

24 NCAC 06A .0606 OPERATOR DUTIES

(a) The Operator shall maintain its own copies of the exclusion lists and shall establish Internal Controls to ensure that its copies of the lists are kept up to date. The Operator shall obtain the lists from the Commission in a secure and confidential manner, such as via SFTP, at minimum every 72 hours. The lists may only be accessed by Individuals authorized in accordance with the Internal Controls.

(b) The Operator shall establish and implement Internal Controls to ensure that it, at minimum, undertakes commercially reasonable efforts to:

- (1) Prevent Voluntarily Excluded Persons and Involuntarily Excluded Persons from opening a new Wagering Account.
- (2) Identify and suspend any Wagering Accounts of Voluntarily Excluded Persons and Involuntarily Excluded Persons.
- (3) Seize any Winnings that accrue after an Individual's Exclusion.
- (4) Eject or refuse Voluntarily Excluded Persons and Involuntarily Excluded Persons from entry into a Wagering Facility.
- (5) Refund any remaining Account balances to Voluntarily Excluded Persons and Involuntarily Excluded Persons provided the Operator acknowledges that the funds have cleared.
- (6) Ensure that Voluntarily Excluded Persons and Involuntarily Excluded Persons do not receive targeted or personalized mailings, Advertisements, marketing materials, promotions, Player club materials, reward materials, or other promotional materials or incentives related to Wagering via any channel, including, but not limited to, U.S. Mail, email, text message, push notification, social media messaging, or phone. For purposes of this Subparagraph, "targeted" means that materials or messages are sent directly to an address, email address, telephone number, or other contact associated with the excluded Individual on their application or in the Operator's demographic record or files.
- (7) Notify the Director in a manner prescribed by the Director if a Voluntarily Excluded Person or an Involuntarily Excluded Person is found in its Wagering Facility or attempting to place a Wager.
- (8) In cooperation with the Commission, and where reasonably possible, determine the amount Wagered and lost by an Individual identified as a Voluntarily Excluded Person or an Involuntarily Excluded Person.
- (9) If a Player has pending Wagers prior to being excluded, handle these Wagers in accordance with the terms and conditions.

(c) At the request of the Director or Commission, Operators shall identify the parties or entities with whom it shares Voluntarily Excluded Person and Involuntarily Excluded Person data, and the technical methods it uses to share the information securely.

(d) Winnings seized from Voluntarily Excluded Persons and Involuntarily Excluded Persons and amounts Wagered and lost by such Persons shall be identified and collected by the Operator and conveyed to the Commission to be used solely to support gambling addiction education and treatment programs.

(e) Nothing in the Act or these Rules shall be construed to preclude an Operator from seeking the payment of a debt accrued by an Individual during a period when the Individual was not participating in the Voluntary Exclusion Program.

*History Note: Authority G.S. 18C-114(a)(14);
Previously adopted as Rule 1F-006;
Eff. January 8, 2024;
Readopted Eff. March 27, 2024;
Amended Eff. June 22, 2024.*