TITLE 68 INDIANA GAMING COMMISSION

Emergency Rule
LSA Document #06-413(E)

DIGEST

Temporarily adds definitions for enforcement agents and gaming agents. Temporarily amends 68 IAC 1, 68 IAC 2, 68 IAC 6, 68 IAC 8 through 68 IAC 11, 68 IAC 14, 68 IAC 15, 68 IAC 17, 68 IAC 18, and 68 IAC 19 to replace the term commission agent with the term enforcement agent and to amend the reimbursement schedule for gaming agents and police personnel. NOTE: The original emergency rule LSA Document #06-189(E), posted at DIN: 20060705-IR-068060189ERA, effective June 14, 2006, expires September 13, 2006. Effective September 14, 2006.

SECTION 1. **"Enforcement agent" means:**
(1) an individual employed by the commission, who is a member of the enforcement section of the commission's division of gaming agents; or
(2) a member of the Indiana state police department who is assigned to a riverboat licensee as a member of the Indiana state police gaming division.

SECTION 2. **"Gaming agent" means an individual employed by the commission pursuant to IC 4-33 who is a member of the division of gaming agents and compensated on the IC 4-33-4.5-5 salary matrix.**

SECTION 3. **(a) This SECTION supercedes 68 IAC 1-5-1.**

(b) Any riverboat or supplier licensee shall provide a written notice to the executive director at such time as it becomes aware of the following:
(1) Any violation or apparent violation of any rule of the commission by any of the following:
(A) The riverboat or supplier licensee.
(B) Any substantial owner, key person, or employee of the riverboat or supplier licensee.
(C) Any person acting, or authorized to act, on behalf of or in furtherance of the interests of the riverboat or supplier licensee or any affiliate of the licensee.
(2) Any change in status of any owner's license, supplier's license, or the equivalent issued to it or an affiliate by any other governmental entity.
(3) Any civil litigation filed against the riverboat or supplier licensee.
(4) Any criminal, civil, or administrative action, threatened action, or investigation initiated by any governmental entity against the riverboat or supplier licensee.
(5) Any claims made by any governmental entity concerning any tax liability of a licensee or any key person or substantial owner of the licensee.
(6) Any civil, criminal, administrative, or tax action initiated by or against an employee of the riverboat licensee if the action relates to the gaming activity conducted by the riverboat licensee.
(7) Any civil, criminal, administrative, or tax action initiated against a key person, substantial owner, or an affiliate of a riverboat or supplier licensee, if such action relates to a gaming operation under the jurisdiction of any governmental entity.
(8) Any bankruptcy, receivership, or debt adjustment initiated by or against the riverboat or supplier licensee or any affiliate thereof or the licensee's substantial owners.
(9) Any Title 31 compliance review conducted by the Internal Revenue Service. The riverboat or supplier licensee must provide a copy of any compliance review report or the equivalent within ten (10) days of the receipt of the report by the licensee.
(10) Any action, event, or nonevent, with respect to which the executive director has instructed the licensee to provide notice so that the executive director can ensure that the licensee continues to maintain suitability for licensure.
(11) Any apparent criminal activity taking place on riverboat property. This information must also be submitted to an enforcement agent.

SECTION 4. **(a) This SECTION supercedes 68 IAC 1-9-1.**

(b) This rule shall apply to each riverboat licensee.

(c) The following definitions apply throughout this rule:
(1) "Central computer system" means one (1) or more computer systems that meet the following

requirements:

(A) Is connected to all electronic gaming devices in the riverboat to record and monitor the activities of the electronic gaming devices, including, but not limited to, the following or the equivalent:

(i) The opening of any door of the electronic gaming device.

(ii) Hopper credits and fills.

(iii) Last game recount for a minimum of five (5) games.

(iv) Drop bucket collection.

(B) Is capable of monitoring the activities of the live gaming devices, including, but not limited to, the following or the equivalent:

(i) Table fills.

(ii) Table credits.

(iii) Table game inventories.

(iv) Employee gratuity deposit accounting.

(C) Is capable of monitoring the activities of the main bank and all cages, including, but not limited to, the following or the equivalent:

(i) Manual payouts.

(ii) Hopper credits and hopper fills.

(iii) Table credits and fills.

(iv) Hard and soft count summary log.

(v) Master gaming report.

(vi) Cashier checkout.

(vii) Main bank and cage inventory.

(viii) Deposits.

(ix) Cash transaction reports.

(x) Patron credit.

(D) Is capable of monitoring the riverboat licensee's accounting package.

(2) "Interim compliance period" means the period of time between the issuance of a certificate of suitability and the issuance of a permanent riverboat owner's license or the issuance of a notice of denial.

(3) "Main bank", or its equivalent, means the department that is responsible for the following:

(A) Cashing customer checks.

(B) Establishing hold check privileges.

(C) Redeeming chips or tokens, or both.

(D) Providing working funds to all operational departments.

(E) Assuming responsibility for the following persons and physical structures:

(i) Casino cashiers.

(ii) Change attendants.

(iii) Main bank vaults.

(iv) Any other structure that houses tokens, chips, or other representatives of value that the main bank is accountable for.

(4) "Riverboat license applicant" means an applicant for a riverboat owner's license that has been issued a certificate of suitability under 68 IAC 2-1-5.

(d) Each riverboat licensee shall provide a riverboat commission surveillance room aboard the riverboat. The riverboat commission surveillance room shall be for the exclusive use of the commission and enforcement agents.

(e) Each riverboat licensee shall provide a commission dockside office at the dockside support facilities. The commission dockside office shall be for the exclusive use of the commission and enforcement agents.

(f) Each riverboat licensee shall provide a processing area at the dockside support facilities. The processing area shall be for the exclusive use of the commission and enforcement agents.

(g) The riverboat license applicant shall submit the plans for the commission surveillance room, commission dockside office, and processing area to the executive director for approval as to size and design during the interim compliance period. The executive director shall approve the plans for the commission surveillance room, commission dockside office, and processing area, in writing, within thirty (30) days of receipt of the plans.

(h) The riverboat licensee or riverboat license applicant shall provide a minimum of five (5) parking spaces for use by the commission and enforcement agents in close proximity to the riverboat.

(i) The riverboat licensee shall be responsible for providing the on-site and off-site repair of computer and related equipment and shall, in a timely manner, provide replacement equipment approved by the executive director or the executive director's designee when deemed necessary by the executive director or the executive director's designee to ensure compliance with the Act and this title.

SECTION 5. **(a) This SECTION supercedes 68 IAC 1-9-2.**

(b) The riverboat commission surveillance room shall meet the following requirements:
(1) Be of sufficient size to accommodate two (2) individuals and the equipment listed in subsection (b).
(2) Be in close proximity to the surveillance room or the security room, or both.
(3) The interior of the riverboat commission surveillance room shall not be visible to the patrons or employees of the riverboat licensee.
(4) The riverboat commission surveillance room shall have locks that are not accessible with keys that open any other door within the riverboat gambling operation. Only the commission, enforcement agents, and the master shall possess keys that access the riverboat commission surveillance room. The master shall use the keys to the riverboat commission surveillance room only in the event of an emergency.
(5) Be furnished with office furniture sufficient to accommodate two (2) individuals.

(c) The riverboat licensee shall equip the riverboat commission surveillance room with the following:
(1) A personal computer with view and print access to all of the riverboat licensee's computer equipment aboard the riverboat, including, but not limited to, the following:
(A) Player tracking system.
(B) Patron credit system.
(C) Central computer system.
The personal computer shall have off line word processing capabilities that are compatible with the commission computer system.
(2) A printer attached to the personal computer described in subdivision (1).
(3) A minimum of three (3) video monitors that meet the following requirements:
(A) The video monitors must be of the same or higher quality of those utilized in the surveillance room.
(B) At least one (1) video monitor must be a color video monitor.
(C) Each video monitor must be equipped with videotape recorders to record and play back videotapes. The videotape recorders shall be of equal or better quality than those utilized in the surveillance room.
(D) The video monitors must be capable of monitoring or recording, or both, without being overridden, anything visible by video monitor to employees of the riverboat licensee working in the surveillance room.
(4) A video printer capable of generating instantaneously, upon command, a clear color or black and white, or both, copy of the image depicted on videotape.
(5) A date and time generator synchronized to a central clock capable of being displayed on any of the video monitors and being recorded on videotape.
(6) A separate and segregated telephone communication system for the exclusive use of the enforcement agents.
(7) A telephone communication system that is integrated with the casino telephone system.
(8) At least two (2) portable radios that have listen and talk capabilities that can monitor all casino radio systems, including the riverboat licensee's security radio system.
(9) A computer system that will immediately notify enforcement agents of any access to or egress from the following:
(A) Surveillance room.
(B) Hard count room.
(C) Soft count room.
(D) Cages.
(E) Vaults.
(F) Any other room or area of the riverboat deemed necessary by the executive director to ensure compliance with the Act and this title.
(10) A fireproof, lockable file cabinet. Only the commission and enforcement agents shall have keys

that access the file cabinet in the riverboat commission surveillance room.
(11) Any other equipment deemed necessary by the executive director to ensure compliance with the Act and this title.

SECTION 6. **(a) This SECTION supercedes 68 IAC 1-9-3.**

(b) The commission dockside office shall meet the following requirements:
(1) Be of sufficient size to accommodate two (2) individuals, the equipment listed in subsection (c), and the processing room described in section 4 of this rule.
(2) Be in close proximity to the administrative offices or the dockside security offices.
(3) The interior of the commission dockside office shall not be visible to the patrons or employees of the riverboat licensee.
(4) The commission dockside office shall have locks that are not accessible with keys that open any other door within the riverboat gambling operation. Only the commission and enforcement agents shall possess keys that access the commission dockside office.
(5) Be furnished with office furniture sufficient to accommodate two (2) individuals.

(c) The commission dockside office shall contain the following equipment:
(1) A personal computer with view and print access to all of the riverboat licensee's computer equipment aboard the riverboat, including, but not limited to, a player tracking system, a patron credit system, and a central computer system. The personal computer must be able to network with the commission computer system and with the processing area computer equipment set forth in section 4 of this rule. The riverboat licensee is responsible for providing the technical support necessary to ensure that the personal computer in the commission dockside office can network with the commission computer system and the processing area computer equipment. The personal computer must have the following software installed:
(A) Operating system software.
(B) Word processing software.
(C) Electronic mail software.
(D) Virus protection software.
(E) Any other software deemed necessary by the executive director or the executive director's designee to ensure compliance with the Act and this title.
All software programs must be approved by the executive director or the executive director's designee as being sufficient to ensure compliance with the Act and this title. The riverboat licensee is responsible for providing the appropriate licenses and upgrades for each software product.
(2) A personal computer that is compatible with the commission computer system that can network with the commission computer system and that can network with the processing area computer equipment as set forth in section 4 of this rule. The riverboat licensee is responsible for providing the technical support necessary to ensure that the personal computer in the commission dockside office can network with the commission computer system and the processing area computer equipment. The personal computer must have the following software installed:
(A) Operating system software.
(B) Word processing software.
(C) Electronic mail software.
(D) Virus protection software.
(E) Any other software deemed necessary by the executive director or the executive director's designee to ensure compliance with the Act and this title.
All software programs must be approved by the executive director or the executive director's designee as being sufficient to ensure compliance with the Act and this title. The riverboat licensee is responsible for providing the appropriate licenses and upgrades for each software product.
(3) A stand-alone high speed printer that can be networked and shared by all personal computers contained in the commission dockside office and processing area.
(4) A minimum of two (2) video monitors that meet the following requirements:
(A) The video monitors must be of the same or higher quality of those utilized in the surveillance room.
(B) At least one (1) video monitor must be color.
(C) Each video monitor must be equipped with videotape recorders to record and play back videotapes. The videotape recorders shall be of equal or better quality than those utilized in the surveillance room.
(D) The video monitors must be capable of monitoring or recording, or both, without being overridden, anything visible by video monitor to employees of the riverboat licensee at the support

facilities.
(E) The video monitors must be capable of monitoring and recording, without being overridden, anything visible to employees of the riverboat licensee working in the surveillance room on the riverboat while the riverboat is docked.
(5) A video printer capable of generating instantaneously, upon command, a clear color or black and white, or both, copy of the image depicted on videotape.
(6) A date and time generator synchronized to a central clock capable of being displayed on any of the video monitors and being recorded on videotape.
(7) A separate and segregated telephone communication system for the exclusive use of the enforcement agents.
(8) A telephone communication system that is integrated with the riverboat licensee's telephone system.
(9) An electric typewriter.
(10) At least one (1) portable radio that has listen and talk capabilities that can monitor all casino radio systems, including the riverboat licensee's security radio system.
(11) A computer system that will immediately notify enforcement agents of any access to or egress from any money retention area located at the support facilities and access to or egress from the following while the riverboat remains at the dock:
(A) Surveillance room.
(B) Hard count room.
(C) Soft count room.
(D) Cages.
(E) Vaults.
(F) Any other room or area of the riverboat deemed necessary by the executive director to ensure compliance with the Act and this title.
(12) A fireproof, lockable file cabinet. Only the commission and enforcement agents shall have keys that access the file cabinet in the commission surveillance room.
(13) A commercial grade photocopier.
(14) A facsimile machine.
(15) Any other equipment deemed necessary by the executive director to ensure compliance with the Act and this title.

SECTION 7. **(a) This SECTION supercedes 68 IAC 1-9-4.**

(b) There shall be separate space at the support facilities to allow enforcement agents to continually process applicants for occupational licenses. This space shall meet the following requirements:
(1) Be of sufficient size to allow the processing of multiple applicants for occupational licenses.
(2) Be in direct proximity to the commission dockside office.

(c) The riverboat licensee shall equip the processing area with an integrated computer system that meets the following requirements:
(1) Is capable of recording background data.
(2) Is capable of taking digital ten (10) print live-scan fingerprints that meet the requirements of the Federal Bureau of Investigation.
(3) Contains a digitized photograph station system, including a camera and all related equipment to produce identification cards bearing the following:
(A) A photograph at least three-fourths (¾) of an inch square.
(B) The information set forth in 68 IAC 2-3-6.
(4) Is capable of reading a magnetic stripe as described in 68 IAC 2-3-6.
(5) The riverboat licensee or riverboat license applicant shall purchase the integrated computer system from a vendor chosen in accordance with IC 4-13.4 and 25 IAC. This system shall be the property of the commission.

(d) A personal computer that will allow enforcement agents to access and maintain the occupational licensee database. The personal computer must have the following software installed:
(1) Operating system software.
(2) Word processing software.
(3) Electronic mail software.
(4) Virus protection software.
(5) Occupational license database software.
(6) Any other software deemed necessary by the executive director or the executive director's

designee to ensure compliance with the Act and this title.
All software programs must be approved by the executive director or the executive director's designee as being sufficient to ensure compliance with the Act and this title. The riverboat license *[sic., licensee]* **is responsible for providing the appropriate licenses and upgrades for each software product.**

(e) The riverboat licensee shall be responsible for providing the upgrades to the integrated computer system that are deemed necessary by the commission to ensure compliance with the Act and this title.

SECTION 8. **(a) This SECTION supercedes 68 IAC 1-10-1.**

(b) This rule applies to all riverboat licensees.

(c) Riverboat licensees or riverboat license applicants must submit a floor plan or floor plans outlining each deck of the riverboat and the location, number, or position of each electronic gaming device and live gaming device. The floor plan or floor plans must be submitted, in accordance with 68 IAC 17-1-2(d), to the executive director at least twenty (20) days before the commencement of gambling operations.

(d) The riverboat licensee must notify the executive director and an enforcement agent at least five (5) days before utilizing a floor plan that has previously been submitted to the executive director.

(e) Amendments to the floor plan or floor plans must be submitted to the executive director at least five (5) days before the amendment is utilized. The riverboat licensee must also provide this information to the enforcement agent.

SECTION 9. **(a) This SECTION supercedes 68 IAC 1-14-1.**

(b) This rule applies to all riverboat licensees and operating agents.

(c) The definitions in this rule apply throughout this rule.

(d) "Police employee" has the meaning set forth in IC 10-11-2-2 regardless of rank.

SECTION 10. **(a) This SECTION supercedes 68 IAC 1-14-2.**

(b) Riverboat licensees and operating agents shall reimburse the commission, as set forth in section 3 of this rule, for the following items:
(1) The actual salaries of the enforcement agents assigned to the licensee's or operating agent's riverboat(s).
(2) A pro rata amount of the actual salaries of the gaming agents and/or police employees who supervise the enforcement agents.
(3) A pro rata amount of the actual salaries of the staff assigned to provide support for the enforcement agents and/or to the supervisory personnel in subdivision (2).
(4) The cost or pro rata cost of the fringe benefits received by those individuals listed in subdivisions (1) through (3).
(5) The cost or pro rata cost of any incentive payments received by the police employees listed in subdivisions (1) through (3).
(6) The actual overtime costs incurred by those individuals listed in subdivisions (1) through (3) in the performance of duties associated with the riverboat.
(7) For enforcement agents and supervisory personnel who are police employees, the cost or pro rata cost of purchasing, maintaining, and replacing all vehicles and equipment normally provided to all police employees.
(8) For enforcement agents and supervisory personnel who are commission employees, the cost or pro rata cost of purchasing, maintaining and replacing all vehicles and equipment deemed necessary by the executive director.
(9) The pro rata cost of providing all gaming agents with the training deemed necessary by the commission to ensure the required expertise and understanding of the assignment to the riverboat.
(10) All other costs deemed necessary by the commission to ensure compliance with the Act and this title.

SECTION 11. **(a) This SECTION supercedes 68 IAC 1-14-3.**

(b) The Indiana state police shall, through interdepartmental bill, assess applicable costs listed in section 2 of this rule to the commission. The commission will reimburse the Indiana state police for the amount assessed.

(c) For all reimbursable expenses covered by this rule, the commission will prepare an invoice that will be sent to the riverboat licensee or operating agent. The riverboat licensee or operating agent must pay the commission in the manner directed in the invoice.

SECTION 12. **(a) This SECTION supercedes 68 IAC 1-14-4.**

(b) If the commission determines that a riverboat licensee or operating agent has violated this rule, the commission may initiate a disciplinary action under 68 IAC 13.

SECTION 13. **(a) This SECTION supercedes 68 IAC 1-16-1.**

(b) This rule applies to all riverboat licensees and riverboat license applicants.

