

<h2 style="margin: 0;">Regulatory Analysis Form</h2> <p style="margin: 0;">(Completed by Promulgating Agency)</p> <p style="margin: 0;">(All Comments submitted on this regulation will appear on IRRC's website)</p>	<p style="margin: 0;">INDEPENDENT REGULATORY REVIEW COMMISSION</p> <p style="margin: 0;">RECEIVED</p> <p style="margin: 0; font-size: small;">Independent Regulatory Review Commission</p> <p style="margin: 0;">October 3, 2024</p>
<p>(1) Agency Pennsylvania Gaming Control Board</p>	<p>IRRC Number: 3419</p>
<p>(2) Agency Number: 125 Identification Number: 250</p>	
<p>(3) PA Code Cite: 58 Pa.Code §§ 503a, 815a, and 1119a</p>	
<p>(4) Short Title: Self-Exclusion Regulation Updates</p>	
<p>(5) Agency Contacts (List Telephone Number and Email Address):</p> <p>Primary Contact: Robert Wood Assistant Chief Counsel Pennsylvania Gaming Control Board 303 Walnut Street Commonwealth Tower, 5th Floor Harrisburg, PA 17101 Phone: (717) 317-5744 Email: rmwood@pa.gov</p> <p>Secondary Contact:</p>	
<p>(6) Type of Rulemaking (check applicable box):</p> <p><input checked="" type="checkbox"/> Proposed Regulation</p> <p><input type="checkbox"/> Final Regulation</p> <p><input type="checkbox"/> Final Omitted Regulation</p>	<p><input type="checkbox"/> Emergency Certification Regulation;</p> <p><input type="checkbox"/> Certification by the Governor</p> <p><input type="checkbox"/> Certification by the Attorney General</p>
<p>(7) Briefly explain the regulation in clear and nontechnical language. (100 words or less)</p> <p>This proposed rulemaking seeks to revise the Board's self-exclusion program regulations to make consistent the process and procedures among the multiple self-exclusion categories.</p>	
<p>(8) State the statutory authority for the regulation. Include <u>specific</u> statutory citation.</p> <p>The Pennsylvania Gaming Control Board has the authority pursuant to 4 Pa.C.S. §§ 1202(b)(30); 1516; and 3903.</p>	

(9) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as, any deadlines for action.

The provisions of this proposed rulemaking are not the result of any direct mandate by federal or state law, court order or federal regulation. While state law directs that the Board establish a self-exclusion program, the statutory provisions provide discretion in their directive that the Board adopt regulations to provide the rules and procedures of the program. This proposed rulemaking is in line with those directives, as found in 4 Pa.C.S. §§ 1516 and 3903.

(10) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

The proposed regulatory revisions creates a single, unified process for the removal of individuals from the self-exclusions lists upon the completion of their requested self-exclusion time period. The proposed revision simplifies the process by reducing administrative burdens on individuals. As a secondary result of this revision, administrative processes and costs will be reduced on the regulated industry and the Board.

(11) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulations.

There are no corresponding federal standards for any of these provisions in this rulemaking.

(12) How does this regulation compare with those of the other states? How will this affect Pennsylvania's ability to compete with other states?

Pennsylvania remains a market leader in the gaming industry, including in the area of problem gambling activities, and the proposed regulatory revision does not affect that position. Addressing regulatory inconsistencies signals Pennsylvania's continued commitment to remaining a competitive business environment. While many gaming jurisdictions have active removal processes, automatic removal processes have been adopted by multiple jurisdictions, including those with populations larger than Pennsylvania, such as New York and California.

(13) Will the regulation affect any other regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

This regulation will not affect any other regulations of the PGCB nor any other state agency.

(14) Describe the communications with and solicitation of input from the public, any advisory council/group, small businesses and groups representing small businesses in the development and drafting of the regulation. List the specific persons and/or groups who were involved. ("Small business" is defined in Section 3 of the Regulatory Review Act, Act 76 of 2012.)

No other persons or groups were involved in the development and drafting of the regulation.

(15) Identify the types and number of persons, businesses, small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012) and organizations which will be affected by the regulation. How are they affected?

