals who are required by the Commission to be excluded or ejected from licensed gaming establishments, to the extent that those individuals reside in the Division's exclusion list database.
- (b) Persons on the exclusion and prohibited list may not participate or collect winnings from the gaming in Colorado on which they are prohibited. Players PATRONS that self-exclude shall not, while on the exclusion list, be able to redeem points, bonuses, comps or freeplay. ANY WINNINGS OF A PERSON ON THE EXCLUSION AND PROHIBITED LIST WILL BE RETAINED BY THE APPLICABLE LICENSEE OR OPERATOR. PERSONS ON THE EXCLUSION AND PROHIBITED LIST FORFEIT ANY MONEY WAGERED, BUT MAY RETAIN ANY REMAINING FUNDS THAT HAVE NOT BEEN ACTIVELY WAGERED IN CASINO GAMES OR SPORTS WAGERING AFTER BEING PLACED ON THE EXCLUDED OR PROHIBITED LIST.
- (3) Inclusion on the exclusion list.
- (a) Individual self-exclusion means that an individual has made a conscious voluntary effort to exclude themselves, from not only that form of gaming but from all forms of gaming under the regulatory purview of the Colorado limited gaming control Commission and the Colorado Division of gaming. Self-exclusion may only be accomplished by an individual acting in their own interest, in the following ways:
- (i) Self-exclusion by an individual through the Division of gaming. An individual self-excluding either in person or through a web-based application. All self-exclusions by individuals through the Division, either in person or web-based, will have their identity verified prior to being included on the exclusion list.
 - (ii) Self-exclusion from an Internet Sports Betting operator. An individual who on an Internet sports betting mobile app chooses an option to electronically self-exclude, and has been directed to the Division's website.
 - (iii) Self-exclusion from a sports betting operator (retail sports book). An individual requesting self-exclusion from a retail sports book shall fill out a self-exclusion form provided by the sports book. The sports book shall enter the self-exclusion into the secure Division portal, direct the player to a dedicated computer on the licensee's property where the player can access the Division's website directly for self-exclusion or if the portal is not available direct the player to the Divisions website for self-exclusion at a later time.
 - (iv) Self-exclusion from a retail gaming licensee (casino). An individual requesting self-exclusion from a casino shall fill out a self-exclusion form provided by the casino. The casino shall enter the self-exclusion into the secure Division portal direct the player to a dedicated computer on the licensee's property where the player can access the Division's website directly for self-exclusion or if the portal is not available direct the player to the Divisions website for self-exclusion at a later time. or use their electronic database procedure.

- (b) Individuals wishing to self-exclude in person or through the Divisions web-based application shall fill out all required information on the form. Incomplete forms where an individual cannot be identified will not be processed.
 - (c) Individuals that self-exclude from gaming corporations that have gaming operations in other states may be included on their corporate exclusion list and may be included in other state exclusion programs. An individual self-excluding in Colorado shall be informed prior to being placed on a corporate exclusion list.
- (4) Exclusion period.
- (a) Individuals that have voluntarily self-excluded from any sports betting operation, retail casino or through the Division shall select the period of exclusion to include:
 - (i) One (1) year
 - (ii) Three (3) years
 - (iii) Five (5) years
 - (b) An individual who is on the list may submit a request, to the Division, to increase the minimum length of exclusion.
- (5) Removal from the exclusion list.
- (a) Individuals that have self-excluded or are on the excluded list will need to fill out and file the form with the **Division of gaming** Director prior to being removed from the exclusion list. No person is automatically removed from the exclusion list when the selected or directed time period ends.
 - (b) Sports betting individuals who are prohibited from placing wagers on certain sporting events to the extent that those individuals reside in the Division's exclusion list database may be removed from the list by their governing body/league or by filling out and filing the form with the **Division of gaming's** Director.
 - (c) Individuals that are on the exclusion list and have not completed their self-selected period of self-exclusion may petition the **Division of gaming's** Director for removal from the list. The Division may require self-evaluation or evaluation by a professional to ensure the problem gambling or financial issues that led to the self-exclusion have corrected themselves. Removal from the exclusion list prior to the self-selected time period is at the complete discretion of the **gaming Division** Director. If an individual's petition to be removed from the exclusion list prior to the self-select exclusion period is not approved by the Director, the individual may not re-petition the Director again for the period of one year.