(c) For the purposes of this rule, "division of mental health" means the division established by IC 12-21-1-1.

(d) The riverboat licensee or riverboat license applicant is responsible for ensuring that all aspects of the riverboat gambling operation are conducted in accordance with the Act, this title, and all other state, federal, and local laws. The riverboat licensee or riverboat license applicant is responsible for the acts of its employees and agents in the course of their employment.

SECTION 14. **(a) This SECTION supercedes 68 IAC 1-16-3.**

(b) All riverboat licensees and riverboat license applicants must allow the commission, enforcement agents, and any person authorized by the Act immediate access to the premises of the riverboat licensee or riverboat license applicant that are connected to the riverboat gambling operation, including, but not limited to, the following:
(1) The riverboat.
(2) The pavilion.
(3) The support facility.
(4) All offices.

(c) All riverboat licensees and riverboat license applicants must produce the original or a copy, or both, of any records requested by the commission, enforcement agents, or persons authorized by the commission.

SECTION 15. **(a) This SECTION supercedes 68 IAC 2-2-5.**

(b) An application for a supplier's license shall be subject to the following procedures in order to obtain a supplier's license:
(1) Application.
(2) Issuance of a temporary supplier's license.
(3) Investigation of the applicant.
(4) Action by the commission.
(5) Issuance of a permanent supplier's license.
(6) Different or additional licensing procedures the commission requires of the applicant to ensure compliance with the Act and this title.

(c) Procedures for a temporary supplier's license shall be as follows:
(1) An applicant for a supplier's license must submit a completed application, an application fee, and an agreement or statement of intent on a form prescribed by the commission, indicating that the riverboat licensee or riverboat license applicant will utilize the applicant for the provision of goods and services listed in section 1 of this rule to the riverboat licensee.
(2) Once the commission has received the completed application, the application fee, and the agreement or statement of intent, the commission shall obtain the applicant's fingerprints at a time and place directed by the executive director. If the application or a criminal history check completed

by a *[sic., an]* enforcement agent, or both, does not reveal that the applicant has been convicted of a felony under Indiana law, the laws of any other state, or the laws of the United States, and the applicant meets the statutory criteria set forth in IC 4-33-7-3, the commission shall issue the applicant a temporary license.

(3) The temporary supplier's license shall be on a form prescribed by the commission and shall meet the specifications set forth in section 6 of this rule.

(4) An applicant who receives a temporary license may supply the riverboat licensee with goods and services until a permanent license is issued or the temporary license is withdrawn.

(5) A temporary supplier's license shall not be transferred. If an applicant fails to begin or ceases providing a riverboat licensee with goods or services, the applicant shall advise the commission immediately and shall return the temporary license to the commission. The failure to advise the commission that the applicant has failed to begin or has ceased providing a riverboat licensee with goods and services may be grounds to deny licensure in the future.

(6) Requirements for the withdrawal of a temporary supplier's license shall include the following:

(A) The executive director, upon written notice to the applicant and the riverboat licensee who has signed a statement of intent, may withdraw a temporary supplier's license if the executive director determines that the background investigation reveals nonsuitability for licensure.

(B) If an applicant's temporary supplier's license is withdrawn, the applicant shall not be permitted to provide any riverboat licensee with any of the goods or services listed in section 1 of this rule.

(C) If an applicant's temporary supplier's license is withdrawn by the executive director, the executive director shall immediately forward the application to the commission for commission action.

(D) The applicant may seek to voluntarily withdraw the application prior to the commission action on withdrawal of a temporary supplier's license.

(7) An applicant must comply with all requests for information, documents, or other materials relating to the applicant and the application during the investigation conducted by the commission.

(d) The applicant shall meet the following standards, qualifications, or criteria to be issued a supplier's license:

(1) The applicant and the applicant's substantial owners must possess the qualifications set forth in IC 4-33-7-3.

(2) The applicant, in the case of an individual, or the applicant's substantial owners must be twenty-one (21) years of age.

(3) The applicant and the applicant's substantial owners must demonstrate a level of skill, experience, knowledge, and ability necessary to supply the goods or services applicant seeks permission to provide.

(4) The applicant or the applicant's substantial owners must not have been convicted of any offense for a violation of a gaming law in any jurisdiction.

(5) The applicant or the applicant's substantial owners must not appear on the exclusion list of any jurisdiction for having violated a rule of gaming.

(6) An applicant who will supply the riverboat with alcoholic beverages or other goods or services requiring an additional permit or certificate from any state government or the federal government must hold the appropriate permit or certificate from the alcoholic beverage commission or the appropriate governmental entity.

(7) The applicant or the applicant's substantial owners must be in substantial compliance with all state and federal tax laws.

(8) An applicant must meet any other standard that the commission deems necessary to ensure compliance with the Act and this title after publication of the standard.

(e) The commission may place restrictions or conditions on a temporary supplier's license. The applicant must comply with these restrictions or conditions before the commission issues a permanent supplier's license. These restrictions or conditions may include, but are not limited to, the following:

(1) That the supplier licensee begin supplying a riverboat gambling operation within a reasonable period of time.

(2) That the supplier licensee demonstrate to the commission that the goods or services the supplier licensee will provide to a riverboat gambling operation are in compliance with the Act and this title.

(3) That the supplier licensee has adequate insurance in accordance with IC 4-33-4-11 and subsection (f).

The supplier licensee must continue to meet all conditions or restrictions for licensure after the issuance of the permanent supplier's license. If a supplier licensee fails to adhere to these conditions or restrictions or fails to maintain suitability for licensure, the commission may initiate a disciplinary action

under 68 IAC 13.

(f) Action of the commission shall be as follows:
(1) After the completion of the background investigation, if the commission finds that an applicant is suitable to receive a supplier's license, the commission shall direct the executive director to issue the applicant a permanent supplier's license upon the payment of the annual licensing fee. The permanent license shall be on a form prescribed by the commission and shall meet the specifications set forth in section 6 of this rule. If the applicant's annual licensing fee is not received by the commission within ten (10) days after the date of the mailing of the notification of the applicant's suitability for licensure to the applicant, the executive director shall withdraw the applicant's temporary supplier's license and notify the commission that the temporary supplier's license has been withdrawn.
(2) If the commission determines that the applicant is not suitable to receive a supplier's license, it shall direct the executive director to issue the applicant a notice of denial by personal delivery or certified mail.

(g) A supplier licensee must obtain or maintain, or both, insurance in a minimum amount determined by the commission. The supplier licensee shall obtain or maintain, or both, the following types of insurance:
(1) Liability.
(2) Casualty.
(3) Capital loss.
(4) Fire.
(5) Theft.
(6) Worker's compensation insurance.
(7) Any other type of insurance the commission deems necessary to ensure the supplier licensee is adequately insured. After the commission issues a temporary supplier's license to the applicant, the commission shall direct the executive director to advise the applicant, in writing, of the amount of insurance which the applicant must obtain or maintain, or both. Failure to comply with this subsection may result in the revocation of a temporary supplier's license or the denial of the issuance of a permanent supplier's license.

(h) The supplier licensee is under a continuing duty to maintain the minimum amount of insurance specified by the commission under subsection (f). The commission may initiate a disciplinary action under 68 IAC 13 if the supplier licensee fails to maintain the requisite insurance.

SECTION 16. **(a) This SECTION supercedes 68 IAC 2-2-9.5.**

(b) This rule applies to all supplier licensees and supplier's license applicants.

(c) All supplier licensees and supplier's license applicants shall maintain, in a place secure from theft, loss, or destruction, adequate records of business operations. These records shall be held for at least five (5) years. These records shall include, but not be limited to, the following:
(1) All correspondence with or reports to the commission or to any local, state, or federal government agency.
(2) All financial statements or financial records of the supplier.
(3) All records pertaining to products or services supplied by the supplier licensee to Indiana riverboat licensees or Indiana riverboat license applicants.
(4) All correspondence with riverboats licensed under IC 4-33, or documentation relating to order, shipment, or receipt or provision of merchandise or services sold or provided under the Act or this title.
(5) Personnel files on each employee of the supplier licensee, including sales representatives.

(d) All supplier licensees and supplier's license applicants must produce the original or a copy, or both, of any records requested by the commission, enforcement agents, or persons authorized by the commission.

(e) No original book, record, or document that is required to be maintained by this SECTION may be destroyed without prior approval of the commission.

(f) If a supplier licensee or supplier's license applicant fails to comply with this SECTION, the

commission may initiate disciplinary action pursuant to 68 IAC 13-1.

SECTION 17. **(a) This SECTION supercedes 68 IAC 2-3-5.**

(b) An applicant for an occupational license shall be subject to the following procedures prior to licensing:
(1) Application.
(2) Issuance of a temporary identification badge. The temporary identification badge shall serve as the temporary occupational license until the permanent occupational license has been issued or denied.
(3) Investigation of the applicant.
(4) If an applicant for an occupational license, Level 1, 2, or 3 has been convicted of a felony under Indiana law, the laws of any other state, or the laws of the United States, the application is automatically denied in accordance with IC 4-33-8-3(2). The executive director shall issue the applicant a notice of denial by certified mail, or the enforcement agent who receives the completed application may personally deliver a notice of denial to the applicant.
(5) Action by the commission.
(6) Issuance of a permanent identification badge. The permanent identification badge shall serve as the permanent occupational license.
(7) Different or additional licensing procedures the commission requires of the applicant to ensure the applicant is in compliance with the Act and this title.

(c) Procedures for a temporary occupational license shall be as follows:
(1) An applicant for an occupational license must submit a completed application that has been stamped and signed by the riverboat licensee, the riverboat license applicant, or its authorized agent to the enforcement agent at the commission's dock site office during times designated by the enforcement agents.
(2) Once the enforcement agent has received the completed occupational license application and appropriate fee, the enforcement agent shall obtain the applicant's fingerprints and photograph. If the application or a criminal record check completed by a *[sic., an]* **enforcement agent, or both, does not reveal that the applicant has been convicted of a felony under Indiana law, the laws of any other state, or the laws of the United States, the enforcement agent shall issue the applicant a temporary identification badge.**
(3) An applicant who receives a temporary identification badge may work on a riverboat until a permanent license is issued or the temporary identification badge is revoked.
(4) The temporary identification badge shall be a card of a color designated by the executive director and that meets the specifications set forth in section 6 of this rule. The color of the temporary identification badge shall be different from the color of the permanent identification badge.
(5) Temporary identification badges shall be worn by all occupational licensees during work hours. Temporary identification badges shall be clearly displayed.
(6) A fee of ten dollars ($10) shall be paid to the commission for any necessary replacement of temporary identification badge. The fee shall be assessed each time an occupational licensee obtains a replacement temporary identification badge.
(7) A temporary identification badge shall not be transferred. If the applicant resigns or his or her employment is terminated, the applicant shall return the temporary badge to the commission.
(8) Requirements for the revocation of a temporary identification badge shall include the following:
(A) The executive director, upon written notice to the applicant and the riverboat licensee, may revoke an applicant's temporary badge if the executive director determines that the background investigation reveals that an applicant is not suitable for licensure.
(B) The executive director, or the executive director's designee, upon written notice to the applicant and the riverboat licensee, may revoke an applicant's temporary occupational license if the executive director or the executive director's designee determines that the applicant has violated the Act or this title, or committed a criminal offense in the performance of the applicant's duties for the riverboat licensee.
(C) If an applicant's temporary identification badge is revoked, the applicant shall not be permitted to work for any riverboat gambling operation at duties that are to be performed on a riverboat.
(D) If an applicant's temporary identification badge is revoked, the application shall be forwarded to the commission for action unless the applicant withdraws the application prior to commission action.
(9) An applicant must comply with all requests for information, documents, or other materials relating to the applicant and his or her application during the investigation conducted by the commission.

(d) The applicant shall meet the following standards, qualifications, or criteria to be issued an occupational license of any level:

(1) The applicant must possess the qualifications set forth in IC 4-33-8-3.

(2) The applicant must demonstrate a level of skill, experience, or knowledge necessary to perform the job that the applicant will perform.

(3) An applicant whose knowledge, experience, and skill are derived solely from the completion of an occupational training school that is not in compliance with 68 IAC 2-5 shall not be considered to have the requisite skill, experience, or knowledge necessary to conduct gambling games. An applicant who has completed an occupational training school that is not in compliance with 68 IAC 2-5 may be hired if the riverboat licensee will provide the appropriate training.

(4) The applicant must not have been convicted of any offense involving violation of a gaming law in any jurisdiction.

(5) The applicant's name must not appear on the exclusion list of any jurisdiction.

(6) The applicant must never have had a gaming license suspended or revoked in any jurisdiction.

(7) An applicant who will serve alcoholic beverages must hold the appropriate permits from the alcoholic beverage commission.

(8) An applicant whose duties will be to operate or navigate the riverboat must hold the appropriate licenses or merchant marine documents, or both, from the United States Coast Guard.

(9) An applicant who will work on a riverboat that is docked on the waters of Lake Michigan must hold a valid merchant marine document only when required by the United States Coast Guard.

(10) An applicant whose duties will be to operate or navigate the riverboat must not have violated any criminal statute involving drugs or alcohol, or both, in any jurisdiction.

(11) An applicant must not be currently abusing drugs or alcohol, or both.

(12) An applicant must be twenty-one (21) years of age.

(13) An applicant must be in substantial compliance with all state and federal tax laws.

(14) An applicant must be of good moral character and reputation.

(15) An applicant must meet any other standard that the commission deems necessary to ensure compliance with the Act and this title after publication of the standard.

(e) The commission may place restrictions or conditions on a temporary occupational license. The applicant must comply with these restrictions or conditions before the commission issues an occupational license. These restrictions or conditions may include, but are not limited to, the following:

(1) That the applicant demonstrates a level of skill, experience, or knowledge necessary to perform the job that the applicant will perform.

(2) That the applicant who will serve alcoholic beverages holds the appropriate permits from the alcoholic beverage commission.

(3) That the applicant who will operate or navigate the riverboat holds the appropriate license or merchant marine documents, or both, from the United States Coast Guard.

The occupational licensee must continue to meet all conditions or restrictions for licensure after the issuance of the permanent occupational license. If an occupational licensee fails to adhere to these conditions or restrictions or fails to maintain suitability for licensure, the commission may initiate a disciplinary action under 68 IAC 13.

(f) Action of the commission shall be as follows:

(1) After the background investigation has been completed, if the commission finds that the applicant is suitable to receive an occupational license, the commission shall direct the executive director to issue the applicant an occupational license upon the payment of the applicant's occupational license fee. The permanent identification badge shall serve to represent the permanent occupational license. If the applicant's occupational license fee is not received by the commission within ten (10) business days after the date of the mailing of the notification of the applicant's suitability for licensing to the applicant and the riverboat licensee, the executive director shall revoke the applicant's temporary identification badge and notify the commission that the temporary identification badge has been revoked.

(2) If the commission determines that the applicant is not suitable to receive an occupational license, it shall:

(A) direct the executive director to issue the applicant a notice of denial by personal delivery or certified mail;

(B) immediately revoke the temporary license; and

(C) notify the appropriate riverboat licensee of the revocation of the temporary license.

(g) Requirements for a permanent identification badge shall be as follows:
(1) Upon a finding of suitability for licensure, the commission shall issue an occupational license in the form of a permanent identification badge.
(2) The permanent identification badge shall remain the property of the commission at all times. The occupational license may be:
(A) revoked;
(B) suspended;
(C) canceled; or
(D) restricted;
by the commission in accordance with 68 IAC 13. The commission may refuse to renew the license when it is reviewed under section 8 of this rule.
(3) Neither the occupational license number nor the permanent identification badge shall be transferred to another person. If the occupational licensee resigns or the occupational licensee's employment is terminated, the occupational licensee shall return the permanent identification badge to the commission.
(4) The permanent identification badge shall be a card of a color designated by the executive director and that meets the specifications set forth in section 6 of this rule. The color of the permanent identification badge shall be different from the color of the temporary identification badge.
(5) The permanent identification badge shall be worn by all occupational licensees during work hours. Permanent identification badges shall be clearly displayed.
(6) A fee of ten dollars ($10) shall be paid to the commission for any necessary replacement of a permanent identification badge. The fee shall be assessed each time an occupational licensee obtains a replacement permanent identification badge.

SECTION 18. **(a) This SECTION supercedes 68 IAC 2-3-9.**

(b) All occupational licensees have a continuing duty to maintain suitability for licensure. An occupational license does not create a property right, but is a revocable privilege granted by the state contingent upon continuing suitability for licensure.

(c) Riverboat licensees shall notify the commission that an occupational licensee is in violation of the requirements of this rule or IC 4-33 if the riverboat licensee is aware of the violation.

(d) Occupational licensees shall notify the commission of any changes in the information submitted in the application or any information that could render the licensee ineligible to hold an occupational license.

(e) Occupational licensees shall cooperate with and provide truthful information to enforcement agents and staff during any investigation regarding criminal activity or regulatory violations, or both.

(f) Occupational licensees must notify the commission that a riverboat licensee, a supplier licensee, or an occupational licensee has violated the Act or this title as soon as the occupational licensee becomes aware of the violation. If an occupational licensee fails to notify the commission of a violation of the Act or this title by a riverboat licensee, a supplier licensee, or an occupational licensee, the commission may initiate a disciplinary action.

SECTION 19. **(a) This SECTION supercedes 68 IAC 2-3-9.1.**

(b) All occupational licensees must submit, in writing, to the enforcement agent the following information:
(1) Name changes.
(2) Change of home address.
(3) Change of home telephone number.
(4) The filing of a bankruptcy by the occupational licensee.
(5) That the occupational licensee has been arrested for, indicted of, charged with, convicted of, or plead guilty to any felony or misdemeanor offense.
(6) Any other information that would affect the occupational licensee's suitability to maintain a license under the Act or this rule.

(c) The written document setting forth the above information required by subsection (b) must also set forth the name and occupational license number of the individual.

(d) The written document must be submitted within ten (10) calendar days of the change or the occurrence of the event.

SECTION 20. **(a) This SECTION supercedes 68 IAC 2-3-9.2.**

(b) This rule applies to all riverboat licensees.

(c) Riverboat licensees must advise the enforcement agent, on a form prescribed or approved by the commission, when one (1) of the following events occurs with an occupational licensee:
(1) The occupational licensee's employment with the riverboat licensee is terminated for any reason.
(2) The occupational licensee is suspended by the riverboat licensee.
(3) The occupational licensee is on a leave of absence.
(4) The occupational licensee transfers to another position with the riverboat licensee.

