

24 NCAC 06A .0416 BANK SECRECY ACT COMPLIANCE

The Internal Controls shall ensure that the Operator remains in full compliance with provisions of The Bank Secrecy Act of 1970, 31 U.S.C 5311, and related federal regulations, applicable to the operation of Sports Wagering or Pari-Mutuel Wagering. The Commission's receipt, acknowledgement, or review of an Operator's internal controls concerning legal requirements originating outside of the Act does not constitute a legal determination by the Commission or its staff concerning the Operator's conduct or compliance with the law. The Operator shall:

- (1) Maintain records related to its compliance with The Bank Secrecy Act of 1970, 31 U.S.C 5311, including currency transaction reports, suspicious activity reports, and supporting documentation, for five years or for a period required by law for inspection by agents or officials of the State or federal government. If a litigation, claim, or audit is started before the expiration of the five-year period, the records shall be retained until litigation, claims, or audit findings involving the records have been resolved. The Operator shall provide the records to the Director and appropriate law enforcement agencies on request consistent with the authorization prescribed in The Bank Secrecy Act of 1970, 31 U.S.C 5311, and applicable regulations.
- (2) Provide written notice to the Director as soon as the Operator becomes aware of a compliance review that is conducted by the Internal Revenue Service under The Bank Secrecy Act of 1970, 31 U.S.C 5311, and involves or impacts the Operator. The Operator shall provide a copy of the compliance review report or the equivalent to the Director within 10 Days after the receipt of the report by the Operator.

*History Note: Authority G.S. 18C-114(a)(14);
Previously adopted as Rule 1D-016;
Eff. January 8, 2024;
Readopted Eff. March 27, 2024;
Amended Eff. June 22, 2024.*