30-2907 EXCLUSION OR EJECTION OF PERSONS FROM ANY GAMING ESTABLISHMENT.

(1) THE DIVISION SHALL MAINTAIN AN EXCLUSION & EJECTION LIST ("INVOLUNTARY EXCLUSION LIST") OF INDIVIDUALS WHO ARE EXCLUDED AND MAY BE EJECTED FROM LICENSED GAMING ESTABLISHMENTS. THE INVOLUNTARY EXCLUSION LIST SHALL BE INTEGRATED INTO THE DATABASE AND/OR LIST CREATED UNDER REGULATION 30-2905(1) OR AS A SEPARATE LIST. THE DIVISION MAY SHARE THE INVOLUNTARY EXCLUSION LIST WITH RETAIL GAMING LICENSEES AND SPORTS BETTING OPERATORS AND MAY POST THE LIST ON THE DIVISION'S AND/OR THE COMMISSION'S WEBSITE.

(2) INCLUSION ON THE INVOLUNTARY EXCLUSION LIST.

(A) THE DIVISION MAY INITIATE EXCLUSION PROCEEDINGS AGAINST AN INDIVIDUAL WHERE IT DETERMINES THERE IS CAUSE TO BELIEVE THE INDIVIDUAL SHOULD BE EXCLUDED AND EJECTED FROM LICENSED GAMING ESTABLISHMENTS UNDER ARTICLE 30 OF TITLE 44, C.R.S. EXCLUSION

PROCEEDINGS, AS USED HEREIN, SHALL MEAN THOSE PROCEDURES UNDERTAKEN BY THE DIVISION AND THE COMMISSION TO PLACE INDIVIDUALS ON THE INVOLUNTARY EXCLUSION LIST. THE DIVISION SHALL INITIATE EXCLUSION PROCEEDINGS BY FILING A PETITION WITH THE COMMISSION. THE PETITION MUST INCLUDE THE FOLLOWING INFORMATION:

- (i) THE INDIVIDUAL'S NAME;
- (ii) THE INDIVIDUAL'S DATE OF BIRTH;
- (iii) ANY KNOWN ALIASES OF THE INDIVIDUAL;
- (iv) A PICTURE OF THE INDIVIDUAL, IF AVAILABLE;
- (v) A PHYSICAL DESCRIPTION OF THE INDIVIDUAL;
- (vi) A DETAILED DESCRIPTION OF WHY THE INDIVIDUAL SHOULD BE EXCLUDED FROM ALL LICENSED GAMING ESTABLISHMENTS; AND
- (vii) THE REQUESTED EFFECTIVE DATE OF AN EXCLUSION ORDER.

(B) UPON RECEIPT OF A PETITION FROM THE DIVISION, THE COMMISSION SHALL CONSIDER THE PETITION AT A REGULARLY SCHEDULED OR EMERGENCY PUBLIC MEETING, SET AT THE DISCRETION OF THE COMMISSION CHAIR OR VICE-CHAIR.

- (i) FOLLOWING RECEIPT OF THE PETITION AND/OR DURING ITS CONSIDERATION OF THE PETITION, THE COMMISSION MAY REQUEST ANY ADDITIONAL INFORMATION FROM THE DIVISION; ANY LICENSEES WITH RELEVANT INFORMATION AS DETERMINED BY THE COMMISSION; OR THE INDIVIDUAL AT ISSUE. THE COMMISSION'S CONSIDERATION OF THE PETITION IS NOT AN EVIDENTIARY HEARING AND ANY ADDITIONAL INFORMATION REQUESTED BY THE COMMISSION MAY ONLY BE OFFERED OR CONSIDERED AT THE DISCRETION OF THE COMMISSION.