(d) The form utilized by the riverboat licensee to report the information set forth in subsection (b) must provide, at a minimum, the following information:
(1) The name of the occupational licensee.
(2) The address of the occupational licensee.
(3) The telephone number of the occupational licensee.
(4) The occupational license number.
(5) The marital status of the occupational licensee.
(6) The date the change or action will take effect.
(7) The job title and position of the occupational licensee affected.
(8) The reason for the change or action taken.
(9) If the occupational licensee was terminated, whether the termination was voluntary or involuntary.
(10) If the occupational licensee was terminated, whether or not the riverboat licensee collected the identification badge from the occupational licensee.
(11) The signature of the individual completing the form for the riverboat licensee and the date on which the form was completed.
The form must be submitted to the enforcement agent within fifteen (15) days of the occurrence of the change or action.

(e) Riverboat licensees must collect the identification badge issued by the commission to an occupational licensee when the occupational licensee's employment with the riverboat licensee is terminated for any reason. All identification badges collected by the riverboat licensee must be turned over to an enforcement agent within seven (7) days.

SECTION 21. **(a) This SECTION supercedes 68 IAC 2-4-2.**

(b) A request for waiver shall meet the following requirements:
(1) Be in writing.
(2) State the name, current address, and current telephone number of the petitioner.
(3) State the level of occupational license the petitioner has applied for and the job a riverboat licensee or a riverboat license applicant has offered the petitioner.
(4) State briefly the facts upon which the petitioner will rely to show that the petitioner has been rehabilitated.
(5) A request for a waiver shall be signed, verified, and dated by the petitioner. Such verification shall be notarized and shall include a certification stating, "Under the penalty of perjury, the undersigned has examined this request for review and to the best of my knowledge and belief, it is true, complete, and correct.".

(c) A request for a waiver shall be submitted within ten (10) days after the date of delivery of the notice of denial and shall meet the following requirements:
(1) The petitioner may submit a request for waiver by:
(A) personal delivery;
(B) certified mail, postage prepaid;
(C) overnight express mail, postage prepaid; or
(D) personal delivery to the enforcement agent who receives the completed application from a person seeking an occupational license, Level 2 or 3.
(2) A request for a waiver shall be submitted to the executive director at the commission's office in

Indianapolis, Indiana, unless it is personally submitted to the enforcement agent at the dock site.
(3) A request for a waiver submitted by certified mail or overnight express mail shall be deemed timely submitted if it is postmarked no later than ten (10) days after service of the notice of denial.

(d) A request for a waiver may not be withdrawn if the commission determines that withdrawal is not in the best interest of the public or the gaming industry. If the commission allows a petitioner to withdraw its waiver request, the denial of the issuance of an occupational license becomes a final commission order.

SECTION 22. **(a) This SECTION supercedes 68 IAC 2-6-1.**

(b) This rule applies to riverboat licensees.

(c) All electronic gaming devices used on a riverboat must meet the specifications set forth in this rule.

(d) The following definitions apply throughout this rule:
(1) "Enforcement agent" means one (1) of the members of the Indiana state police department who is assigned to work with the commission's gaming enforcement section and who is on duty.
(2) "Inappropriate token-in" means a token which has been accepted by an electronic gaming device after the electronic gaming device has already accepted the maximum number of tokens or when the electronic gaming device is in a state which normally rejects additional tokens.
(3) "Leakage current" means an electrical current which flows when a conductive path is provided between exposed portions of an electronic gaming device and the environmental electrical ground when the electronic gaming device is isolated from the normal AC power ground.
(4) "Par sheet" means a document, provided by the electronic gaming device manufacturer, which depicts the possible outcomes from the play of an electronic gaming device, the probability of occurrence of each, and the contribution of each winning outcome to the payback percentage of the electronic gaming device.
(5) "RAM" or "random access memory" means the electronic component used for computer work space and storage of volatile information in an electronic gaming device.
(6) "Randomness" means the unpredictability and absence of pattern in the outcome of an event or sequence of events.
(7) "Random number generator" means hardware, software, or combination of hardware and software devices for generating number values that exhibit characteristics of randomness.
(8) "ROM" or "read only memory" means the electronic component used for storage of nonvolatile information in an electronic gaming device, including programmable ROM and erasable programmable ROM.
(9) "Runs test" means a mathematical statistic that determines the existence of recurring patterns within a set of data.
(10) "Sensitive keys" means keys that either management or the commission considers sensitive to the riverboat licensee's operation and therefore require strict control over custody and issuance in accordance with 68 IAC 11-7.
(11) "Standard chi-squared analysis" means the sum of the squares of the difference between the expected result and the observed result.
(12) "Tilt condition" means a programmed error state for an electronic gaming device which occurs when the electronic gaming device detects an internal error, malfunction, or attempted cheating. The electronic gaming device ceases processing further input, output, or display information other than that indicating the tilt condition itself.

(e) Before an individual may enter an electronic gaming device for any reason, the individual must insert a card into the electronic gaming device that will record, at a minimum, the following information on the central computer system:
(1) The identity of the individual entering the electronic gaming device.
(2) The date and time that the electronic gaming device is entered.
(3) The date and time that the electronic gaming device is exited.
(4) The identity of the electronic gaming device that is entered.

(f) After an individual has entered an electronic gaming device for any reason, the individual must complete a log that is maintained inside the electronic gaming device. The log shall contain, at a minimum, the following information:

(1) The name and occupational license number of the individual entering the electronic gaming device.
(2) The date and time that the electronic gaming device is entered.
(3) The date and time that the electronic gaming device is exited.
(4) The identity of the electronic gaming device.
(5) The reason for the entry.

(g) A riverboat licensee may not offer a prize to a patron who achieves a certain winning combination on an electronic gaming device unless the value of the prize is computed into the payout percentage of the EPROM installed in the electronic gaming device.

SECTION 23. **(a) This SECTION supercedes 68 IAC 2-6-6.**

(b) The riverboat licensee must maintain an inventory of electronic gaming devices and equipment. The inventory must include the following:
(1) The serial number assigned to the electronic gaming device by the manufacturer.
(2) The registration number issued by the commission.
(3) The type of game the electronic gaming device is designed and used for.
(4) The denomination of tokens accepted by each electronic gaming device.
(5) The location of electronic gaming devices equipped with bill validators and any bill validators that stand alone.
(6) The manufacturer of the electronic gaming device.
(7) The location of the electronic gaming device.

(c) This inventory report must be submitted, on a form prescribed by the commission, to the executive director on the anniversary date of the issuance of the riverboat owner's license.

(d) If a riverboat licensee converts an electronic gaming device, the riverboat licensee must take the following steps:
(1) Request permission for the conversion from the commission and supply the commission with the following information:
(A) The serial number of the electronic gaming device that is being converted.
(B) The commission registration number of the electronic gaming device that is being converted.
(C) The machine number of the electronic gaming device that is being converted.
(D) The model number of the electronic gaming device that is being converted.
(E) The type of electronic gaming device that is being converted and the new type of machine if the type of machine is changed.
(F) The location of the electronic gaming device on the riverboat.
(G) If the electronic gaming device is a stand alone progressive or is linked to a progressive controller, the old rate of progression and the new rate of progression must be submitted.
(H) The current and future denomination of the electronic gaming device if the denomination is to be converted.
(I) The current and future EPROM number that is installed or that is to be installed in the electronic gaming device. If a new EPROM is installed in an electronic gaming device, the EPROM must be one that is approved for use in Indiana.
(J) Regular fill amount.
(K) Initial fill amount.
(L) Probe level measured from the top of the hopper.
(M) Any other information deemed necessary by the executive director or the commission to ensure compliance with the Act and this title.
This information must be submitted to the commission at least fourteen (14) days before the riverboat licensee plans to make the conversion. The request for conversion shall have a space for the commission to sign indicating approval of the conversion request and a space for the signature of the enforcement agent to indicate the conversion was completed.
(2) The commission must approve the request for conversions before a conversion may be made by the riverboat licensee.
(3) A *[sic., An]* **enforcement agent must KOBETRON the EPROMS to ensure that the EPROMS being installed match those on the request for conversion.**
(4) A *[sic., An]* **enforcement agent must seal the EPROM with tape in accordance with section 19 of this rule.**
(5) In the presence of a *[sic., an]* **enforcement agent, a slot technician or the equivalent shall ensure**

that the payglass installed on the electronic gaming device accurately reflects the payouts for the EPROM that has been installed in the electronic gaming device. The payglass test may be performed by either running the payout table test or by ensuring the payglass matches the approved diagram set forth in the payglass manual maintained by the commission.
(6) The riverboat licensee shall ensure that a copy of the par sheet is placed in the electronic gaming device in accordance with section 5 of this rule.
(7) The riverboat licensee shall perform a coin test to ensure that the electronic gaming device is communicating with the central computer system. If the electronic gaming device is not communicating with the central computer system, the electronic gaming device must be disabled.
(8) The riverboat licensee must update the master list of electronic gaming devices after the conversion is complete. The riverboat licensee must provide the chief counsel for the commission and the sergeant of the Indiana state police department assigned to the riverboat with a copy of the updated master list within fourteen (14) days of the conversion.

SECTION 24. **(a) This SECTION supercedes 68 IAC 2-6-19.**

(b) Electronic gaming devices must have logic boards and any computer chips that store memory in a locked area within the electronic gaming device that is sealed with evidence tape. The evidence tape must be affixed by a *[sic., an]* **enforcement agent and must include the date, signature, and identification number of the enforcement agent. This tape may only be removed by a** *[sic., an]* **enforcement agent.**

SECTION 25. **(a) This SECTION supercedes 68 IAC 2-6-24.**

(b) Electronic gaming device power supply filtering must be sufficient to prevent disruption of the electronic gaming device by a repeated switching on and off of the AC power.

SECTION 26. **(a) This SECTION supercedes 68 IAC 2-6-30.1.**

(b) If the integrity of any electronic gaming device has been legitimately questioned, the riverboat licensee shall run the appropriate diagnostic tests on the device. If the riverboat licensee determines that the device is malfunctioning, the riverboat licensee shall remove the device from play until the device has been repaired and it has been determined that the device meets the requirements of the Act and this title.

(c) The riverboat licensee shall record the following information with respect to an electronic gaming device that has been removed from play:
(1) The date and time that the integrity of an electronic gaming device was questioned.
(2) The type of device that was questioned.
(3) The serial number issued by the manufacturer and the registration number issued by the commission.
(4) The length of time that the device was removed from play.
(5) The reason that the device was not functioning properly.
(6) The remedial action taken to ensure that the device conforms to the requirements of the Act and this title and the date on which the action was taken.
(7) The printed name, signature, and occupational license number of all employees taking the remedial action.
(8) If an outside company takes remedial action on the device, the following information must be maintained:
(A) The name of the company.
(B) The address of the company.
(C) The telephone number of the company.
(D) The names of any individuals who performed remedial action on the device.
(9) A verification that the device meets the requirements of the Act and this title after the remedial action was taken.
(10) The name, address, and telephone number of the individual who complained about the device and the nature of the complaint.
The riverboat licensee must notify the enforcement agent, in writing, of each electronic gaming device that has been removed from play.

(d) The records described in subsection (b) shall be maintained by the riverboat licensee for a period of one (1) year and shall be available for commission review upon request.

SECTION 27. **(a) This SECTION supercedes 68 IAC 2-6-31.**

(b) This SECTION authorizes the use of progressive electronic gaming devices within one (1) riverboat provided that the electronic gaming devices meet the requirements stated in sections 1 through 30 and 46 of this rule and any additional requirements imposed by sections 32 through 42 of this rule.

(c) The riverboat licensee shall notify the executive director and the enforcement agent of the following information prior to the utilization of progressive electronic gaming devices within the riverboat:
(1) The serial numbers of the electronic gaming devices that are common to a single progressive link.
(2) The commission registration number of the electronic gaming devices that are common to a single progressive link.
(3) The odds of hitting the progressive amount on each of the electronic gaming devices that is attached to that link.
(4) The reset value of the progressive link.
(5) The rate of progression for that progressive link.
(6) How the rate of progression is split between the various progressive components.
(7) Any other information deemed necessary by the executive director or the commission to ensure compliance with the Act and this title.

(d) Wide area progressive games that link electronic gaming devices located on more than one (1) riverboat must be approved by the executive director and the commission on a case-by-case basis.

SECTION 28. **(a) This SECTION supercedes 68 IAC 6-2-4.**

(b) Each riverboat licensee's eviction list shall include the following information, to the extent known, for all evicted persons:
(1) Name, including aliases.
(2) Date of birth.
(3) A physical description.
(4) The person's current address.
(5) A photograph, to be taken at the time of eviction.
(6) Reason for eviction.

(c) Each riverboat licensee's eviction list shall list evicted persons in alphabetical order, by the last name of the evicted person.

(d) Copies of each riverboat licensee's eviction list shall be accessible to, at minimum, the following departments of the riverboat licensee:
(1) Ticketing.
(2) Reservations.
(3) Security.
(4) Surveillance.
(5) Accounting.
(6) Marketing.
(7) Casino or table games operations.
(8) Slot operations.

(e) A copy of the riverboat licensee's eviction list shall be provided to the enforcement agent assigned to the riverboat licensee. Any additions or deletions to the eviction list must be reported immediately to the enforcement agent assigned to the riverboat licensee.

SECTION 29. **(a) This SECTION supercedes 68 IAC 6-3-2.**

(b) Except as provided in section 1(c) of this rule, a person who participates in the voluntary exclusion program agrees to refrain from entering a gaming area under the jurisdiction of the commission.

(c) Any person may make a request to have his or her name placed on the voluntary exclusion list by following the procedures set forth in this SECTION. The request may be made only by the individual and not by any other person. An individual must not be under the influence of alcohol or drugs at the time he

or she makes a request for placement on the voluntary exclusion list.

(d) Any person requesting placement on the voluntary exclusion list must submit a completed request for voluntary exclusion as outlined in subsection (d). The individual must appear in person at a commission office or another location designated by the executive director to complete the request for voluntary exclusion. Commission offices are located on the property of each facility under the jurisdiction of the commission in addition to an office located in Indianapolis that is not located on the property of a facility under the jurisdiction of the commission.

(e) A request for voluntary exclusion must be on a form prescribed by the commission and shall include the following information:

(1) Identifying information, including, but not limited to, the following:

(A) Name, including any aliases or nicknames.

(B) Date of birth.

(C) Current residential address.

(D) Current telephone number.

(E) Social Security number.

(F) A physical description, including height, weight, gender, hair color, eye color, and any other physical characteristic that may assist in the identification of the person.

(G) A photograph of the individual that will be taken by enforcement agents at the time the request for voluntary exclusion is submitted.

(H) Driver's license number.

(I) Any other information deemed necessary by the commission.

(2) As part of the request for voluntary exclusion, a person must elect the time period for which he or she wishes to be voluntarily excluded. An individual may select any of the following time periods as a minimum length of exclusion:

(A) One (1) year.

(B) Five (5) years.

(C) Lifetime.

After an individual's request for voluntary exclusion has been processed by the commission staff and the individual's name is added to the voluntary exclusion list, that individual may not apply to decrease the length of exclusion. A voluntarily excluded individual who elected to participate in the program for a period of one (1) year or five (5) years may resubmit a request for voluntary exclusion at any time to increase the minimum length of exclusion. An individual who voluntarily excluded for a period of one (1) year or five (5) years will continue to appear on the list after the expiration of that time period until such time as he or she completes a request for removal under section 5 of this rule.

(3) The form shall also include a waiver and release, which shall release and forever discharge the state, the commission, and its employees and agents from any liability to the person requesting placement on the voluntary exclusion list and his or her heirs, administrators, executors, and assigns for any harm, monetary or otherwise, that may arise out of or by reason of any act or omission relating to the request for placement on the voluntary exclusion list or request for removal from the voluntary exclusion list including the following:

(A) The list's processing or enforcement.

(B) The failure of a riverboat licensee or operating agent to withhold direct marketing, check cashing, or extension of credit to a voluntarily excluded individual.

(C) Disclosure of information contained in the voluntary exclusion request or list, except for willfully unlawful disclosure of such information to persons other than entities under the jurisdiction of the commission.

(D) The dissemination of confidential information contained on the exclusion list by facilities under the jurisdiction of the commission to any party not authorized to receive the information.

(4) The form must also contain the signature of the person submitting the request for voluntary exclusion indicating acknowledgement of the following statement: "I am voluntarily requesting exclusion from the gaming areas at all facilities under the jurisdiction of the Indiana Gaming Commission. I certify that the information that I have provided above is true and accurate, and that I have read and understand and agree to the waiver and release included in this request for placement on the voluntary exclusion list. I am aware that my signature below authorizes the commission to direct all Indiana riverboat licensees and operating agents to restrict my gaming activities in accordance with this request. If I have requested to be excluded for life, I am aware that I will be unable to cause my name to be removed from the voluntary exclusion list. If I have elected to be placed on the list for a period of one (1) or five (5) years, I am aware that I will remain on the list until such time as the commission removes my name from the voluntary exclusion list in response to my

written request certifying that I do not suffer from a gambling problem. I am aware and agree that during any period of exclusion, I shall not collect any winnings or recover any losses resulting from any gaming activity at all gaming facilities under the jurisdiction of the commission. I understand that any money or thing of value obtained by me from, or owed to me by, a riverboat licensee or operating agent as a result of wagers made by me while on the voluntary exclusion list shall be subject to forfeiture.".

(5) The form will also contain as an attachment a copy of the identification credentials or driver's license examined by a *[sic., an]* **enforcement agent at the time the request for voluntary exclusion is made, containing the signature of the person requesting placement on the voluntary exclusion list.**

(6) The signature of an enforcement agent, employee, or other person authorized by the executive director to accept the request for voluntary exclusion, indicating that the signature, physical description, and identity of the person on the request for voluntary exclusion agrees with the identification provided by that individual.

(f) The personal information of a person who participates in the voluntary exclusion program is confidential. An individual who elects to participate in the program must agree that in order to enforce the voluntary exclusion program, facilities under the jurisdiction of the commission must have access to the individual's personal information. Prior to placement on the voluntary exclusion list, an individual shall authorize the commission staff to provide the following necessary identifying information to the facilities under the jurisdiction of the commission on his or her behalf and for purposes of enforcement:

(1) Name, including any aliases or nicknames.