The Board anticipates that these regulations will have minimal measurable effect on its licensed operators. The greatest effect is anticipated to benefit those members of the general public who have placed themselves on the self-exclusion lists. This revision ensures that there is a unified, simple process for removal from the self-exclusion lists upon completion of the requested time period. The Board does not believe that any affected entities nor individuals affected by this regulation would qualify as small businesses as defined in the United States Small Business Administration’s Small Business Size Regulations, under 13 C.F.R. Ch. 1 Part 121.

(16) List the persons, groups or entities, including small businesses, that will be required to comply with the regulation. Approximate the number that will be required to comply.

The regulations simplify the process for individuals to be removed from the self-exclusion list at the end of their selected term, making it a uniform, automatic process. This is already how self-exclusion list removals are handled for interactive gaming, fantasy contests, and Video Gaming Terminals. Board staff will continue to maintain the self-exclusion lists, including the removals of individuals. Operators will continue to exclude individuals on the self-exclusion list consistent with their present processes.

(17) Identify the financial, economic and social impact of the regulation on individuals, small businesses, businesses and labor communities and other public and private organizations. Evaluate the benefits expected as a result of the regulation.

It is not anticipated that this rulemaking will have a negative financial or economic impact. The proposed regulatory revisions simplify the process into a uniform, automatic procedure once self-exclusion periods have lapsed.

(18) Explain how the benefits of the regulation outweigh any cost and adverse effects.

Presently, PGCB regulations prescribe two different processes by which individuals may be removed from a self-exclusion list. The retail casino self-exclusion list requires the self-excluded individual to take affirmative steps to remove their name from the list, even after their elected time period has elapsed. This is referred to as “active removal.” For the other self-exclusion lists, including online interactive gaming, fantasy contests, and video gaming, individuals are removed from the list automatically upon the completion of their self-exclusion period. This proposed regulatory revision seeks to create a uniform process for individuals’ names to come off all self-exclusion lists. Adopting the automatic removal for the retail casino self-exclusion list extends the process with the lowest administrative burden on the self-excluding individuals.

(19) Provide a specific estimate of the costs and/or savings to the **regulated community** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

The Board anticipates that this proposed regulatory action will be cost neutral to the regulated community. Licensed operators will continue to be required to exclude self-excluded individuals from engaging in gaming activities. The Board will continue to maintain the self-exclusion lists which are distributed to the regulated community.

(20) Provide a specific estimate of the costs and/or savings to the **local governments** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

This rulemaking will have no fiscal impact on local governments.

(21) Provide a specific estimate of the costs and/or savings to the **state government** associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required. Explain how the dollar estimates were derived.

The Board does not expect that the requirements of this rulemaking will have any fiscal impact on the Board or any other Commonwealth agency. Any work resulting from this proposed rulemaking will be handled by existing Board staff.

(22) For each of the groups and entities identified in items (19)-(21) above, submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

As noted above, the proposed revision would make removal from the retail casino self-exclusion list an automatic process upon the lapsing of the selected time period. This revisions would reduce the processes required by individuals by eliminating paperwork.

(22a) Are forms required for implementation of the regulation?

This regulatory revision would eliminate a paperwork step, as individuals would not be required to request removal.

(22b) If forms are required for implementation of the regulation, **attach copies of the forms here.** If your agency uses electronic forms, provide links to each form or a detailed description of the information required to be reported.

As noted, this revision seeks to eliminate a paperwork step.

(23) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
SAVINGS:	\$	\$	\$	\$	\$	\$
Regulated Community	N/A	N/A	N/A	N/A	N/A	N/A
Local Government	N/A	N/A	N/A	N/A	N/A	N/A
State Government	N/A	N/A	N/A	N/A	N/A	N/A
Total Savings	N/A	N/A	N/A	N/A	N/A	N/A
COSTS:						
Regulated Community	N/A	N/A	N/A	N/A	N/A	N/A
Local Government	N/A	N/A	N/A	N/A	N/A	N/A
State Government	N/A	N/A	N/A	N/A	N/A	N/A
Total Costs	N/A	N/A	N/A	N/A	N/A	N/A
REVENUE LOSSES:						
Regulated Community	N/A	N/A	N/A	N/A	N/A	N/A
Local Government	N/A	N/A	N/A	N/A	N/A	N/A
State Government	N/A	N/A	N/A	N/A	N/A	N/A
Total Revenue Losses	N/A	N/A	N/A	N/A	N/A	N/A

(23a) Provide the past three year expenditure history for programs affected by the regulation.