(C) IN DETERMINING WHETHER TO ADD AN INDIVIDUAL TO THE INVOLUNTARY EXCLUSION LIST, THE COMMISSION MAY CONSIDER ANY OF THE FOLLOWING:

- (i) WHETHER THE INDIVIDUAL'S PRESENCE POSES A THREAT TO THE INTEREST OF THE STATE OR LICENSED GAMING, INCLUDING MEMBERS OF THE PUBLIC;
- (ii) WHETHER THE INDIVIDUAL HAS A PRIOR CONVICTION OF A FELONY, A MISDEMEANOR INVOLVING MORAL TURPITUDE, OR A VIOLATION OF THE LAWS OR GAMING RULES OF ANY OTHER STATE, THE UNITED STATES OR ANY OF ITS POSSESSIONS OR TERRITORIES, OR AN INDIAN TRIBE;
- (iii) WHETHER THE INDIVIDUAL HAS VIOLATED, ATTEMPTED TO VIOLATE, OR WAS INVOLVED IN A CONSPIRACY TO VIOLATE THE PROVISIONS OF ARTICLE 30 OF TITLE 44, C.R.S., RELATING TO:
 - (A) THE FAILURE TO DISCLOSE AN INTEREST IN A GAMING ESTABLISHMENT FOR WHICH THE INDIVIDUAL MUST OBTAIN A LICENSE OR TO MAKE DISCLOSURES TO THE COMMISSION; OR
 - (B) INTENTIONAL EVASION OF FEES OR TAXES;

(IV) WHETHER THE INDIVIDUAL HAS A REPUTATION THAT WOULD ADVERSELY AFFECT PUBLIC CONFIDENCE AND TRUST THAT THE GAMING INDUSTRY IS FREE FROM CRIMINAL OR CORRUPTIVE INFLUENCES;

(V) WHETHER THE INDIVIDUAL HAS PRIOR EXCLUSION(S) OR EJECTION(S) FROM A GAMING ESTABLISHMENT UNDER THE LAWS OR GAMING RULES OF ANY OTHER STATE, THE UNITED STATES OR ANY OF ITS POSSESSIONS OR TERRITORIES, OR AN INDIAN TRIBE; OR

(VI) WHETHER THE INDIVIDUAL IS A CAREER OR PROFESSIONAL OFFENDER OR ASSOCIATES OF CAREER OR PROFESSIONAL OFFENDERS AND ANY OTHERS AS DEFINED BY RULE OF THE COMMISSION.

(D) FOLLOWING RECEIPT OF THE PETITION AND CONSIDERATION OF ABOVE, THE COMMISSION SHALL EITHER DISMISS THE PETITION OR FIND THE INDIVIDUAL SHOULD BE PLACED ON THE INVOLUNTARY EXCLUSION LIST.

(E) WHERE THE COMMISSION FINDS THE INDIVIDUAL SHOULD BE PLACED ON THE INVOLUNTARY EXCLUSION LIST, THE COMMISSION SHALL:

(I) DETERMINE THE DURATION OF THE INDIVIDUAL'S INCLUSION ON THE INVOLUNTARY EXCLUSION LIST.

(A) WHEN THE DURATION IS NOT SPECIFICALLY DESIGNATED, THE DEFAULT DURATION IS PERMANENT.

(II) PLACE ON THE INVOLUNTARY EXCLUSION LIST THE FOLLOWING:

(A) THE INDIVIDUAL'S NAME;

(B) THE INDIVIDUAL'S PHYSICAL DESCRIPTION;

(C) A PICTURE OF THE INDIVIDUAL, IF AVAILABLE;

(D) THE EFFECTIVE DATE OF THE INDIVIDUAL'S INCLUSION; AND

(E) THE EXPIRATION DATE OF THE INDIVIDUAL'S INCLUSION.