(2) Date of birth.

(3) Current residential address.

(4) Current telephone number.

(5) A physical description, including height, weight, gender, hair color, eye color, and any other physical characteristic that may assist in the identification of the person.

(6) A photograph of the individual that will be taken by enforcement agents at the time of voluntary exclusion.

(7) Driver's license number.

(g) A voluntarily excluded individual shall have the following ongoing obligations regarding the voluntary exclusion list:

(1) Refrain from entering the gaming areas of riverboats and other facilities under the jurisdiction of the commission until such time as a request for removal has been processed by the commission.

(2) Each time the personal information of a voluntarily excluded individual changes, he or she must provide the commission with the updated information.

(3) Notify the commission if direct mailing items are received addressed to a voluntarily excluded person at his or her residence.

(h) A voluntarily excluded individual who violates the terms of the voluntary exclusion list and enters the gaming area of a facility under the jurisdiction of the commission agrees to forfeit any jackpot or thing of value won as a result of a wager made at a facility under the jurisdiction of the commission. The forfeited jackpots or items will be withheld by the riverboat licensee or operating agent and remitted to the commission. The commission shall collect such items and funds as a fine levied against the voluntarily excluded individual for violating this rule. Voluntarily excluded individuals may appeal a forfeiture under this rule by following the procedures outlined in 68 IAC 7.

(i) Voluntarily excluded individuals agree to forfeit all points or complimentaries earned by the individual on or before the individual completes his or her request for placement on the voluntary exclusion list. Points or complimentaries refer to credits earned by a person under the terms of a riverboat licensee's or operating agent's marketing program as approved by the commission, and shall include, but shall not be limited to:

(1) food coupons;

(2) coupons or vouchers for chips or tokens;

(3) hotel complimentaries; or

(4) any other such noncash benefit owing to the individual.

However, if at the time an individual makes a request for placement on the voluntary exclusion list he or she is owed a cash amount from a riverboat licensee or operating agent, the individual shall have the right to receive that amount from the riverboat licensee or operating agent after placement on the voluntary exclusion list. To the extent that complimentaries or points described above may be redeemed for cash under the riverboat licensee's or operating agent's marketing program, the individual shall be

entitled to receive that amount.

(j) Nothing in this rule shall prohibit a riverboat licensee or operating agent from alerting local law enforcement authorities of a voluntarily excluded person's presence in a facility under the jurisdiction of the commission to effect an arrest for trespassing.

SECTION 30. **(a) This SECTION supercedes 68 IAC 6-3-4.**

(b) Each riverboat licensee, riverboat license applicant, operating agent, and operating agent applicant shall establish internal control procedures for compliance with this rule, which shall be submitted and approved by the commission under 68 IAC 11-1-3.

(c) The internal controls must, at a minimum, address the following:
(1) Procedures must provide a plan for distributing the list of persons who have voluntarily excluded and their personal information to appropriate personnel of the facility for purposes of enforcing the program. The plan must allow, to a reasonable extent, appropriate employees of a riverboat licensee or operating agent to identify a voluntarily excluded person when that person is present in a casino or other facility under the jurisdiction of the commission. Such information shall not be released to casinos in other jurisdictions. However, nothing in this rule shall prohibit a riverboat licensee or operating agent from effectuating the eviction of a voluntarily excluded person from other properties within their corporate structure so that the person will be denied gamig *[sic.]* **privileges at casinos under the same parent company in other jurisdictions.**
(2) Must provide a process whereby enforcement agents and security and surveillance are notified immediately when a voluntarily excluded person is detected in the gaming area of a facility.
(3) Must refuse wagers from and deny gaming privileges to any individual who the casino knows to be a voluntarily excluded person.
(4) Make all reasonable attempts to ensure that voluntarily excluded persons do not receive direct marketing. A riverboat licensee or operating agent will satisfy this requirement if the riverboat licensee or operating agent removes the individual's name from the list of patrons to whom direct marketing materials are sent, and the individual does not receive direct marketing materials more than forty-five (45) days after the riverboat licensee receives notice, under section 3(a) of this rule, that the individual has appeared on the voluntary exclusion list.
(5) Ensure that voluntarily excluded persons do not receive check cashing privileges or extensions of credit, whether directly through the riverboat licensee or operating agent, or through a supplier contracting with a riverboat licensee or operating agent on property hired for the purpose of check cashing or extension of credit, or both.

(d) Nothing in this rule shall prohibit a riverboat licensee or operating agent from seeking payment of a debt from a voluntarily excluded person if the debt was accrued by a person before his or her name was placed on the voluntary exclusion list.

(e) A riverboat licensee or operating agent shall post signs at the turnstiles marking the entrance to the gaming area that will inform and educate patrons about the voluntary exclusion program. The text that will appear on the signs must be submitted to the commission staff for approval prior to posting.

(f) A riverboat licensee or operating agent shall be subject to disciplinary action under 68 IAC 13 for failure to comply with the requirements of this SECTION and the internal control procedures outlined pursuant to this SECTION, including, but not limited to, the following:
(1) Release of confidential information for a purpose other than enforcement.
(2) Knowingly refusing to withhold direct marketing, check cashing, and credit privileges.
(3) Failure to follow internal control procedures adopted under this rule.

SECTION 31. **(a) This SECTION supercedes 68 IAC 6-3-5.**

(b) This SECTION does not apply to those voluntarily excluded individuals who elected lifetime exclusion under section 2(d) of this rule.

(c) A person may, upon the expiration of the selected term of voluntary exclusion, request removal of his or her name from the voluntary exclusion list. A person making a request for removal must do so by presenting to a commission office or other location designated by the executive director and declaring, in writing, on a form provided by the commission, the intent to remove his or her name from the voluntary

exclusion list.

(d) A request for removal from the voluntary exclusion list shall contain the following information:
(1) Name, including aliases or nicknames.
(2) Date of birth.
(3) Address of current residence.
(4) Telephone number of current residence.
(5) The signature of the person requesting removal from the voluntary exclusion list indicating acknowledgement of the following statement: "I certify that the information that I have provided above is true and accurate. I am aware that my signature below constitutes a revocation of my previous request for placement on the voluntary exclusion list, and I authorize the commission to permit all Indiana riverboat licensees or other facilities under the jurisdiction of the commission to reinstate my gaming privileges.".
(6) The signature of the enforcement agent or other individual authorized by the executive director to accept a request for removal, verifying that the individual requesting removal is the voluntarily excluded individual.

(e) Upon receipt of a request for removal, the commission shall effectuate the removal of the name of the individual requesting removal from the voluntary exclusion list. The commission shall act upon a request for removal within thirty (30) days of receipt of such request.

(f) The commission shall notify each riverboat licensee or operating agent each time an individual is removed from the voluntary exclusion list. Once an individual's name has been removed from the voluntary exclusion list, nothing in this rule shall prohibit a riverboat licensee or operating agent from marketing directly to that individual, cashing checks of such a person, or extending credit to the individual.

SECTION 32. **(a) This SECTION supercedes 68 IAC 8-1-1.**

(b) The following definitions apply throughout this rule:
(1) "Dockside gambling" means the conduct of gambling on a vessel that:
(A) is permanently moored at a dock site;
(B) is not self-propelled; or
(C) allows unlimited passenger ingress and egress.
(2) "Full excursion" means a gambling excursion during which the vessel cruises into open water on Lake Michigan or cruises on the Ohio River. A full excursion on Lake Michigan shall not exceed a distance of three (3) statute miles from the vessel's dock site during the warm water months of July through September pursuant to United States Coast Guard Navigation and Vessel Inspection Circular 7-91. A full excursion on Lake Michigan shall not exceed a distance of one (1) statute mile from the vessel's dock site during the cold water months of October through June pursuant to United States Coast Guard Navigation and Vessel Inspection Circular 7-91.
(3) "Intermediate excursion" means a gambling excursion during which the vessel cruises in protected navigable water on or accessible to Lake Michigan.
(4) "Master" means the officer having command of a vessel and who holds the appropriate United States Coast Guard license under 46 CFR 10.401 through 46 CFR 10.482, 1994 edition.
(5) "Navigable water" means water that the commission determines to be navigable under IC 4-33-4-13.
(6) "Open water" means water on or accessible to Lake Michigan that is not within a protected harbor.
(7) "Partially protected waters" has the meaning set forth in 46 CFR 169.107(n).
(8) "Vessel" means a riverboat as defined in IC 4-33-2-17.

SECTION 33. **(a) This SECTION supercedes 68 IAC 8-1-5.**

(b) If the master reasonably determines that any of the circumstances set forth in IC 4-33-9-2 exist, the riverboat shall remain docked or the master shall terminate the full or intermediate excursion. The riverboat may remain docked until the master determines that the conditions set forth in IC 4-33-9-2(b) have sufficiently diminished or been corrected for the riverboat to safely proceed or the duration of the authorized excursion has expired. The riverboat licensee may permit the conduct of gaming during the time the riverboat is docked and the conditions set forth in IC 4-33-9-2(b) exist.

(c) The riverboat licensee shall immediately initiate the repairs necessary to correct the mechanical

or structural difficulty that prevents a full or intermediate excursion.

(d) If the master determines that conditions set forth in IC 4-33-9-2 preclude an intermediate or full excursion, the riverboat licensee shall file a written report detailing the basis for such action with the enforcement agent immediately.

(e) The riverboat licensee shall comply with the reporting requirements for marine casualties established in 46 CFR 4.05. The riverboat licensee shall provide a copy of any reports made to the United States Coast Guard to the executive director simultaneously.

SECTION 34. **(a) This SECTION supercedes 68 IAC 8-1-8.**

(b) In the event of an emergency, the master may amend a standard excursion route.

(c) In the event of an emergency, the riverboat licensee or the master, or both, may amend a standard excursion schedule.

(d) The riverboat licensee shall immediately report an emergency amendment to the standard excursion route or schedule to the enforcement agent.

(e) The riverboat licensee shall submit an emergency schedule or route log, on forms prescribed by the commission, when a standard excursion route or schedule is altered in accordance with this SECTION. The emergency schedule or route log shall detail the circumstances necessitating the emergency excursion route or schedule and shall be submitted to the executive director within five (5) business days of the emergency excursion route or schedule.

(f) As soon as the circumstances necessitating the emergency route or schedule abate, the master or the riverboat licensee, or both, shall resume compliance with the standard excursion route or schedule.

SECTION 35. **(a) This SECTION supercedes 68 IAC 9-3-1.**

(b) This rule applies to all persons acting as agents for the commission, and only during the time when the person is assigned to perform such services.

(c) The following definitions apply throughout this rule:
(1) "Agent" means any person who is employed by any agency of the state, other than the commission, and who is assigned to perform full-time services on behalf of, or for the benefit of, the commission regardless of the title or position held by that person.
(2) "Compensation" means any money, thing of value, or financial benefit conferred on or received by a person in return for services rendered, or to be rendered, whether by that person or another.
(3) "Conflict of interest" means a situation in which an agent's private interest, usually of a financial nature, may influence the agent's judgment in the performance of the agent's public duty. A conflict of interest includes, but is not limited to, the following:
(A) Any conduct that would lead a reasonable person, knowing all of the circumstances, to conclude that an agent is biased.
(B) Acceptance of any form of compensation other than from the commission, or his or her own agency, for any services rendered as part of the agent's official duties for the commission.
(C) Participation in any business being transacted with the commission by any private concern in which the agent, or the agent's spouse or child, has a financial interest.
(D) Use of the agent's position, title, or any authority associated with it in a manner designed for personal gain or benefit.
(E) Demonstration, through work or action in the performance of the agent's official duties, of any preferential attitude or treatment toward any person.
(F) Participation in an assignment by the commission that involves a person with which the agent has a financial or beneficial relationship.
(4) "Financial interest or financially interested" means any interest in investments, awarding of contracts, grants, loans, purchases, leases, sales, or similar matters under consideration or consummated by the commission. An agent will be deemed to have a financial interest in a matter under consideration by reason of one (1) of the following:
(A) The agent owns one percent (1%) or more of any class of outstanding securities which are issued by a party to the matter under consideration or consummated, and the securities are listed

on a national securities exchange or actively traded in an over-the-counter market.
(B) The agent is employed by that person.

SECTION 36. **(a) This SECTION supercedes 68 IAC 9-4-1.**

(b) The following definitions apply throughout this rule:
(1) "Agent" refers to any person who is employed by any agency of the state, other than the commission, and who is assigned to perform full-time services on behalf of, or for the benefit of, the commission, pursuant to a request of the commission, regardless of the title or position held by that person.
(2) "Employee" means an individual employed by the commission.
(3) "Member" means a commission member appointed to the commission under IC 4-33-3-2.

SECTION 37. **(a) This SECTION supercedes 68 IAC 9-4-4.**

(b) A member, employee, or agent shall advise the ranking enforcement agent aboard the riverboat that the member, employee, or agent plans to be present on a riverboat licensed by the commission outside the scope of his or her official duties at the time the member, employee, or agent arrives at the riverboat.

SECTION 38. **(a) This SECTION supercedes 68 IAC 10-1-6.2.**

(b) If the integrity of any live gaming device has been legitimately questioned, the riverboat licensee shall run the appropriate diagnostic tests on the device. If the riverboat licensee determines that the device is malfunctioning, the riverboat licensee shall remove the device from play until the device has been repaired and it has been determined that the device meets the requirements of the Act and this title.

(c) The riverboat licensee shall record the following information with respect to a live gaming device that has been removed from play:
(1) The date and time that the integrity of the live gaming device was questioned.
(2) The type of device that was questioned.
(3) The serial number, if any, issued by the manufacturer and the registration number issued by the commission.
(4) The length of time that the device was removed from play.
(5) The reason that the device was not functioning properly.
(6) The remedial action taken to ensure that the device conforms to the requirements of the Act and this title.
(7) The printed name, signature, and occupational license number of all employees taking the remedial action.
(8) If an outside company takes remedial action on the device, the following information must be maintained:
(A) The name of the company.
(B) The address of the company.
(C) The telephone number of the company.
(D) The names of any individuals who performed remedial action on the device.
(9) A verification that the device meets the requirements of the Act and this title after the remedial action was taken.
(10) The name, address, and telephone number of the individual who complained about the device and the nature of the complaint.
The riverboat licensee must notify the enforcement agent, in writing, of each electronic gaming device that has been removed from play.

(d) The records described in subsection (b) shall be maintained by the riverboat licensee for a period of one (1) year and shall be available for commission review upon request.

SECTION 39. **(a) This SECTION supercedes 68 IAC 11-1-4.**

(b) Amendments to the internal control procedures shall be handled in the following manner:
(1) Unless otherwise provided by the executive director, amendments to any portion of the internal control procedures must be submitted to the executive director at least thirty (30) days prior to the utilization of the amended internal control procedure.

(2) The executive director shall, in writing, approve the amendment to the internal control procedure, in total or in part.
(3) No amendment to internal control procedures may be utilized by a riverboat licensee unless the amendment to the internal control procedure has been approved, in writing, by the executive director.
(4) The riverboat licensee shall advise the executive director of any change in a scheduled event at least twenty-four (24) hours before the change is instituted. If the time of the scheduled event has to be altered due to an emergency, the riverboat licensee shall notify the enforcement agent, in writing, immediately, and provide a written explanation for the change to the executive director within twenty-four (24) hours.

SECTION 40. **(a) This SECTION supercedes 68 IAC 11-1-5.**

(b) In the event of an emergency, the riverboat licensee may amend an internal control procedure. The enforcement agent must concur that an emergency exists prior to the amendment of an internal control procedure.

(c) The riverboat licensee shall report any emergency amendment to the internal control procedures to the enforcement agent immediately.

(d) The riverboat licensee shall submit a description of the amendment to the internal control procedures and the circumstances necessitating the amendment to the executive director within ten (10) business days of the amendment.

(e) As soon as the circumstances necessitating the emergency amendment to the internal control procedures abate, the riverboat licensee shall resume compliance with the approved internal control procedures.

SECTION 41. **(a) This SECTION supercedes 68 IAC 11-2-2.**

(b) The riverboat licensee shall submit a list of employees authorized to participate in the drop bucket collection process and the hard count to the enforcement agent. These employees must hold an occupational license, Level 2 or higher. Amendments to the list of employees authorized to participate in the drop bucket collection process and the hard count must be submitted to the enforcement agent as the amendments occur. The employee's name must be submitted to the enforcement agent before the employee participates in the drop bucket collection or the hard count.

(c) In accordance with 68 IAC 11-1, the riverboat licensee or riverboat license applicant shall submit internal control procedures covering the drop bucket collection and the hard count process to the executive director.

(d) The internal control procedures for the drop bucket collection process and the hard count process shall include, but is *[sic., are]* **not limited to, the following areas:**
(1) The times that the drop bucket collection will occur.
(2) The manner in which the drop bucket collection process will proceed, including the location from which the drop bucket collection process will commence.
(3) The manner in which the drop buckets will be identifiable to an electronic gaming device.
(4) The procedure for collecting tokens from an electronic gaming device utilizing trays instead of drop buckets.
(5) Whether counts will be performed manually or by means of a weigh scale or an equivalent device. If a weigh scale or the equivalent is utilized, the manufacturer, type, model number, and serial number shall be listed. Weigh scales or the equivalent shall be approved as associated equipment in accordance with 68 IAC 2-7.
(6) The department that will maintain and control the keys that are necessary to complete the drop bucket collection and hard count process.
(7) Alternative procedures that will be utilized in the case of a malfunction or an emergency.
(8) Describe the security measures to be taken when a drop bucket storage cart holding drop buckets with tokens must be stored outside of the hard count room.
(9) The names and titles of the individuals who will perform the duties of the internal auditor.
(10) The type of backup measures that will be utilized in case the primary system of conducting the drop bucket collection process, hard count, or both, malfunctions.
(11) The measures the riverboat licensee will take to ensure compliance with this article.

(12) Any other information the commission deems necessary to ensure compliance with the Act and this title.

SECTION 42. **(a) This SECTION supercedes 68 IAC 11-2-3.**

(b) The hard count room shall be:
(1) located in a nonpublic area of the riverboat; and
(2) designated for weighing, counting, recording, and wrapping the contents of the drop buckets.

