

205 CMR: MASSACHUSETTS GAMING COMMISSION
205 CMR 138.00: UNIFORM STANDARDS OF ACCOUNTING PROCEDURES AND
INTERNAL CONTROLS

138.40: Procedure for Acceptance of Checks. Cash Equivalents. Wire Transfers, and
Credit/Debit Cards: Issuance of Counter Checks

A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include policies and procedures relative to the acceptance of checks and cash equivalents presented by patrons, and the issuance of counter checks to patrons for gaming purposes. These policies and procedures shall include, but not be limited to:

- (8) Procedures to ensure that any credit card or automated teller machine operating in the gaming establishment does not allow a patron to obtain cash from a government-issued electronic benefits transfer card ~~or to process a credit card cash advance transaction~~ and that it is otherwise in conformance with 205 CMR 138.47;
- (9) Procedures to ensure that debit card cash transactions are not permitted to be initiated within 15 feet of the gaming area;
- (10) Procedures to ensure that no gaming chips, plaques, tokens, and other forms of gaming value may be purchased with a credit card. Provided, patrons may be permitted to pay gaming tournament entry fees with a credit card; and

138.47: Automated Teller Machines (ATM)

- (1) Use and operation of an Automated Teller Machine (ATM) or electronic branch, as defined by M.G.L. c. 167B, § 1, within a gaming establishment is governed by M.G.L. c. 167B and 209 CMR: *Division of Banks and Loan Agencies*.
- (2) No ATM or electronic branch, as defined by M.G.L. c. 167B, § 1, shall be located closer than 15 feet from the gaming area in a gaming establishment.
- (3) ~~No ATM or electronic branch shall initiate or process a cash advance transaction on a credit card.~~ A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include procedures that identify reasonable measures to be implemented that are tailored to inhibit the initiation and processing of any transaction allowing for the use of a card or card equivalent issued by a financial institution to obtain cash from a line of credit (e.g., credit card cash advance) in the gaming establishment by either an ATM or any other means. Such reasonable measures shall include, but not be limited to:

- a) The conspicuous placement of signage on an ATM indicating that use of credit cards is prohibited;
- b) Ensuring that an ATM does not offer to a user any transaction option that is designed to enable the patron to obtain cash from a line of credit (i.e.- no option to press a “credit card” or “cash advance” button); and
- c) Ensuring that no transaction in which a card or card equivalent issued by a financial institution is being used to obtain cash from a line of credit is, in whole or part, initiated or processed at the cage or elsewhere in the gaming establishment, by any employee or anyone else.

(4) No data relative to an individual patron that is collected by an ATM or electronic branch may be sold, transmitted, or otherwise used for marketing purposes by a gaming licensee or provider of such device.

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