(F) UNLESS A REQUEST FOR A HEARING IS SUBMITTED UNDER SUBSECTION (3) BELOW, THE INDIVIDUAL'S EXCLUSION HAS AN EFFECTIVE DATE OF THIRTY-FIVE (35) CALENDAR DAYS AFTER THE COMMISSION'S PLACEMENT OF THE INDIVIDUAL ON THE INVOLUNTARY EXCLUSION LIST. LICENSEES MUST EXCLUDE OR EJECT FROM THE LICENSED PREMISES ANY INDIVIDUAL ON THE INVOLUNTARY EXCLUSION LIST UPON THE EFFECTIVE DATE THE INDIVIDUAL'S EXCLUSION.

(3) CONTESTING PLACEMENT ON THE INVOLUNTARY EXCLUSION LIST.

(A) UPON THE COMMISSION PLACING THE NAME AND DESCRIPTION OF AN INDIVIDUAL ON THE INVOLUNTARY EXCLUSION LIST, THE COMMISSION SHALL SERVE A WRITTEN NOTICE OF THAT ACTION UPON THE INDIVIDUAL BY PERSONAL SERVICE, BY CERTIFIED MAIL SENT TO THE LAST-KNOWN ADDRESS OF THE INDIVIDUAL, OR BY PUBLICATION IN ONE OR MORE OFFICIAL NEWSPAPERS IN TELLER AND GILPIN COUNTIES.

(B) AN INDIVIDUAL PLACED ON THE INVOLUNTARY EXCLUSION LIST MAY PETITION THE COMMISSION FOR A HEARING WITHIN THIRTY (30) CALENDAR DAYS OF PERSONAL SERVICE OF THE WRITTEN NOTICE, THE DATE OF DELIVERY LISTED ON A CERTIFIED MAIL SENT TO THE LAST-KNOWN ADDRESS OF THE INDIVIDUAL, OR THE DATE OF PUBLICATION IN ONE OR MORE OFFICIAL

NEWSPAPERS IN TELLER AND GILPIN COUNTIES. THE PETITION FOR HEARING MUST BE SUBMITTED IN WRITING TO 1707 COLE BLVD., SUITE 300, LAKEWOOD, CO 80401 AND MUST BE RECEIVED BY THE COMMISSION WITHIN THE THIRTY (30) DAY PERIOD TO BE CONSIDERED. THE COMMISSION MAY DELEGATE THE EVIDENTIARY HEARING TO ONE OF ITS MEMBERS OR AN ADMINISTRATIVE LAW JUDGE OR CONDUCT THE HEARING AS A WHOLE AT ITS DISCRETION.

(C) IF AN INDIVIDUAL REQUESTS A HEARING WITHIN THIRTY (30) CALENDAR DAYS, THE INDIVIDUAL'S NAME WILL NOT BE ADDED TO THE INVOLUNTARY EXCLUSION LIST PENDING THE OUTCOME OF THE EVIDENTIARY HEARING.

(D) IF THE INDIVIDUAL FAILS TO APPEAR FOR THE HEARING, THE PETITION FOR HEARING IS DEEMED ABANDONED AND THE INFORMATION FROM SUBSECTION (2)(E)(II) SHALL BE ADDED TO THE INVOLUNTARY EXCLUSION LIST.

(E) IF AN INDIVIDUAL FAILS TO REQUEST A HEARING WITHIN THIRTY (30) CALENDAR DAYS, THE PLACEMENT OF THE INDIVIDUAL ON THE INVOLUNTARY EXCLUSION LIST BECOMES A FINAL AGENCY ORDER.

(4) PLACEMENT ON THE INVOLUNTARY EXCLUSION LIST ON AN EMERGENCY BASIS.