(c) The hard count room shall have the following items, components, or characteristics:
(1) There shall be no more than two (2) metal doors to the hard count room. One (1) door shall be designed to accommodate the drop bucket storage cart. The doors must be lockable from outside the hard count room. Individuals inside the hard count room shall be able to open the hard count door from the inside in order to exit the hard count room in case of an emergency.
(2) There shall be no windows in the hard count room that can be opened to access the outside of the riverboat.
(3) A weigh scale or the equivalent and at least two (2) predetermined standard weights to verify the accuracy of the weigh scale. The riverboat licensee shall test the weights for accuracy at least one (1) time per month.
(4) There shall be a telephone in the hard count room that is used only in the case of an emergency to contact:
(A) surveillance;
(B) security;
(C) the enforcement agent; or
(D) any other necessary party.
(5) There may be a segregated area of the hard count room known as the unaudited token storage area accessible by a key different than the key that opens the doors to the hard count room for the storage of unaudited tokens. The unaudited token storage area key shall be maintained by the main bank in accordance with 68 IAC 11-7. Riverboat licensees shall not store token inventory in the unaudited token storage area.
(6) There shall be a segregated area to store tokens that have been counted but not distributed.

(d) The riverboat licensee shall take the following security measures with respect to the hard count room:
(1) No individual shall carry a pocketbook or other nontransparent container into the hard count room other than containers utilized in the hard count process.
(2) Access to the hard count room shall be restricted to the following individuals:
(A) Members of the hard count team.
(B) Members of the drop bucket collection team.
(C) Maintenance personnel and supervisors who are accompanied by security personnel for problem resolution.
(D) The internal auditor or equivalent, accompanied by security personnel, in the performance of official duties.
(E) Main bank employees in conjunction with official duties of reconciling the hard count.
(F) Security personnel in conjunction with official duties.
(G) Enforcement agents in the performance of official duties.
(H) Individuals specifically authorized by the commission or enforcement agents.
(3) All of the count procedures conducted in the hard count room must be conducted in full view of the surveillance cameras.
(4) There shall be a hand held metal detector known as a wand immediately outside the hard count room. Security shall run the wand about each individual who exits the hard count room. Security shall run the wand near trash removed from the hard count room.
(5) Security personnel shall test the wand at least one (1) time every week to determine that it is operating properly. Security shall test the wand at any time that it appears the wand is malfunctioning. Security shall maintain a record that includes the following information and is available to the commission and enforcement agents upon request:
(A) The date on which the wand is tested.
(B) The individual that conducts the test.
(C) The results of the test.
(6) Except for enforcement agents, no individual shall be permitted to enter or leave the hard count room until the hard count, recording, and verification process are complete except during a normal

work break or in an emergency.
(7) All vents and duct grating connected to the hard count room shall be secured to ensure that they cannot be removed.
(8) The hard count room shall be equipped with equipment that allows the surveillance department to do the following in accordance with 68 IAC 12-1:
(A) Monitor and record the entire count process, both audibly and visually.
(B) Monitor and record the entire hard count room, both audibly and visually.
(C) Monitor and visually record all individuals who enter and exit the hard count room.
(D) Monitor and visually record the values that are reflected on the weigh scale after each drop bucket has been weighed.
(E) Monitor and record, both audibly and visually, any other activity or area of the hard count room deemed necessary by the commission to ensure compliance with the Act and this title.
(9) There shall be a sign in the hard count room stating that the activity of any individuals in the hard count room will be monitored and recorded in accordance with this rule and 68 IAC 12-1.
(10) Keys to the hard count room shall be maintained by the security department in accordance with 68 IAC 11-7. Access to the hard count room shall be gained only by or through a security officer.
(11) The hard count room shall be designed and built to provide maximum security for the tokens contained in the hard count room and the activities that are conducted in the hard count room.
(12) Any coin, currency, chips, or tokens found in the hard count room shall become the property of the riverboat licensee and shall be included in the hard count.

SECTION 43. **(a) This SECTION supercedes 68 IAC 11-2-4.**

(b) The riverboat licensee's security department shall maintain a hard count room log that will record ingress to and egress from the hard count room at all times.

(c) Every individual who enters and exits the hard count room shall complete the hard count room log.

(d) The hard count room log shall be maintained in the hard count room and shall contain the following information for each entry into and exit from the hard count room:
(1) The name, title, and signature of the individual entering the hard count room.
(2) The date of ingress to and egress from the hard count room.
(3) The time of ingress to and egress from the hard count room.
(4) The reason for entry to the hard count room.

(e) The security department shall make the hard count log available to the commission or enforcement agents for inspection upon request.

SECTION 44. **(a) This SECTION supercedes 68 IAC 11-3-2.**

(b) The riverboat licensee shall submit a list of employees authorized to participate in the currency collection process and the soft count to the enforcement agent. These employees must hold an occupational license, Level 2 or higher. Amendments to the list of employees authorized to participate in the currency collection process and the soft count must be submitted to the enforcement agent as the amendments occur. The employee's name must be submitted to the enforcement agent before the employee participates in the currency collection or the soft count.

(c) In accordance with 68 IAC 11-1, the riverboat licensee or riverboat license applicant shall submit internal control procedures covering the currency collection and the soft count process to the executive director.

(d) The internal control procedures for the currency collection process and the soft count process shall include the following areas:
(1) The times that currency collection will occur.
(2) The manner in which the currency collection process will proceed, including the location from which the currency collection process will commence.
(3) The manner in which the live gaming device drop box will be identifiable to the live gaming device from which it was removed.
(4) The manner in which the bill validator drop box will be identifiable to the electronic gaming device from which it was removed.

(5) Whether counts will be performed manually or by means of a currency counter. If a currency counter is utilized, the manufacturer, type, model number, and serial number shall be listed. Currency counters shall be approved as associated equipment in accordance with 68 IAC 2-7.
(6) The department that will maintain and control the keys that are necessary to complete the currency collection and soft count process.
(7) The names and titles of the occupational licensees that are authorized to transfer currency, coins, and tokens from the soft count room to the main bank.
(8) Where currency and coins will be stored before being deposited into an external bank. The security measure that will be taken with respect to the storage of the currency and coins.
(9) Alternative procedures that will be utilized in the case of a malfunction or an emergency.
(10) Describe the security measure to be taken when a drop box storage cart holding live gaming device drop boxes or bill validator drop boxes containing currency, chips, tokens, or records must be stored outside of the soft count room.
(11) Adjustments that the recorder may make to the Drop Box Verification Report.
(12) The names and titles of the individuals who will perform the duties of the internal auditor.
(13) The measures the riverboat licensee will take to ensure compliance with this article.
(14) Any other information the commission deems necessary to ensure compliance with the Act and this title.

SECTION 45. **(a) This SECTION supercedes 68 IAC 11-3-3.**

(b) The soft count room shall be:
(1) located in a nonpublic area of the riverboat; and
(2) designated for counting and recording the contents of the live gaming device drop boxes and bill validator drop boxes.

(c) The soft count room shall have the following items, components, or characteristics:
(1) There shall be one (1) door to the soft count room. The door must accommodate the drop box storage cart and be lockable from outside the soft count room. Individuals inside the soft count room shall be able to open the soft count door from the inside in order to exit the soft count room in case of an emergency.
(2) There may be a currency counter or the equivalent.
(3) There shall be no windows in the soft count room that can be opened to access the outside of the riverboat.
(4) There shall be a telephone located in the soft count room that is used only in the case of an emergency or normal work functions to contact:
(A) surveillance;
(B) security;
(C) the enforcement agent; or
(D) any other necessary party.
(5) There shall be a count table constructed of clear glass-like material that is used for the emptying, counting, and recording of the contents of the drop boxes and bill validators.

(d) The riverboat licensee shall take the following security measures with respect to the soft count room:
(1) No individual shall carry a pocketbook or other nontransparent container into the soft count room other than containers utilized in the soft count process.
(2) Access to the soft count room shall be restricted to the following individuals:
(A) Members of the soft count team.
(B) Members of the currency collection team.
(C) Maintenance personnel and supervisors who are accompanied by security personnel for problem resolution.
(D) The internal auditor or equivalent, accompanied by security personnel, to verify the accuracy of the count machine.
(E) Security personnel in conjunction with official duties.
(F) Main bank employees in conjunction with official duties reconciling the soft count.
(G) Enforcement agents in the performance of official duties.
(H) Individuals specifically authorized by the commission or enforcement agents.
(3) All of the count procedures conducted in the soft count room must be conducted in full view of the surveillance cameras.
(4) Once the soft count team has entered the soft count room containing the drop boxes, bill changer

boxes, or both, the door to the soft count room shall be locked by a security department employee.
(5) All vents and duct grating connected to the soft count room shall be secured to ensure that they cannot be removed.
(6) After the soft count team has entered the soft count room and the door has been locked, no one except commission personnel, individuals specifically authorized by the commission, main bank employees, and currency collection team members who are dropping off drop boxes are allowed access to the soft count room.
(7) No individual in the soft count room may remove his or her hands from or return them to a position on or above the count table unless the individual holds the backs and palms of his or her hands straight out and exposed to the view of the other individuals present in the soft count room and the surveillance camera.
(8) All trash accumulated in the soft count room shall be inspected prior to the trash being removed from the soft count room.
(9) The soft count room shall be equipped with equipment that allows the surveillance department to do the following in accordance with 68 IAC 12-1:
(A) Monitor and record the entire count process both audibly and visually.
(B) Monitor and record the entire soft count room both audibly and visually.
(C) Monitor and visually record all individuals who enter and exit the soft count room.
(D) Monitor and visually record the values that are reflected on any count machine utilized to conduct the soft count.
(E) Monitor and record, both audibly and visually, any other activity or area of the soft count room deemed necessary by the commission to ensure compliance with the Act and this title.
(10) There shall be a sign in the soft count room stating that the activity of any individuals in the soft count room will be monitored and recorded in accordance with this rule and 68 IAC 12-1.
(11) Keys to the soft count room shall be maintained by the security department in accordance with 68 IAC 11-7. Access to the soft count room shall be gained only by or through a security officer.
(12) The soft count room shall be designed and built to provide maximum security for the funds contained in the soft count room and the activities that are conducted in the soft count room.
(13) Any currency, coins, chips, or tokens found in the soft count room shall become the property of the riverboat licensee and shall be included in the soft count.

SECTION 46. **(a) This SECTION supercedes 68 IAC 11-3-4.**

(b) The riverboat licensee's security department shall maintain a soft count room log that will record ingress to and egress from the soft count room at all times.

(c) Every individual who enters and exits the soft count room shall complete the soft count log.

(d) The soft count room log shall be maintained in the soft count room and shall contain the following information for each entry into and exit from the soft count room:
(1) The name, title, and signature of the individual entering the soft count room.
(2) The date of ingress to and egress from the soft count room.
(3) The time of ingress to and egress from the soft count room.
(4) The reason for entry to the soft count room.

(e) The security department shall make the soft count room log available to the enforcement agents for inspection upon request.

(f) The soft count log shall be retained by the riverboat licensee for a period of one (1) year.

SECTION 47. **(a) This SECTION supercedes 68 IAC 11-4-1.**

(b) This rule applies to all riverboat licensees.

(c) The following definitions apply throughout this rule:
(1) "Closer" means the original copy of the inventory slip that is deposited into the drop box and contains the closing dollar amount of the live gaming device.
(2) "Inventory slip" means a two-part form containing the count of the chips or tokens remaining at the live gaming device when a live gaming device is closed.
(3) "Opener" means the duplicate copy of the inventory slip that remains at the table and contains the opening dollar amount of the live gaming device.

SECTION 48. **(a) This SECTION supercedes 68 IAC 11-4-3.**

(b) Immediately prior to opening a live gaming device, a security officer shall obtain the key to the locked live gaming device tray lid from the main bank in accordance with 68 IAC 11-7. The security officer shall turn the key over to the pit boss or the equivalent who is designated to access the live gaming device tray.

(c) In the presence of the appropriate level of occupational licensee assigned to the live gaming device, the pit boss or the equivalent shall unlock the transparent live gaming device tray lid.

(d) The occupational licensee assigned to the live gaming device shall count the chips and tokens by denomination in the presence of a pit boss or the equivalent and verify the count to the opening dollar amount of the opener removed from the live gaming device tray.

(e) The occupational licensee and the pit boss or the equivalent that observed the count of the contents of the tray shall sign the opener attesting to the accuracy of the information recorded on the opener.

(f) Once the opener is signed, the occupational licensee shall immediately deposit the opener into the drop box attached to the live gaming device.

(g) The riverboat licensee shall implement procedures to be followed when the counted inventory differs from the amount recorded on the opener. These procedures shall be completed prior to the opening of the live gaming device. These procedures shall include, at a minimum, the following:
(1) The preparation of an error form by the table games manager.
(2) The signatures required on the error form.
(3) The distribution of each part of the form.
(4) Ensuring that at least one (1) part is deposited in the drop box.

(h) The riverboat licensee shall notify the enforcement agent, in writing, immediately, upon the discovery of a live gaming device inventory or live gaming device tray that has been compromised, and provide a written explanation, including all conclusions to the enforcement agent and the executive director within twenty-four (24) hours.

SECTION 49. **(a) This SECTION supercedes 68 IAC 11-5-1.**

(b) This rule applies to all riverboat licensees.

(c) Riverboat licensees shall submit the procedures that the riverboat licensee shall implement to ensure that all tokens and chips are accurately and regularly counted to prevent the loss of assets.

(d) All racked tokens and primary chip inventories must be rotated and counted, at a minimum, on a daily basis. Secondary sets of chips and tokens shall be rotated and counted in accordance with 68 IAC 15-4-3.

(e) The riverboat licensee shall submit a list of the titles of employees authorized to participate in the chip and token rotation and count. These employees must hold an occupational license, Level 2 or higher. Amendments to the list of employees authorized to participate in the chip and token rotation and count must be submitted to the enforcement agent as the amendment occurs. The employee title must be submitted to the enforcement agent before an employee with the title participates in the chip and token rotation and count.

(f) The riverboat licensee shall maintain the following information concerning chip and token rotations on a form approved by the commission:
(1) The date and time that the chip or token rotation was performed.
(2) The printed name of the occupational licensee who performed the chip or token rotation.
(3) The signature of the occupational licensee who performed the chip or token rotation.
(4) The occupational license number of the occupational licensee who performed the chip or token rotation.
(5) Any discrepancies that were discovered as a result of the chip or token inventory.

(6) The steps that were taken to investigate any discrepancies discovered as a result of the chip or token inventory.
(7) The results of the investigation that was conducted concerning any discrepancies discovered as a result of the chip or token inventory.

SECTION 50. **(a) This SECTION supercedes 11-6-1** *[68 IAC 11-6-1]***.**

(b) This rule applies to all riverboat licensees.

(c) At least one (1) time each gaming day, every jet sort or the equivalent must be tested to verify its accuracy. Each jet sort or the equivalent must be tested with each denomination of token utilized by the riverboat licensee.

(d) If a jet sort or the equivalent does not accurately count any of the denominations of tokens, the riverboat licensee shall take the following steps:
(1) Immediately remove the jet sort or the equivalent from service.
(2) Immediately notify the enforcement agent.
(3) Document the results of the following in accordance with subsection (e):
(A) The results of the jet sort or the equivalent test.
(B) The name, occupational license number, and signature of the individual who performed the test.
(C) The day, time, and shift that the jet sort or the equivalent test was completed.
(D) The jet sort or the equivalent identification number.
(E) The location of the jet sort or the equivalent.
(F) The name of the enforcement agent notified.
(G) The corrective action taken.

(e) The riverboat licensee must have the jet sort or the equivalent serviced to correct the defect. Before the jet sort or the equivalent may be placed back into service, the riverboat licensee must demonstrate to an enforcement agent that the jet sort or the equivalent accurately counts each denomination of token utilized by the riverboat licensee. The riverboat licensee must document the following information in accordance with subsection (e):
(1) The date, time, and shift that the jet sort or the equivalent is being placed back into service.
(2) The jet sort or the equivalent identification number.
(3) The location of the jet sort or the equivalent.
(4) The name, occupational license number, and signature of the individual who performed the test.
(5) The name and signature of the enforcement agent verifying the results of the test.
(6) The results of the jet sort or the equivalent test performed on the jet sort or the equivalent.
(7) The corrective action that was performed on the jet sort or the equivalent.

(f) The riverboat licensee shall document the results of each jet sort or the equivalent test conducted. The documentation shall include, at a minimum, the following information:
(1) The date, time, and shift of the test.
(2) The jet sort or the equivalent identification number.
(3) The location of the jet sort or the equivalent.
(4) The name, occupational license number, and signature of the individual performing the test.
(5) The results of the jet sort or the equivalent test, by denomination.
All documentation required by this rule shall be maintained by the riverboat licensee for at least a period of one (1) year.

SECTION 51. **(a) This SECTION supercedes 68 IAC 11-7-1.**

(b) This rule applies to riverboat licensees.

(c) The following definitions apply throughout this rule:
(1) "Enforcement agent" means one (1) of the members of the Indiana state police department who is assigned to work with the commission and who is on duty.
(2) "Sensitive keys" means keys that either management or the commission considers sensitive to the riverboat licensee's operation and therefore require strict control over custody and issuance. Sensitive keys include, but are not limited to, keys that will allow access to the following:
(A) Currency.
(B) Chips.

(C) Tokens.
(D) Electronic gaming devices.
(E) Any item that would affect the integrity or outcome of a game.

SECTION 52. **(a) This SECTION supercedes 68 IAC 11-7-2.**

(b) The riverboat licensee shall submit a list of authorized occupational licensees who have access to the sensitive keys box. These employees must hold an occupational license, Level 2 or higher. Amendments to the list of employees with authorized access must be submitted to the enforcement agent as the amendments occur.

(c) In accordance with 68 IAC 11-1, the riverboat license shall submit internal control procedures covering the control of sensitive keys to the executive director.

(d) The internal control procedures for control of sensitive keys shall include, but are not limited to, the following:
(1) The location of all sensitive keys boxes.
(2) The sensitive key name, location, custodian, and occupational licensees authorized to sign out each sensitive key.
(3) The location and custodian of duplicate sensitive keys.

(e) Each sensitive key box custodian shall be issued a sensitive key access list noting authorized occupational licensees, by title and occupational license level, who may access each sensitive key.

