

205 CMR: MASSACHUSETTS GAMING COMMISSION

205 CMR 142.000: REGULATORY MONITORING AND INSPECTIONS

Section

- 142.01: Scope of commission's authority
- 142.02: Monitoring and inspections by commission

142.01: Scope of commission's authority to conduct administrative monitoring and inspections

- (1) The commission may monitor and conduct inspections as set forth in section 142.02 in order to effectuate the purposes of M.G.L. c. 23K.
- (2) The term *commission* in 205 CMR 142.00 shall include staff assigned to the IEB and any other designated staff of the commission.

142.02: Administrative monitoring and inspections

- (1) The commission may inspect the premises approved under a gaming license at any time without prior notice in order to determine licensees' and registrants' compliance with M.G.L. c. 23K and with 205 CMR. Areas subject to inspection shall include, but not be limited to: all public areas; the gaming licensee's gaming area; cages; banks; count rooms; other secure facilities used for the counting and storage of cash, coins, tokens, checks, plaques, gaming vouchers, coupons, and devices or items of value used in wagering; areas used for the counting and storage of dice, cards, chips, and other representatives of value; security and surveillance offices; ~~and~~ areas designated for and used by employees and vendors licensed and/or registered under M.G.L. c. 23K; and persons licensed and/or registered under M.G.L. c. 23K. The commission also may inspect without prior notice, during ordinary business hours or hours when in use, other areas such as gaming establishment executive and administrative offices and human resources offices.
- (2) The commission may, at the gaming establishment or at any place where the subject records are maintained, at any time and without prior notice, examine records of a gaming licensee's revenues and procedures and inspect and audit a gaming licensee's and/or a gaming vendor's books, documents, and records, including data maintained in electronic format.
- (3) The commission may, at any time and without prior notice, inspect all equipment and supplies in a gaming establishment.
- (4) The commission may, without prior notice and during ordinary business hours or hours when in use, inspect all equipment and supplies on premises, wherever situated,

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where gaming equipment is manufactured, stored, sold, or distributed for use in a gaming establishment.

(5) The commission may, without prior notice and during ordinary business hours or hours when in use, inspect, examine, photocopy, and audit all papers, books, and records, including data maintained in electronic format, of any affiliate of a gaming licensee or gaming vendor whom the commission reasonably suspects is involved in the financing, operation or management of the gaming licensee or gaming vendor; provided, however, that the inspection, examination, photocopying, and audit may, at the discretion of the commission take place on the affiliate's premises or elsewhere as deemed practicable by the commission and may, at the discretion of the commission, take place in the presence of the affiliate or its agent.

(6) The commission may seize and remove from the premises of a gaming licensee and impound any equipment, supplies, documents, and records, including data maintained in electronic format, for the purpose of examination and inspection.

(7) Acceptance of a license or certificate of registration issued by the commission constitutes consent for monitoring, examination, inspection, auditing, seizure, impoundment, and removal of items as set forth in 205 CMR 142.02. A licensee or registrant shall cooperate, grant the commission ready access, and make all reasonable efforts to facilitate monitoring and inspections as set forth in 205 CMR 142.02, including providing any necessary security codes and using reasonable efforts to facilitate interviews of licensees and registrants as deemed necessary by the commission. In the event that ready access is not granted, the commission may use reasonable means to gain prompt access.

(8) Nothing in 205 CMR 142.00 shall limit the commission from acting in accordance with any other statutory and/or regulatory authority.

REGULATORY AUTHORITY

M.G.L. c. 23K, §§ 1(1), (9); 4(9), (15-18), (20-24)