(A) THE DIVISION MAY INITIATE EXCLUSION PROCEEDINGS AGAINST AN INDIVIDUAL ON AN EMERGENCY BASIS. THE DIVISION SHALL SUPPLEMENT THE PETITION WITH A DETAILED DESCRIPTION OF WHY PLACING THE INDIVIDUAL ON THE INVOLUNTARY EXCLUSION LIST ON AN EMERGENCY BASIS IS NECESSARY TO AVOID DANGER TO THE PUBLIC SAFETY AND THAT PUBLIC CONFIDENCE AND TRUST MAY ONLY BE MAINTAINED IF THE INDIVIDUAL IS LISTED ON THE INVOLUNTARY EXCLUSION LIST.

(I) WITH RESPECT TO THE FINDING OF DANGER TO PUBLIC SAFETY, THE COMMISSION SHALL CONSIDER WHETHER AN INDIVIDUAL HAS BEEN LISTED ON THE LIST OF PERSONS TO BE EXCLUDED OR EJECTED UNDER THE LAWS AND GAMING RULES OF THE STATES OF NEVADA, NEW JERSEY, OR SOUTH DAKOTA OR ANY OTHER STATES; THE UNITED STATES OR ITS TERRITORIES OR POSSESSIONS; OR AN INDIAN TRIBE.

(B) PETITIONS FOR PLACING INDIVIDUALS ON THE INVOLUNTARY EXCLUSION LIST ON AN EMERGENCY BASIS MAY BE CONSIDERED BY THE COMMISSION AT A REGULARLY SCHEDULED MEETING OR EMERGENCY MEETING, SET AT THE DISCRETION OF THE COMMISSION CHAIR OR VICE-CHAIR.

(C) UPON THE COMMISSION PLACING THE NAME AND DESCRIPTION OF AN INDIVIDUAL ON THE INVOLUNTARY EXCLUSION LIST ON AN EMERGENCY BASIS, THE COMMISSION SHALL SERVE A WRITTEN NOTICE OF THAT ACTION UPON THE INDIVIDUAL BY PERSONAL SERVICE, BY CERTIFIED MAIL SENT TO THE LAST-KNOWN ADDRESS OF THE INDIVIDUAL, OR BY PUBLICATION IN ONE OR MORE OFFICIAL NEWSPAPERS IN TELLER AND GILPIN COUNTIES.

(I) AN INDIVIDUAL PLACED ON THE INVOLUNTARY EXCLUSION LIST ON AN EMERGENCY BASIS MAY PETITION THE COMMISSION IN WRITING AND/OR EMAIL FOR A STAY. THE PETITION SHALL INCLUDE AN EXPLANATION OF WHY A STAY IS APPROPRIATE AND WHY THE INDIVIDUAL SHOULD NOT BE ADDED TO THE INVOLUNTARY EXCLUSION LIST ON AN EMERGENCY BASIS. THE COMMISSION CHAIR OR VICE-CHAIR SHALL DETERMINE WHETHER OR NOT TO GRANT THE STAY PENDING THE COMMISSION'S CONSIDERATION OF THE ISSUE UNDER PARAGRAPH (4)(D).

(D) WITHIN THIRTY (30) DAYS AFTER THE PLACEMENT OF THE NAME AND DESCRIPTION OF AN INDIVIDUAL ON THE INVOLUNTARY EXCLUSION LIST ON AN EMERGENCY BASIS, THE COMMISSION SHALL CONSIDER WHETHER TO MAKE THE EMERGENCY LISTING PERMANENT BY SETTING THE

MATTER FOR CONSIDERATION BY THE COMMISSION IN ACCORDANCE WITH THE PROCESS DETAILED IN PARAGRAPHS (2) THROUGH (3) ABOVE WITH THE EXCEPTION OF PARAGRAPH (3)(C).

(i) AN EMERGENCY LISTING MUST BE VACATED IF THE COMMISSION DETERMINES THAT THE INDIVIDUAL SHOULD NOT HAVE BEEN PLACED ON THE INVOLUNTARY EXCLUSION LIST.