(f) Unless otherwise provided, whenever two (2) sensitive keys are required to access a controlled area, the keys shall be issued to different occupational licensees and each key shall be signed out independently.

(g) A sensitive keys access list shall be maintained at each sensitive keys box and a copy given to the enforcement agent. The sensitive keys access list shall include the following:
(1) Name of sensitive key.
(2) Location of sensitive key.
(3) Custodian of sensitive key.
(4) Quantity of sensitive keys.
(5) Level of occupational licensees authorized to sign out the sensitive key, and any applicable escort requirements and any specific limitations.
(6) Custodian of duplicate keys.

(h) If the executive director determines, at any time, that approved internal control procedures are not adequate to ensure compliance with the Act and this title, the executive director may direct the riverboat licensee, in writing, to amend its internal control procedure in accordance with 68 IAC 11-1-4.

SECTION 53. **(a) This SECTION supercedes 68 IAC 11-7-4.**

(b) The riverboat licensee shall submit procedures relating to the replacement of broken, lost, or missing sensitive keys. These procedures shall include, at a minimum, the following:
(1) Identify those critical sensitive keys that require immediate changing of the locks.
(2) If a sensitive key is broken, include procedures as to:
(A) which occupational licensee shall receive and replace the broken key; and
(B) disposition of the broken key.

(c) When a sensitive key is determined to have been lost, missing, or taken from the premises, the riverboat licensee shall perform an immediate investigation. The investigation will be documented on an incident record. A copy of the incident report shall be given to the enforcement agent immediately. The record shall be kept in accordance with section 5 of this rule.

(d) Only those individuals with an occupational license, Level 1 shall be authorized to have sensitive keys duplicated.

SECTION 54. **(a) This SECTION supercedes 68 IAC 14-3-2.**

(b) All playing cards utilized by a riverboat licensee or a riverboat license applicant must comply with this rule.

(c) All playing cards must meet the following specifications:
(1) Unless otherwise provided in this article, all decks of cards must be one (1) complete standard deck of fifty-two (52) cards in four (4) suits. The four (4) suits shall be hearts, diamonds, clubs, and spades. Each suit shall consist of numerical cards from:
(A) two (2) to ten (10);
(B) a jack;
(C) a queen;
(D) a king; and
(E) an ace.
(2) The backs of each card in a deck must be identical and no card shall contain any marking, symbol, or design that will enable a person to know the identity of any element printed on the face of the card or that will differentiate the back of that card from any other card in the deck.
(3) All edges must be perfectly square with each side at a precise ninety (90) degree angle to each adjacent side of the card.
(4) The radius of all four (4) corners must be exactly the same.
(5) The name or logo of the riverboat licensee or riverboat license applicant must be imprinted on the back side of each playing card twice in a mirror image. The mirror imaged name or logo of the riverboat licensee or riverboat license applicant must be spaced a minimum of three-fourths (¾) of an inch apart.
(6) When playing cards have a white border, the border must be a minimum of three-sixteenths (3/16) of an inch on each side of the card.
(7) In the hearts suit, the hearts must be a burgundy red color.
(8) In the diamonds suit, the diamond pips must be a burgundy red color.
(9) In the spades suit, the spades must be a black color.
(10) In the clubs suit, the trefoil-shaped figure must be a black color.
(11) All finished card decks are to be packaged through use of a cellophane or shrink wrap in single deck boxes with a tamper resistant security seal and a tear band.
(12) The manufacturer's identification name shall be placed on each deck box.
(13) The manufacturer's identification name shall be placed on each box containing individual decks of playing cards.

SECTION 55. **(a) This SECTION supercedes 68 IAC 14-3-4.**

(b) The riverboat licensee shall remove any dice or playing cards at any time there is an indication of any of the following:
(1) The dice or playing cards have been tampered with.
(2) The dice or playing cards are flawed.
(3) The dice or playing cards are defective, and the defect may affect the integrity or fairness of the game.

(c) If there is an indication that any dice or playing cards have been tampered with, the pit boss or the equivalent shall place the dice or playing cards in an envelope, seal the envelope, and give the envelope to the enforcement agent. The pit boss or the equivalent shall note the following on the outside of the envelope:
(1) The date and time the dice or playing cards were removed from play.
(2) The live gaming device from which the dice or playing cards were removed from play.
(3) The characteristics that indicate that the dice or playing cards were tampered with.
(4) The name of all occupational licensees at the live gaming device from which the dice or playing cards were removed, and the name of the pit boss or the equivalent who removed the dice or playing cards from play.

(d) Except for dice that are removed from play due to the possibility of tampering, all dice shall be canceled when removed from play. Dice may be canceled by means of the following:
(1) Drilling a circular hole of at least one-fourth (¼) inch in diameter through the center of each die.
(2) Destroying the die by shredding.
(3) Canceling the die in any other manner approved by the executive director.
(4) The cancellation of dice must be monitored by surveillance in accordance with 68 IAC 12-1-5.

(e) Except for playing cards that are removed from play due to the possibility of tampering, all playing cards shall be canceled by one (1) of the following methods:
(1) Drilling a circular hole of at least one-fourth (¼) inch through the center of each card in the deck.
(2) Shaving at least two (2) corners of each playing card so that each side is no longer at ninety (90) degree angles with each adjacent side.
(3) The cards are destroyed by shredding.
(4) Canceling the cards by any other method approved by the executive director.
(5) The cancellation of cards must be monitored by surveillance in accordance with 68 IAC 12-1-5.

SECTION 56. **(a) This SECTION supercedes 68 IAC 14-3-5.**

(b) All dice or playing cards that are not being utilized at a live gaming device shall be kept in locked compartments.

(c) Dice and playing cards shall not be left at a live gaming device while unattended.

(d) Riverboat licensees or riverboat license applicants shall maintain an inventory of all dice and playing cards on forms prescribed by the commission. The inventory shall contain the following information:
(1) The date on which dice and playing cards are received.
(2) The quantity of the dice and playing cards received.
(3) The name, business address, and business telephone number of the manufacturer from which the dice or playing cards are received.
(4) The quantity of dice and playing cards that are placed into play each day.
(5) The quantity of dice and playing cards that are removed from play due to suspected tampering and the date of the removal.
(6) The quantity of dice and playing cards that *[sic., are]* **removed from play and canceled each day.**

(e) Riverboat licensees shall conduct a physical inventory of the dice and playing cards every three (3) months. The results of the physical inventory shall be set forth on forms prescribed by the commission. The inventory maintained in subsection (c) shall be reconciled with the results of the physical inventory. Any discrepancies in the inventory forms and the physical inventory shall be reported to the enforcement agent immediately.

SECTION 57. **(a) This SECTION supercedes 68 IAC 14-3-6.**

(b) When playing cards are accepted for play at a live gaming device, the occupational licensee accepting the playing cards shall inspect the playing cards to ensure the playing cards comply with this rule.

(c) Playing cards shall be inspected by sorting the cards sequentially by suit and inspecting the sides of the cards for crimps, bends, cuts, shaving, or any other defect that would affect the integrity or fairness of the game.

SECTION 58. **(a) This SECTION supercedes 68 IAC 14-4-1.**

(b) This rule applies to all riverboat licensees and riverboat license applicants.

(c) The riverboat licensee shall allow patrons to game at a live gaming device with value chips or nonvalue chips, or both.

SECTION 59. **(a) This SECTION supercedes 14-4-3** *[68 IAC 14-4-3]***.**

(b) Each riverboat licensee shall have the following sets of chips:
(1) A primary set of value chips.
(2) A secondary set for all denominations of value chips. The secondary set of value chips shall consist of at least fifty percent (50%) of the quantity of value chips for each denomination.
(3) A primary set of nonvalue chips.
(4) A reserve set for all colors of nonvalue chips.
Each set of chips shall be approved by the executive director in accordance with section 2 of this rule and shall meet the specifications set forth in sections 4 and 5 of this rule.

(c) The secondary set of value chips shall be placed into active play only when the primary set is removed from play. The reserve set of nonvalue chips shall be placed into active play only when the primary set is removed from play.

(d) The primary set of value or nonvalue chips shall be removed from play if one (1) of the following occurs:
(1) The riverboat licensee determines that the riverboat gambling operation is receiving a significant number of counterfeit chips.
(2) The riverboat licensee discovers any impropriety or defect in the utilization of the primary set of chips that necessitates the removal of the primary chips.
(3) The executive director or the commission deems removal of the primary chips necessary to ensure compliance with the Act and this title.

(e) If a primary set of chips is removed from active play, the riverboat licensee shall immediately notify the enforcement agent. The riverboat licensee shall file a written report with the executive director within two (2) business days setting forth the following information:
(1) The date and time primary chips were removed from active play.
(2) The reason necessitating the removal of the primary chips from active play.
(3) Any other information deemed necessary by the executive director or the riverboat licensee to ensure compliance with the Act and this title.

SECTION 60. **(a) This SECTION supercedes 68 IAC 14-4-8.**

(b) The riverboat licensee must have written authorization from the executive director or his or her designee to destroy value or nonvalue chips. The riverboat licensee or riverboat license applicant shall notify the executive director, in writing, at least ten (10) days before value or nonvalue chips are destroyed. The riverboat licensee or riverboat license applicant shall notify the executive director of the following information:
(1) The date and time that the chips will be destroyed.
(2) The location at which the chips will be destroyed.
(3) The denomination, number, and amount of value chips that will be destroyed.
(4) The description and number of nonvalue chips that will be destroyed.
(5) A detailed explanation of the method of destruction.

(c) After destruction of the value chips, the denomination, number, and amount of value chips destroyed shall be entered in the chip inventory ledger in accordance with 68 IAC 15-4.

(d) After destruction of the nonvalue chips, the description and number of nonvalue chips destroyed shall be entered in the chip inventory ledger in accordance with 68 IAC 15-4.

(e) The riverboat licensee or riverboat license applicant shall coordinate the movement and shipment of chips to be destroyed with enforcement agents on a form approved by the commission.

SECTION 61. **(a) This SECTION supercedes 68 IAC 14-5-1.**

(b) This rules *[sic., rule]* **applies to all riverboat licensees and riverboat license applicants.**

(c) A riverboat licensee shall not allow tokens to be utilized for play in an electronic gaming device unless the token complies with this rule.

SECTION 62. **(a) This SECTION supercedes 68 IAC 14-5-6.**

(b) The riverboat licensee must have written authorization from the executive director or his or her designee to destroy any tokens. The riverboat licensee or riverboat license applicant shall notify the executive director, in writing, at least ten (10) days before tokens are destroyed. The riverboat licensee or riverboat license applicant shall notify the executive director of the following information:
(1) The date and time that the tokens will be destroyed.
(2) The location at which the tokens will be destroyed.
(3) The denomination, number, and amount of tokens that will be destroyed.
(4) The description and number of tokens that will be destroyed.

(5) A detailed explanation of the method of destruction.

(c) After destruction of the tokens, the denomination, number, and amount of tokens destroyed shall be entered in the token inventory ledger in accordance with 68 IAC 15-4.

(d) The riverboat licensee or riverboat license applicant shall coordinate the movement and shipment of tokens to be destroyed with enforcement agents on a form approved by the commission.

SECTION 63. **(a) This SECTION supercedes 68 IAC 14-7-4.**

(b) Prior to the initial use of the roulette wheel at a roulette table, the wheel shall be inspected and balanced by or in the presence of an enforcement agent using a balancing level.

(c) Prior to opening a roulette table for gaming activity each gaming day, the pit boss or the equivalent shall inspect the roulette table and roulette wheel to ensure compliance with this rule.

(d) The pit boss or the equivalent shall inspect the following:
(1) The wheel for any magnet or contrivance that would affect the integrity or fairness of the game.
(2) The wheel with the use of a level to verify the wheel is balanced and rotating freely and evenly.
(3) All parts to ensure that they are secure and free from movement.
(4) The roulette ball by passing it over a magnet or compass to ensure its nonmagnetic quality.
(5) The layout and signage to ensure compliance with 68 IAC 14-3-3(c) if a double zero (00) roulette wheel is being used as a single zero (0) roulette wheel.

(e) A log documenting the daily inspection of the roulette wheel shall be maintained by the riverboat licensee. The daily inspection log shall, at a minimum, contain the following information:
(1) The name and occupational license number of the pit boss or the equivalent completing the inspection.
(2) The date.
(3) The roulette wheel number.
(4) The results of the inspection.

(f) If a riverboat licensee uses a roulette wheel that has external movable parts, any adjustments to the movable parts shall be made by the pit boss or the equivalent, in the presence of an enforcement agent. Adjustments to the movable parts of a roulette wheel that is located on the live gaming floor shall be made only:
(1) when the riverboat licensee is not open to the public; or
(2) if the roulette wheel is moved to a secure location outside the riverboat as approved by the executive director or the commission.

(g) All adjustments shall be completed prior to the required inspections in subsection (a).

(h) The riverboat licensee may replace any of the movable parts at any time, provided, however, if any one (1) or more of the movable parts are external, then an inspection must be completed by the enforcement agent prior to reopening the roulette wheel and table for gaming activity.

(i) A log documenting all adjustment, repairs, or replacement of parts of the roulette wheel, roulette balls, or both, shall be maintained, including, at a minimum, the following:
(1) The name of the pit boss or the equivalent completing the inspection.
(2) The name of the enforcement agent present during the inspection.
(3) The date.
(4) The roulette table number.
(5) Whether an adjustment or replacement was completed.
(6) The signature of the person making the adjustment or replacement.

(j) The log shall be available for inspection by the enforcement agent and the executive director or the commission upon request.

(k) The riverboat licensee shall immediately notify the an *[sic.]* **enforcement agent upon the discovery of a wheel that has been compromised and declare the wheel out of play.**

(l) The riverboat licensee shall notify the executive director, in writing, within ten (10) days after discovery of a wheel that has been compromised.

(m) When a roulette table is not open for gaming activity, the roulette wheel shall be secured by placing a cover over the entire wheel and securely locking the cover to the roulette table.

(n) The riverboat licensee shall secure the magnet, compass, level, or any other approved instrument in a place not accessible by the public, and make the location known to the enforcement agent and the executive director.

SECTION 64. **(a) This SECTION supercedes 68 IAC 14-9-4.**

(b) Prior to opening a Big Six table for gaming activity, the pit boss or the equivalent shall inspect the Big Six table and wheel to ensure compliance with this rule.

(c) The pit boss or the equivalent shall inspect the following:
(1) The wheel for any contrivance that would affect the integrity or fairness of the game.
(2) The wheel to verify it is balanced and rotating freely and evenly.
(3) All parts to ensure that they are secure and free from movement.

(d) The riverboat licensee shall notify the enforcement agent and the executive director immediately upon the discovery of a wheel that has been compromised.

(e) When the Big Six table is not open for gaming activity, the Big Six wheel shall be secured in a manner approved by the executive director in accordance with 68 IAC 14-1.

SECTION 65. **(a) This SECTION supercedes 68 IAC 14-16-2.**

(b) The riverboat licensee or riverboat license applicant shall notify the enforcement agent and the executive director immediately upon the discovery of a counterfeit chip or token.

(c) The executive director or the enforcement agent may take possession of the counterfeit chip or token.

(d) The executive director shall determine the disposition of any counterfeit chip or token, including, but not limited to, destruction of a counterfeit chip or token in accordance with section 3 of this rule.

SECTION 66. **(a) This SECTION supercedes 68 IAC 14-16-3.**

(b) Unless the executive director, the commission, an enforcement agent, or a law enforcement officer instructs or a court of competent jurisdiction orders otherwise in a particular case, a riverboat licensee shall destroy or otherwise dispose of counterfeit chips and tokens discovered on the riverboat in a manner approved by the executive director in accordance with subsection (c).

(c) Unless the executive director, the commission, an enforcement agent, or a law enforcement officer instructs or a court of competent jurisdiction orders otherwise in a particular case, a riverboat licensee may dispose of coins of the United States or any other nation discovered to have been incorrectly used on the riverboat or in the case of foreign coins, by exchanging them for United States currency or coins and including same in their currency, or by disposing of them in any other lawful manner.

(d) The riverboat licensee or riverboat license applicant shall notify the executive director, in writing, at least thirty (30) days before counterfeit chips or tokens are destroyed. The riverboat licensee or riverboat license applicant shall notify the executive director of the following information:
(1) The number and denominations, actual and purported, of the coins and counterfeit chips and tokens destroyed or otherwise disposed of under this rule.
(2) The date on which they were discovered.
(3) The date, place, and method of destruction or other disposition, including, in the case of foreign coin exchanges, the exchange rate and the identity of the bank, exchange company, or other business or person at which or with whom the coins are exchanged.
(4) The names of the occupational licensees carrying out the destruction or other disposition on

behalf of the riverboat licensee or riverboat licensee applicant.
(5) Any other information deemed necessary by the executive director or the commission to ensure compliance with the Act and this title.

(e) Unless otherwise approved by the executive director, at least two (2) people, one (1) of whom is an agent of the commission, shall be present when the counterfeit chips or tokens are destroyed.

(f) Unless the executive director notifies the riverboat licensee or riverboat license applicant within thirty (30) days of the receipt of the letter set forth in subsection (c), the method of destruction will be deemed approved.

(g) Each riverboat licensee or riverboat licensee applicant shall maintain records required by this rule for at least five (5) years.

SECTION 67. **(a) This SECTION supercedes 68 IAC 15-1-1.**

(b) This rule applies to all riverboat licensees and riverboat license applicants.

(c) The following definitions apply throughout this article:
(1) "Internal auditor" means an individual employed by the riverboat licensee or an affiliate to perform audits of gaming and nongaming operations to ensure:
(A) proper accounting department controls; and
(B) adherence to the Act and this title.
(2) "Security department" means the individuals employed by the riverboat licensee to provide security services for the riverboat gambling operation.

(d) Unless otherwise specified, all riverboat licensees and riverboat license applicants shall maintain all accounting records for a period of five (5) years within the state of Indiana.

SECTION 68. **(a) This SECTION supercedes 68 IAC 15-1-4.**

(b) Amendments to the policies and procedures for accounting records shall be handled in the following manner:
(1) Amendments to any portion of the policies and procedures for accounting records must be submitted to the executive director at least forty-five (45) days prior to the utilization of the policies and procedures for accounting records.
(2) The executive director shall, in writing, approve the amendment to the accounting records.
(3) No amendment to policies and procedures for accounting records may be utilized by a riverboat license applicant or riverboat licensee unless the amendment to the policies and procedures for accounting records has been approved, in writing, by the executive director.
(4) The riverboat licensee shall advise the executive director of any change in an event scheduled to occur in conjunction with this article at least twenty-four (24) hours before the change is instituted. If the time of the scheduled event has to be altered due to an emergency, the riverboat licensee shall notify the enforcement agent, in writing, immediately, and provide a written explanation for the change to the executive director within twenty-four (24) hours.

