

## **Notice of Intent**

### **Department of Public Safety and Corrections**

#### **Gaming Control Board**

The Louisiana Gaming Control Board hereby gives notice that pursuant to La. R.S. 27:15 and La. R.S. 27:24 it intends to amend LAC 42:XI.2413.E. and LAC 42:XI.2424.B.

#### **Title 42 LOUISIANA GAMING**

#### **Part XI. Video Poker**

#### **Chapters 1- 23. Reserved**

#### **Chapter 24. Video Draw Poker**

##### **§2413. Devices**

A. – D.3. ...

E. Maintenance

1. Only certified technicians may access the interior of an enrolled and enabled video gaming device. Access includes routine maintenance, repairs or replacement of parts, paper, etc.

2. A certified technician level 1 and certified technician level 2 shall only be employed by an entity that is licensed by the division.

3. A certified technician level 2 must be certified by the manufacturer for the specific devices he works on.

4. Access of video draw poker devices by certified technicians, levels 1 and 2, must be authorized in writing by the device owner prior to accessing any device.

5. A device owner who authorizes a certified technician to access the device owner's video draw poker gaming device(s) is responsible for any actions by the certified technician that would constitute a violation of these regulations or the Act.

6. Access to any video draw poker gaming device by an unauthorized certified technician or by an individual who does not possess a current and valid certified technician permit, whether or not access by the uncertified individual was authorized by the device owner, is a violation of these regulations and the Act. The device owner shall be responsible for such violation. In addition, the device owner shall be responsible for any actions by an unauthorized certified technician or an uncertified individual who accesses the video draw poker gaming device(s) that would constitute a violation of these regulations or the Act.

7. All device owners shall maintain a current, written maintenance log for each video draw poker gaming device operating within a licensed establishment, on a form approved by the division, for the purpose of keeping records of routine maintenance and repairs. All log entries shall contain the following information:

- a. time and date of access of the video draw poker gaming device;
- b. reason for access of the video draw poker gaming device;
- c. mechanical (hard) and electronic (soft) meter readings of the video draw poker gaming device;
- d. the signed and printed name and state issued permit number of the certified individual accessing the video draw poker gaming device;

- e. area of the video draw poker gaming device accessed; and
- f. time and date the video draw poker gaming device was secured.

8. A division-approved RAM clear chip and procedure shall be used when a video draw poker gaming device's memory is to be cleared.

9. Whenever a video draw poker gaming device's software program is to be changed or upgraded, prior approval shall be obtained from the division, and the video draw poker gaming device's memory shall be cleared using a division-approved RAM clear chip.

10. Only licensed manufacturers, licensed distributors, and division personnel are allowed to possess RAM clear chips for video draw poker gaming devices.

11. Use of any other method to clear a video draw poker gaming device memory is prohibited unless specifically authorized by the division.

12. The division shall be notified before a video draw poker gaming device is disconnected from the division's central computer.

13. A video draw poker gaming device may not be substituted or replaced until the replacement video draw poker gaming device has been approved by the division and the proper validation decal has been affixed.

F. – L. I. c. ii. ....

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:4862.1 et seq. and R.S. 27:1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Gaming Enforcement Section, Video Gaming Division, LR 18:197 (February 1992), amended LR 21:582 (June 1995), amended by the Department of Public Safety and Corrections, Gaming Control Board, LR 23:1322 (October 1997), amended LR 25:85 (January 1999), LR 30:269 (February 2004), repromulgated LR 30:446 (March 2004), amended LR 32:109 (January 2006), LR 32:1613 (September 2006), amended LR.

**§2424. Enforcement Actions of the Board**

A. ...

B. Penalty Schedule

Regulation Number	Violation Description	1st	2nd	3rd
<b>Application and License</b>				
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<b>Video Gaming Devices</b>				
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<b>Revenues</b>				
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<b>Regulatory, Communication, and Reporting Responsibilities</b>				
***				
<b>Devices</b>				
***				

Regulation Number	Violation Description	1st	2nd	3rd
2413 E 1	Only Certified Technicians May Access The Interior Of An Enrolled And Enabled Device	1000	2000	Admin Action
2413 E 7	All Device Owners Shall Maintain A Current, Written Maintenance Log For Each Device Operating Within A Licensed Establishment On A Division Approved Form	100	200	300
2413 E 8	A Division Approved Ram Clear Chip And Procedure Shall Be Used When A Device's Memory Is To Be Cleared	500	1000	Admin Action
2413 E 9	Prior Approval Must Be Obtained Before A Software Program Is Changed In Any Device	500	1000	Admin Action
2413 E 12	The Division Shall Be Notified Before A Device Is Disconnected From Central Computer	500	1000	Admin Action
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<b>Gaming Establishments</b>				
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<b>Code of Conduct of Licensee</b>				
***				
<b>Investigations</b>				
***				
<b>Miscellaneous</b>				
***				

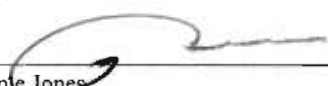
C. - D. ...

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 33:4862.1 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Public Safety and Corrections, Gaming Control Board. LR 36:2874 (December 2010), amended LR 38:2936 (November 2012), amended LR.

#### Public Comments

All interested persons may contact Earl Pitre, Jr., Attorney General's Gaming Division, telephone (225) 326-6500, and may submit comments relative to these proposed rules, through May 10, 2014, to 1885 North 3rd Street, Suite 500, Baton Rouge, LA 70802.

  
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 Ronnie Jones  
 Chairman