(ii) IF THE COMMISSION DETERMINES THE INDIVIDUAL SHOULD REMAIN ON THE INVOLUNTARY EXCLUSION LIST, THE INDIVIDUAL WILL REMAIN ON THE INVOLUNTARY EXCLUSION LIST WITHOUT BEING SUBJECT TO THE THIRTY-FIVE (35) CALENDAR DAY DELAY.

(5) IF AN INDIVIDUAL ON THE INVOLUNTARY EXCLUSION LIST IS FOUND GAMBLING, WAGERING OR SPORTS BETTING AT ANY LICENSED GAMING ESTABLISHMENT, THAT INDIVIDUAL SHALL BE EJECTED FROM THE LICENSED PREMISES. THE INDIVIDUAL IS NOT ENTITLED TO RECOVER AN JACKPOTS OR MONEY WAGERED. ANY MONEY NOT-YET WAGERED WILL BE RETURNED TO THE INDIVIDUAL.

(6) REMOVAL FROM THE INVOLUNTARY EXCLUSION LIST.

(A) AN INDIVIDUAL OR THROUGH A LEGAL REPRESENTATIVE ON THE INVOLUNTARY EXCLUSION LIST MAY PETITION THE COMMISSION FOR REMOVAL FROM INVOLUNTARY EXCLUSION LIST AFTER FIVE (5) YEARS OF THE EFFECTIVE DATE OF THE INDIVIDUAL'S PLACEMENT ON THE LIST.

(B) THE PETITION MUST INCLUDE THE FOLLOWING:

(A) THE PETITIONER'S NAME;

(B) DATE OR APPROXIMATE DATE OF THE EFFECTIVE DATE OF THE PETITIONER'S PLACEMENT ON THE INVOLUNTARY EXCLUSION LIST;

(C) THE FACTS AND CIRCUMSTANCES WHICH GIVE RISE TO THE REQUEST FOR REMOVAL FROM THE INVOLUNTARY EXCLUSION LIST, INCLUDING BUT NOT LIMITED TO AN EXPLANATION WHY THE REASONS FOR PLACEMENT ON THE INVOLUNTARY EXCLUSION LIST ARE NO LONGER APPLICABLE;

(D) SIGNATURE OF PETITIONER; AND

(E) ADDRESS OF PETITIONER.

(C) UPON RECEIPT OF A PETITION, THE COMMISSION MAY REQUEST FROM THE PETITIONER ANY ADDITIONAL INFORMATION IT REQUIRES FOR THE ISSUANCE OF ITS ORDER. FOLLOWING RECEIPT OF THE PETITION, THE COMMISSION MUST EITHER DISMISS THE PETITION, CONSIDER THE MATTER AT A REGULARLY SCHEDULED PUBLIC MEETING SET AT ITS DISCRETION, OR ISSUE ITS DECISION WITHIN SIXTY (60) CALENDAR DAYS WHERE NO ADDITIONAL INFORMATION IS REQUESTED OR WHERE SUCH ADDITIONAL INFORMATION IS PROMPTLY PROVIDED. THE COMMISSION WILL DENY A PETITION WHERE ADDITIONAL INFORMATION HAS BEEN REQUESTED AND HAS NOT BEEN PROVIDED BY A DATE SET BY THE COMMISSION.

(D) IF THE COMMISSION CONSIDERS THE MATTER AT A REGULARLY SCHEDULED PUBLIC MEETING, THE MATTER WILL BE CONSIDERED A DECISION ITEM NOT AN EVIDENTIARY HEARING, AND THE COMMISSION MAY RECEIVE COMMENTS AND PRESENTATIONS FROM THE PETITIONER, DIVISION REPRESENTATIVES AND/OR MEMBERS OF THE PUBLIC SOLELY AT THE COMMISSION'S DISCRETION.