SECTION 69. **(a) This SECTION supercedes 68 IAC 15-1-4.1.**

(b) Unless otherwise provided in this title, if an occupational licensee finds chips, tokens, cash, or cash equivalent on the riverboat, the occupational licensee must turn the chips, tokens, cash, or cash equivalent into the appropriate area of the main bank of the riverboat licensee. The riverboat licensee shall maintain the chips, tokens, cash, or cash equivalent for a period of at least twenty (20) days to determine if a patron will claim the chips, tokens, cash, or cash equivalent. If the chips, tokens, cash, or cash equivalents are not claimed by a patron, the riverboat licensee shall institute one (1) of the following policies with respect to unclaimed chips, tokens, cash, or cash equivalents turned in by occupational licensees:
(1) If the chips, tokens, cash, or cash equivalents are not claimed by a patron, the chips, tokens, cash, or cash equivalent must be included in the drop on the gaming day the waiting period expires.
(2) The riverboat licensee shall handle the chips, tokens, cash, or cash equivalent not claimed by a patron in accordance with a policy submitted by the riverboat licensee to the regional audit administrator for the commission and that has been approved by the executive director.

The riverboat licensee must disseminate this rule to all occupational licensees employed by the riverboat licensee or occupational licensees employed by another company but assigned to perform their duties at the riverboat licensee's riverboat gambling operation.

SECTION 70. **(a) This SECTION supercedes 68 IAC 15-1-5.**

(b) In the event of an emergency, the riverboat licensee may amend the policies and procedures for accounting records. The enforcement agent must concur that an emergency exists prior to the amendment of the policies and procedures for accounting records.

(c) The riverboat licensee shall report any emergency amendment to the policies and procedures for accounting records to the enforcement agent immediately.

(d) The riverboat licensee shall submit a description of the amendment to the policies and procedures for accounting records and the circumstances necessitating the amendment within ten (10) business days of the amendment to the executive director.

(e) As soon as the circumstances necessitating the emergency amendment to the policies and procedures for accounting records abate, the riverboat licensee shall resume compliance with the approved policies and procedures for accounting records.

SECTION 71. **(a) This SECTION supercedes 15-2-1** *[68 IAC 15-2-1]***.**

(b) This rule applies to riverboat licensees and occupational licensees.

(c) As used in this rule, "security department" means the individuals employed by the riverboat licensee to provide security services for the riverboat gambling operation.

(d) The riverboat licensee shall establish procedures for tracking and reporting cash transactions or a series of cash transactions that occur in the same gaming day, in excess of three thousand dollars ($3,000).

(e) The riverboat licensee shall establish procedures for reporting cash transactions made by a gaming patron during a twenty-four (24) hour period that exceed ten thousand dollars ($10,000) on a currency transaction report. The report shall be filed with the Internal Revenue Service within fifteen (15) days of the transaction occurring and a copy shall be filed simultaneously with the enforcement agent. Currency transaction reports shall be filed for any single transaction or a series of related multiple transactions with the same directional flow.

(f) Compliance with this rule does not release the riverboat licensee from its obligation to comply with all applicable state and federal regulations.

SECTION 72. **(a) This SECTION supercedes 68 IAC 15-2-2.**

(b) Cash transactions involving cash in or cash out in excess of ten thousand dollars ($10,000) must be reported by occupational licensees. The information to be reported shall include, but is not limited to, the information that is required by 31 U.S.C. 5313 and 31 CFR 103.

(c) In addition to filing copies of the cash transactions with the Internal Revenue Service and the enforcement agent in accordance with section 1(d) of this rule, the riverboat licensee shall simultaneously file copies of the cash transactions with the commission office in Indianapolis, Indiana. The copies of the cash transaction reports submitted to the commission and the enforcement agent shall be accompanied by a cover letter that identifies the riverboat licensee that is submitting the copies and the time period that is covered by the copies of the cash transactions. The riverboat licensee shall also prepare and submit to the commission and the enforcement agent a summary of the cash transaction reports that are being submitted that includes the following information:

(1) The date on which the cash transaction report was completed by the riverboat licensee.
(2) The name of the patron for whom the cash transaction report was completed.
(3) The amount of cash involved in the transaction that prompted the completion of the cash transaction report.
(4) An indication of whether the cash was received by the riverboat licensee or paid out by the

riverboat licensee.

SECTION 73. **(a) This SECTION supercedes 15-4-2** *[68 IAC 15-4-2]***.**

(b) The riverboat licensee or riverboat license applicant shall be responsible for establishing policies and procedures for the purchase, receipt, inventory, storage, and destruction of chips and tokens. These policies and procedures must be submitted to and approved by the executive director in accordance with 68 IAC 15-1.

(c) Procedures for the purchase and receipt of chips and tokens shall include, but are not limited to, the following:
(1) Chips and tokens shall only be purchased from a licensed supplier. The riverboat licensee or riverboat license applicant shall be responsible for communicating with licensed suppliers to arrange secured shipment and receipt of chips or tokens. Shipment shall be made via an exclusive courier who shall be required to use sealed doors and implement procedures for documenting all stops along the route.
(2) The occupational licensee delegated the responsibility of ordering chips and tokens shall be at least the slot manager or cage manager level, or the equivalent.
(3) The commission shall be notified in writing prior to the delivery of any chips or tokens. This notification shall include the following information:
(A) Date and time of delivery.
(B) Location of delivery.
(C) A detailed description of the method and details of the secured shipment that will be utilized to transport the chips or tokens.
(D) Amount of chips or tokens, by denomination.
(E) Occupational licensee who authorized the order of the chips or tokens.
(F) Any other information deemed necessary by the executive director or commission to ensure compliance with the Act and this title.
(4) At least two (2) occupational licensees from separate departments shall open and count the chips or tokens received. An enforcement agent shall also be present while the chips or tokens are being opened and counted.
(5) Any deviation between the actual count of chips or tokens received and the invoice or packing slip accompanying the chips or tokens or any defects in the chips or tokens shall be immediately reported to the executive director.
(6) The actual count of chips or tokens shall be recorded in a log or ledger. This log or ledger will be in a format approved by the commission. The following information shall, at a minimum, be included in the log or ledger:
(A) Date of receipt of the chips or tokens.
(B) Amount of chips or tokens, by denomination.
(C) Whether the chips are value chips or nonvalue chips.
(D) Whether the chips are part of the primary or reserve set of chips.
(E) Total token and chip inventory.
(F) Signatures of the occupational licensees counting the chips or tokens received.
(G) Name of the enforcement agent observing the delivery of the chips or tokens.
(H) Signature of the occupational licensee recording the entry.
(I) Any other information deemed necessary by the executive director or the commission to ensure compliance with the Act and this title.
(7) If any of the chips are to be held in reserve, then those chips shall be stored in a locked cabinet separate from all other chips.

SECTION 74. **(a) This SECTION supercedes 68 IAC 15-5-3.**

(b) The riverboat licensee shall compute the total receipts from table games by adding the table win as defined in 68 IAC 1-1-93 and the daily chip float adjustment.

(c) The daily chip float shall be computed in the following manner:
(1) Begin with the dollar value of chips on hand per the chip inventory ledger.
(2) Subtract the dollar value of the ending inventory of chips held by the riverboat licensee. The ending inventory shall include the following:
(A) The dollar value of chips in the vault.
(B) The dollar value of chips in the cage drawer.

(C) The dollar value of chips in the change lockers.
(D) The dollar value of chips on the live gaming device tables.
(3) The daily chip float must be calculated and recorded separately for each denomination of chips.

(d) The daily chip float adjustment shall be computed by subtracting the previous gaming day's chip float from the current gaming day's chip float.

(e) If any denomination of chip float becomes negative, the riverboat licensee must take the following steps:
(1) Immediately investigate the reason for the negative chip float.
(2) Immediately notify the enforcement agent.
(3) Notify the commission, in writing, on the next business day.

SECTION 75. **(a) This SECTION supercedes 68 IAC 15-5-4.**

(b) The riverboat licensee shall compute the total receipts from electronic gaming devices in the following manner:
(1) Add the following applicable figures for electronic gaming device drop buckets:
(A) For electronic gaming devices that were not part of the drop bucket collection process under 68 IAC 11-2 for that gaming day, add the dollar value of the drop per the central computer system.
(B) For electronic gaming devices that were part of the drop bucket collection process under 68 IAC 11-2 for that gaming day, add the dollar value of the contents of the drop buckets, including foreign tokens, per the hard count.
(2) Add the following applicable figures for electronic gaming device bill validator drop boxes:
(A) For electronic gaming device bill validator drop boxes that were not part of the currency collection process under 68 IAC 11-3 for that gaming day, add the dollar value of the drop per the central computer system.
(B) For electronic gaming device bill validator drop boxes that were part of the currency collection process under 68 IAC 11-3 for that gaming day, add the dollar value of the contents of the bill validator drop boxes per the soft count.
(3) Deduct the following figures:
(A) The dollar value of the amount previously reported per the central computer system on a previous gaming day that is included in the drop bucket collection process or the bill validator collection process for the current gaming day.
(B) The dollar value of manually paid jackpots.
(C) The dollar value of hopper fills. The riverboat licensee shall not take a deduction for hopper fills that are made prior to the commencement of gaming operations or prior to the utilization of any electronic gaming device.
The total of subdivisions (1) through (2) shall be added to the daily token float adjustment to arrive at the total receipts from electronic gaming devices.

(c) The riverboat licensee shall compute the daily token float in the following manner:
(1) Begin with the dollar value of tokens on hand per the token inventory ledger.
(2) Subtract the dollar value of the ending token inventory held by the riverboat licensee. The ending token inventory shall include the following:
(A) The dollar value of tokens in the hard count room.
(B) The dollar value of tokens in the vault.
(C) The dollar value of tokens in the cage drawers.
(D) The dollar value of tokens in the change lockers.
(E) The dollar value of tokens in the hoppers. If this deduction is not based on an actual number of tokens in the hoppers, the figure utilized must be approved by the executive director or the executive director's designee.
(3) The daily token float must be calculated and recorded separately for each denomination of tokens.

(d) The daily token float adjustment shall be arrived at by subtracting the previous gaming day's token float from the current gaming day's token float.

(e) If any denomination of token float becomes negative, the riverboat licensee must take the following steps:
(1) Immediately investigate the reason for the negative token float.
(2) Immediately notify the enforcement agent.

(3) Notify the commission, in writing, on the next business day.

SECTION 76. **(a) This SECTION supercedes 15-6-1** *[68 IAC 15-6-1]***.**

(b) This rule applies to riverboat licensees.

(c) All admission procedures utilized by a riverboat licensee must be in compliance with this rule, and all admission taxes must be reported in accordance with this rule.

(d) The following definitions apply throughout this rule:
(1) "Carryover patron" means a patron who remains on board past the disembarkation period of any excursion following the initial excursion for which the patron boarded the riverboat.
(2) "Enforcement agent" means one (1) of the members of the Indiana state police department who is assigned to work with the commission and who is on duty.
(3) "Complimentary admission ticket" means a ticket issued to a patron by the riverboat licensee wherein the patron is not charged the admission price. The riverboat licensee must pay the admission tax for that patron in accordance with this rule and IC 4-33-12.
(4) "Passenger" includes the patrons in addition to those individuals entitled to receive a tax-free pass.
(5) "Patron" means an individual who:
(A) boards the riverboat to participate in a gambling excursion; and
(B) is not entitled to receive a tax-free pass.
(6) "RG-1" means the Daily Adjusted Gross Receipts and Tax Remittance Form.
(7) "Tax-free pass" means a pass that is issued to persons listed in IC 4-33-12-3 that allows the individual to board the riverboat without paying an admission charge. The riverboat licensee does not have to remit the admission tax for persons who receive a tax-free pass. Persons on board the riverboat with a tax-free pass shall not participate in any gambling game.
(8) "Vendor" means a person who is on the riverboat to supply the riverboat licensee with a good or service necessary for the conduct of the riverboat gambling operation.

SECTION 77. **(a) This SECTION supercedes 68 IAC 15-6-2.**

(b) Admissions to the riverboat must be conducted in the following manner:
(1) Should a riverboat licensee choose not to observe flexible scheduling, the requirements are as follows:
(A) The embarkation period for each gaming excursion may not exceed a period of thirty (30) minutes.
(B) The disembarkation period for each gaming excursion may not exceed a period of thirty (30) minutes. During the disembarkation period, no new patrons shall be allowed to board the riverboat.
(C) The riverboat licensee may allow patrons to disembark during the embarkation period for the next gaming excursion or at any time that the riverboat remains at the dock and gambling continues in accordance with IC 4-33-9-2. The riverboat licensee is responsible for ensuring it is in compliance with subdivision (10) at all times. The admissions tax must be paid by the patron or the riverboat licensee for any patron who disembarks during the embarkation period for the next gaming excursion or who disembarks at any time during a gaming excursion after the conclusion of the thirty (30) minute disembarkation period.
(D) The admissions tax must be paid by the carryover patron or the riverboat licensee for each excursion that a patron remains on board.
(2) Should a riverboat licensee choose to observe flexible scheduling, the embarkation and disembarkation are not limited to any period and the patrons shall be allowed to board or exit at will.
(3) Whether or not a riverboat licensee chooses to observe flexible scheduling:
(A) all patrons boarding or exiting the riverboat must pass through a turnstile or other approved patron counting equipment;
(B) the riverboat licensee is responsible for ensuring that the turnstile or equivalent keeps an accurate count of the patrons who board the riverboat; and
(C) if a patron exits the riverboat and passes through a turnstile or the equivalent, the patron may not reenter the riverboat until the patron pays whatever boarding fee is required of a patron boarding for the first time or is issued a complimentary pass by the riverboat licensee.
(4) Should a riverboat licensee choose not to observe flexible scheduling, a passenger count must be completed for each gambling excursion.
(5) Should a riverboat licensee choose to observe flexible scheduling, a passenger count must be

completed for the gaming day.

(6) Should a riverboat licensee choose to observe twenty-four (24) hour gaming, a passenger count must be computed at the end of each gaming day and shall include those patrons remaining on board the riverboat at the time of each new gaming day. The following four (4) counts will be recorded at the close of the gaming day:

(A) If applicable, the actual admissions ticket count.

(B) The patron ingress turnstile count.

(C) The patron egress turnstile count.

(D) If applicable, the total onboard count.

At the close of the gaming day, boarding and exiting will be momentarily suspended to allow for the recording of the meters and the taking of the turnstile counts. The onboard count shall be added to the new gaming day's ingress turnstile count. The recording, resetting, and onboard additions to the ingress turnstile shall be completed in the presence of and observed by an enforcement agent. For admission tax reporting for twenty-four (24) hour gaming, the count shall be adjusted to account for and include the onboard count.

(7) The riverboat licensee shall submit passenger count procedures to the executive director at least sixty (60) days before the commencement of gambling operations. The passenger count procedures shall include, but not be limited to, the following:

(A) A description of the type of equipment that will be utilized to complete a patron count.

(B) The form that will be utilized to report the patron count.

(C) The procedure that will be utilized to ensure patron boarding occurs only during the appropriate embarkation period should a riverboat licensee choose not to observe flexible scheduling.

(D) Emergency procedures that will be utilized in case the primary patron counting equipment malfunctions.

(E) The manner in which the riverboat licensee will ensure that the total number of passengers does not exceed the capacity of the riverboat as set forth in the certificate of inspection issued by the United States Coast Guard.

(F) Any other information deemed necessary by the executive director or the commission to ensure compliance with the Act and this title.

(8) The riverboat licensee shall notify the enforcement agent immediately if the primary patron counting system malfunctions.

(9) The following individuals are entitled to a tax-free pass and do not have to pass through the patron counting equipment when boarding the riverboat:

(A) Occupational licensees of the riverboat licensee.

(B) Other employees of the riverboat licensee who are boarding the riverboat in the performance of official duties.

(C) Commission:

(i) members;

(ii) staff; and

(iii) agents.

(D) Official guests approved by commission:

(i) members;

(ii) staff; and

(iii) agents.

(E) Vendors who have completed the appropriate vendor log in accordance with section 4 of this rule.

(F) Any other person authorized by the executive director or the commission to ensure compliance with the Act and this title.

(10) All persons boarding the riverboat on a tax-free pass must have an appropriate badge.

(11) At no time shall the riverboat licensee allow the total number of passengers to exceed the capacity of the riverboat as set forth in the certificate of inspection issued by the United States Coast Guard.

SECTION 78. **(a) This SECTION supercedes 68 IAC 15-7-2.**

(b) The riverboat licensee shall require the revenue auditor or its equivalent to perform certain procedures on a daily basis. These procedures should be performed on a sample basis for both computerized and manual forms and shall include, at a minimum, the following:

(1) Trace table game fills and credit slips originals to duplicate copies and to orders for fills and credits to verify agreement.

(2) Review the table game fills and credits slips for the proper number of authorized signatures,

date-time stamps, and accurate arithmetic.
(3) Verify and account for the numerical sequence of the table games fills and credits slips.
(4) Review all voided table game fills and credits for appropriate handling and required number of authorized signatures. Assure that all appropriate forms are attached.
(5) Verify that credits and fills are properly recorded for the computation of win.
(6) Trace opening drop cards to the previous shift's closing inventory slip to verify agreement and test for completeness and propriety.
(7) Trace fills and credits, opening and closing table chip inventories, and marker transactions to the marker gaming reports.
(8) Trace the detail from the master gaming report into the accounting entries recording the transactions and to the total cash summary.
(9) Any other procedures deemed necessary by the executive director or the commission to ensure compliance with the Act and this title.

(c) The riverboat licensee shall require that all variances or discrepancies from subsection (a) shall be investigated, recorded, and reported to the head of the accounting department or its equivalent. The information shall be made available upon demand by the commission staff or enforcement agent.

(d) Any variances or discrepancies that affect the calculation of the win shall be adjusted for in the financial statements and reported on Form RG-1 for the appropriate gaming day.

SECTION 79. **(a) This SECTION supercedes 68 IAC 15-7-4.**

(b) The riverboat licensee shall establish auditing procedures in connection with admissions revenue. These procedures shall be performed on a daily basis and shall include, at a minimum, the following:
(1) Review the passenger count form and summary passenger count form for propriety and completeness.
(2) Recalculate the admissions revenue and admissions tax per the passenger count forms and reconcile the total to the summary passenger count form.
(3) Ensure the numbers on the passenger count forms and summary passenger count forms correspond to the numbers entered on Schedule A of Form RG-1.
(4) On a sample basis, the auditor or his or her equivalent will verify admissions revenue and tax by counting the boarding passes and comparing the total to the passenger count form.

(c) The riverboat licensee shall require that all variances or discrepancies from subsection (a) be investigated, recorded, and reported to the head of the accounting department or equivalent and the commission staff or enforcement agent.

(d) Any variances or discrepancies that affect the calculation of table game wins shall be adjusted for in the financial statements and reported on Form RG-1 on the gaming day the variance or discrepancy was discovered.

SECTION 80. **(a) This SECTION supercedes 68 IAC 15-9-1.**

(b) This rule applies to riverboat licensees.

(c) The following definitions apply throughout this rule:
(1) "Gaming occupational licensee" means an occupational licensee that is actively involved in dealing a game or assisting with the direct operation of a gambling game.
(2) "Tip count team" means a team comprised of at least two (2) individuals, one (1) of whom shall be a dealer and another a casino cage cashier.

(d) Gaming occupational licensees may accept chips and tokens as a tip or gratuity only in accordance with this rule.

(e) The riverboat licensee or riverboat license applicant shall establish policies for the acceptance of tips and gratuities for gaming and nongaming employees. These policies shall include, at a minimum, the following requirements:
(1) No gaming occupational licensee shall accept currency as a tip or gratuity.
(2) No riverboat gaming operation key person or occupational licensee who serves in a supervisory

position shall solicit or accept tips or gratuities from a patron.
(3) No riverboat employee shall solicit any tip or gratuity.
(4) No portion of a winning tip bet is allowed to remain in action. All tip bets won shall be shown to the surveillance camera and then immediately placed in the tip box by the dealer.
(5) Any other policies deemed necessary by the executive director of the commission to ensure compliance with the Act and this title.

(f) A patron may pay for food and beverages with chips or tokens purchased or won by the patron. Chips and tokens received as payment for food and beverages shall be redeemed in accordance with section 4 of this rule.

SECTION 81. **(a) This SECTION supercedes 68 IAC 15-9-3.**

(b) The riverboat licensee shall establish policies and procedures in connection with the removal, collection, and counting of the tip box contents for subsequent distribution to gaming occupational licensees. These policies and procedures shall include, at a minimum, the following:
(1) Tip boxes will be dropped and counted at the end of each day. Surveillance will be notified prior to the emptying of any tip boxes.
(2) Surveillance will be required to tape and monitor the drop and count. The tape will be maintained for a minimum of five (5) days. The tape shall be made available to the commission staff or enforcement agent upon request.
(3) The drop and count will be performed once a day by the tip count team in the presence of a security officer.
(4) The results of the tip count shall be documented on at least a two-part tip and gratuity form and be signed by the tip count team prior to transportation to the casino cage.
(5) The tips and the original and duplicate copy of the tip and gratuity form shall be transported to a casino cage by the tip count team. The casino cashier, in the presence of the tip count team, shall verify the drop, sign the original and duplicate of the tip and gratuity form, maintain the duplicate for accountability, and return the original to the tip count team.
(6) The duplicate copy shall be forwarded by the cage to accounting.
(7) Tips shall be deposited into a bank for pro rata distribution among the employees.
(8) Distribution of tips and gratuities shall be made following the riverboat licensee's payroll accounting practices and shall be subject to all applicable state and federal withholding taxes.
(9) Any other policies and procedures deemed necessary by the executive director or the commission to ensure compliance with the Act and this title.

(c) The riverboat licensee shall establish procedures for the emptying of full tip box containers during the day. The procedures shall include, at a minimum, the following:
(1) The contents are to be placed in a locked, secured container within the pit area.
(2) At least two (2) occupational licensees to perform the drop.
(3) Surveillance shall be notified prior to the drop.
(4) Procedures for the checking out of the key for access to the tip box. These procedures shall be in accordance with 68 IAC 11-7.
(5) Any other procedures deemed necessary by the executive director or the commission to ensure compliance with the Act and this title.

SECTION 82. **(a) This SECTION supercedes 68 IAC 15-10-4.1.**

(b) All cage inventories must be accurately reported at the conclusion of each shift on the inventory form utilized by the riverboat licensee. All overages and shortages must be recorded at the conclusion of the shift during which the variance was discovered.

(c) All cage variances of five hundred dollars ($500) or two percent (2%), whichever is less, must be reported on a form approved by the commission to the following within one (1) business day after the discovery of the variance:
(1) The security department.
(2) The surveillance department.
(3) An enforcement agent.

(d) All variances of five thousand dollars ($5,000) or more or a variance of any amount that is of a nature that indicates criminal activity must be reported on a form approved by the commission to the

following immediately:

(1) The security department.

(2) The surveillance department.

(3) An enforcement agent.

These variances must be reported to the commission audit staff at the beginning of the next business day.

(e) All variances of five hundred dollars ($500) or two percent (2%), whichever is less, or any variance that is of a nature that indicates criminal activity must be investigated by the riverboat licensee. The variance and the results of the investigation must be reported to the head of the accounting department or the equivalent. All unresolved variances must be investigated by the accounting director or designee. The results of the investigation shall be reported on the document provided to him or her by the cage department. Any surveillance tapes or records relating to the variance must be preserved and retained by the riverboat licensee until the regional audit administrator for the commission advises the tapes or records, or both, may be recycled. The results of any investigation into these variances must be reported to an enforcement agent. If the variance that was investigated exceeded five thousand dollars ($5,000), the results of the investigation must also be reported to the commission audit staff.

(f) The riverboat licensee's internal auditor must review, on a quarterly basis, cage variances to ensure that the variances are appropriately and thoroughly investigated and reported. The results of the internal auditor's review must be reflected on the quarterly internal audit report filed in accordance with 68 IAC 15-8.

SECTION 83. **(a) This SECTION supercedes 68 IAC 17-1-1.**

(b) This rule applies to all riverboat licensees and riverboat license applicants.

(c) Electronic gaming devices may only be moved in accordance with this rule. Riverboat licensees, riverboat license applicants, and supplier licensees must comply with this rule before any of the following occur:

(1) Electronic gaming devices are transported from any point outside of Indiana into the state of Indiana.

(2) Electronic gaming devices are transported from any point within Indiana to any point outside of Indiana.

(3) Electronic gaming devices are transported within Indiana.

(d) Except as provided in section 2(d) of this rule, transportation notification is not required for the movement of an electronic gaming device on the casino floor of a riverboat.

(e) Electronic gaming devices may only be sold or delivered, or both, to riverboat licensees, riverboat license applicants, or other persons entitled to possess electronic gaming devices pursuant to applicable state and federal law.

(f) An electronic gaming device may not be delivered to a riverboat licensee or a riverboat license applicant unless a member of the commission staff or an enforcement agent is present at the point of delivery. The riverboat licensee is responsible for ensuring that a member of the commission staff or an enforcement agent is present at the point of delivery.

(g) All EPROMs shall be transported separately from the shipment of electronic gaming devices. If an electronic gaming device is not being utilized by a riverboat licensee and is being stored off of the riverboat, the EPROM shall be stored separately in a locked safe or the equivalent.

(h) Only a person who is licensed by the commission or who has the legal ability to possess an electronic gaming device in the jurisdiction in which the person will hold the electronic gaming device may purchase an electronic gaming device from a riverboat licensee or supplier licensee.

SECTION 84. **(a) This SECTION supercedes 68 IAC 17-1-2.**

(b) At least ten (10) days before transporting electronic gaming devices, the person causing the movement of the electronic gaming device shall notify the executive director, in writing, and provide the following information:

(1) The full name, business address, and business telephone number of the person selling the electronic gaming device.
(2) The full name, business address, and business telephone number of the ultimate owner of the electronic gaming device if ownership is being changed in connection with the transportation of the electronic gaming device.
(3) The method of transportation and the name, business address, and business telephone number of the carrier or carriers.
(4) The full name, business address, and business telephone number of the person to whom the electronic gaming device is being transported.
(5) The individual responsible for the shipment of the electronic gaming device for each person listed in subdivisions (1) through (4).
(6) The destination of the electronic gaming device if the address is different from the business address listed in subdivision (2).
(7) The quantity of electronic gaming devices being transported.
(8) A brief description of the electronic gaming device being transported.
(9) The serial number of the electronic gaming device and a request for the issuance of a commission registration number in accordance with 68 IAC 2-6-5(a)(9).
(10) The expected date and time of delivery of the electronic gaming device to the riverboat.
(11) The expected date and time of the exit of the electronic gaming device if the device is exiting Indiana.
(12) If the origin of the electronic gaming device being transported into Indiana is outside of the United States, the port of exit from that jurisdiction and the point of entry into the United States.
(13) If the electronic gaming device is being transported to a destination outside of the United States, the port of exit from the United States.
(14) The reason for the transportation of the electronic gaming device.
(15) Upon request by the executive director, the person selling the electronic gaming device must prove that the recipient is authorized, under state and federal law, to receive the electronic gaming device.

(c) The person receiving the electronic gaming device prove receipt of the electronic gaming device if requested by the executive director.

(d) Before an electronic gaming device is removed from the casino floor, the riverboat licensee or riverboat license applicant must ensure the following actions are taken:
(1) The hopper is emptied in accordance with 68 IAC 15-11-4.
(2) An enforcement agent removes the evidence tape that was affixed in accordance with 68 IAC 2-6-19.
(3) Before an electronic gaming device is removed from Indiana, the riverboat licensee or riverboat license applicant shall remove the commission registration tag and return the tag to the enforcement agent. An enforcement agent must be present when the commission registration tag is removed.

(e) Riverboat licensees or riverboat license applicants must notify the executive director, in writing, of the following information before moving an electronic gaming device on the floor of the riverboat:
(1) The change in the position or location number of the electronic gaming device.
(2) The new designation the electronic gaming device will have in the central computer system.
(3) Any other information deemed necessary by the executive director or the commission to ensure compliance with the Act and this title.

SECTION 85. **(a) This SECTION supercedes 68 IAC 17-1-3.**

(b) Each riverboat licensee and riverboat license applicant must maintain an electronic gaming device movement log on forms prescribed by the commission. The electronic gaming device movement log shall contain, at a minimum, the following information:
(1) The manufacturer of the electronic gaming device being transported.
(2) The type of electronic gaming device being transported.
(3) The serial number and commission registration number, if issued, of the electronic gaming device.
(4) The destination of the electronic gaming device.
(5) The expected date and time of shipment.
(6) The method of transportation and the name, business address, and business telephone number of the carrier or carriers.

(7) Any other information the executive director or the commission deems necessary to ensure compliance with the Act and this title.

(c) The electronic gaming device movement log shall be maintained by the riverboat licensee and the riverboat license applicant for a minimum of five (5) years and shall be made available for inspection upon demand by the commission or an enforcement agent.

SECTION 86. **(a) This SECTION supercedes 68 IAC 17-1-4.**

(b) The executive director or the commission may waive, alter, or restrict any procedure or requirement set forth in this article if the executive director determines the procedure or requirement is impractical or burdensome and the waiver, alteration, or restriction is in the best interest of the public and the gaming industry, and is not outside the technical requirements necessary to serve the purpose of the requirement or the procedure.

SECTION 87. **(a) This SECTION supercedes 68 IAC 17-1-5.**

(b) The executive director shall report any action he or she has taken or contemplates taking under this rule with respect to the transportation of electronic gaming devices to the commission at the next meeting held under 68 IAC 1-2-5. The commission may direct the executive director to take additional or different action.

SECTION 88. **(a) This SECTION supercedes 68 IAC 17-2-1.**

(b) This rule applies to all riverboat licensees and riverboat license applicants.

(c) Live gaming devices may only be moved in accordance with this rule. Riverboat licensees, riverboat license applicants, and supplier licensees must comply with this rule before any of the following occur:
(1) Live gaming devices are transported from any point outside of Indiana into Indiana.
(2) Live gaming devices are transported from any point within Indiana to any point outside Indiana.
(3) Live gaming devices are transported within Indiana.

(d) Except as provided in section 2(c) of this rule, transportation notification is not required for movement of a live gaming device on the casino floor of a riverboat.

(e) Live gaming devices may only be sold or delivered, or both, to riverboat licensees, riverboat license applicants, or other persons entitled to possess live gaming devices under applicable state and federal law.

(f) A live gaming device may not be delivered to a riverboat licensee or a riverboat license applicant unless a member of the commission staff or an enforcement agent is present at the point of delivery. The riverboat licensee is responsible for ensuring that a member of the commission staff or an enforcement agent is present at the point of delivery.

(g) Only a person who is licensed by the commission or who has the legal ability to possess a live gaming device in the jurisdiction in which the person will hold the live gaming device may purchase a live gaming device from a riverboat licensee or supplier licensee.

SECTION 89. **(a) This SECTION supercedes 68 IAC 17-2-2.**

(b) At least ten (10) days before transporting live gaming devices, the person causing the movement of the live gaming device shall notify the executive director, in writing, and provide the following information:
(1) The full name, business address, and business telephone number of the ultimate owner of the person selling the live gaming device.
(2) The full name, business address, and business telephone number of the ultimate owner of the live gaming device if ownership is being changed in connection with the transportation of the live gaming device.
(3) The method of transportation and the name, business address, and business telephone number of the carrier or carriers.

(4) The full name, business address, and business telephone number of the person to whom the live gaming device is being transported.
(5) The individual responsible for the shipment of the live gaming device for each person listed in subdivisions (1) through (4).
(6) The destination of the live gaming device if the address is different from the business address listed in subdivision (2).
(7) The quantity of live gaming devices being transported.
(8) A brief description of each live gaming device being transported.
(9) Any serial number assigned to the live gaming device and a request for the issuance of a commission registration number in accordance with 68 IAC 14-1-2.
(10) The expected date and time of delivery of the live gaming device to the riverboat.
(11) The expected date and time of the exit of the live gaming device if the device is exiting Indiana.
(12) If the origin of the live gaming device being transported into Indiana is outside of the United States, the port of exit from that jurisdiction and the point of entry into the United States.
(13) If the live gaming device is being transported to a destination outside of the United States, the port of exit from the United States.
(14) The reason for the transportation of the live gaming device.
(15) Upon request by the executive director, the person selling the live gaming device must prove that the recipient is authorized, under state and federal law, to receive the live gaming device.

(c) The person receiving the live gaming devices must prove receipt of the live gaming device if requested by the executive director.

(d) Before a live gaming device is removed from the casino floor, the riverboat licensee or riverboat license applicant shall remove the commission registration tag and return the tag to the enforcement agent. An enforcement agent must be present when the commission registration tag is removed.

(e) The riverboat licensee or riverboat license applicant must notify the executive director and the enforcement agent, in writing, of the following information before moving a live gaming device on the floor of the riverboat:
(1) The change in the position or location number of the live gaming device.
(2) Any change in designation the live gaming device will have in the central computer system.
(3) Any other information deemed necessary by the executive director or the commission to ensure compliance with the Act and this title.

SECTION 90. **(a) This SECTION supercedes 68 IAC 17-2-3.**

(b) Each riverboat licensee and riverboat license applicant must maintain a live gaming device log on forms prescribed by or approved by the commission. The live gaming device movement log shall contain, at a minimum, the following information:
(1) The manufacturer of the live gaming device being transported.
(2) The type of live gaming device being transported.
(3) Any serial number assigned to the live gaming device, and the commission registration number, if issued, of the live gaming device.
(4) The destination of the live gaming device.
(5) The expected date and time of the shipment.
(6) The method of transportation and the name, business address, and business telephone number of the carrier or carriers.
(7) Any other information the executive director or the commission deems necessary to ensure compliance with the Act and this title.

(c) The live gaming device movement log shall be maintained by the riverboat licensee and riverboat license applicant for a minimum of five (5) years and shall be made available for inspection upon demand by the commission or an enforcement agent.

SECTION 91. **(a) This SECTION supercedes 68 IAC 18-1-1.**

(b) This rule applies to riverboat licensees and occupational licensees.

(c) All patron disputes shall be settled in compliance with this rule.

(d) The following definitions apply throughout this rule:
(1) "Complaint" means the form, prescribed by the commission, which a patron shall complete and submit to file a patron complaint.
(2) "Patron complaint" means any and all complaints a patron may have regarding the patron's treatment while gaming or while on the riverboat. Patron complaint includes disputes about patron winnings.

SECTION 92. **(a) This SECTION supercedes 68 IAC 18-1-2.**

(b) The riverboat licensee shall attempt to resolve all patron disputes with the patron.

(c) If the riverboat licensee and the patron cannot resolve the dispute, the riverboat licensee must advise the patron of the patron's right to file a complaint with the commission. The complaint may be:
(1) received by the enforcement agent; or
(2) sent to the commission office in Indianapolis, Indiana.
The riverboat licensee shall provide a patron with a complaint form upon request.

(d) The complaint shall contain, at a minimum, the following information:
(1) The name, address, and telephone number of the patron.
(2) A summary of the nature of the patron complaint, including the date and time on which the incident leading to the dispute occurred.
(3) A list of the names, if known, of any occupational licensees that were involved in or a witness to the incident that led to the patron dispute.
(4) The name, address, and telephone number, if known, of any witnesses to the incident that led to the patron dispute.
(5) A summary of the riverboat licensee's attempt to resolve the patron dispute.
(6) Any other information deemed necessary by the executive director or the commission.
The patron shall submit the complaint within five (5) business days of the incident that led to the patron dispute.

(e) The riverboat licensee shall respond to the commission regarding a patron complaint within the time period prescribed by the commission.

SECTION 93. **(a) This SECTION supercedes 19-1-4** *[68 IAC 19-1-4]***.**

(b) The commission staff and enforcement agents must have access to the warehouse and any records stored in the warehouse immediately upon request.

(c) All records pertaining to the warehouse must be maintained in Indiana for a period of at least two (2) years.

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