Program	FY -3 2021-2022	FY -2 2022-2023	FY -1 2023-2024	Current FY 2024-2025
PGCB Overall Budget	\$46,637,000	\$48,189,000	\$52,159,000	\$57,222,000

(24) For any regulation that may have an adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), provide an economic impact statement that includes the following:

- (a) An identification and estimate of the number of small businesses subject to the regulation.

The Board does not believe this rulemaking will affect any small businesses. To the extent that a Board licensee may qualify as a small business and be subject to the proposed rulemaking, it is not anticipated that the regulation will have any adverse impact on any business.

- (b) The projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record.

It is not anticipated that there will be any significant reporting, recordkeeping or other administrative costs associated with this regulation that a licensee does not already perform based upon licensure in Pennsylvania or other jurisdictions, or as a matter of industry best practices.

- (c) A statement of probable effect on impacted small businesses.

As stated above, the Board does not believe any of the entities subject to the regulation are small businesses. However, any impact will be limited to those entities wishing to engage in the covered activity, which would not be an adverse impact.

- (d) A description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

It is not believed that there is a less intrusive or less costly alternative method available.

(25) List any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, the elderly, small businesses, and farmers.

No special provisions have been added.

(26) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

No alternative regulatory approaches were considered as this rulemaking, and the regulations therein, reflects the least burdensome means of maintaining regulatory oversight of these activities.

(27) In conducting a regulatory flexibility analysis, explain whether regulatory methods were considered that will minimize any adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), including:

- a) The establishment of less stringent compliance or reporting requirements for small businesses;
- b) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
- c) The consolidation or simplification of compliance or reporting requirements for small businesses;
- d) The establishment of performance standards for small businesses to replace design or operational standards required in the regulation; and

e) The exemption of small businesses from all or any part of the requirements contained in the regulation.

It is believed there will be no adverse impact on small businesses.

(28) If data is the basis for this regulation, please provide a description of the data, explain in detail how the data was obtained, and how it meets the acceptability standard for empirical, replicable and testable data that is supported by documentation, statistics, reports, studies or research. Please submit data or supporting materials with the regulatory package. If the material exceeds 50 pages, please provide it in a searchable electronic format or provide a list of citations and internet links that, where possible, can be accessed in a searchable format in lieu of the actual material. If other data was considered but not used, please explain why that data was determined not to be acceptable.

There is no data, as defined under section (3) of the Regulatory Review Act (71 P.S. § 745.3), upon which this rulemaking is based.

(29) Include a schedule for review of the regulation including:

- | | |
|---|-------------------------------|
| A. The length of the public comment period: | 30 days |
| B. The date or dates on which any public meetings or hearings will be held: | August 21, 2024 |
| C. The expected date of delivery of the final-form regulation: | Second Quarter 2025 |
| D. The expected effective date of the final-form regulation: | Upon final publication |
| E. The expected date by which compliance with the final-form regulation will be required: | Upon final publication |
| F. The expected date by which required permits, licenses or other approvals must be obtained: | Ongoing |

(30) Describe the plan developed for evaluating the continuing effectiveness of the regulations after its implementation.

No formal review schedule has been established. Instead, the Board consistently reviews its regulations and proposes amendments as the need arises.

**FACE SHEET
FOR FILING DOCUMENTS
WITH THE LEGISLATIVE REFERENCE BUREAU
(Pursuant to Commonwealth Documents Law)**

RECEIVED

Independent Regulatory
Review Commission

October 3, 2024

DO NOT WRITE IN THIS SPACE

Copy below is hereby approved as to form and legality. Attorney General

Amy M. Elliott
BY: Amy M. Elliott
(DEPUTY ATTORNEY GENERAL)

Digitally signed by Amy M. Elliott
DN: cn=Amy M. Elliott, o=Pennsylvania
Office of Attorney General, ou=Chief
Deputy Attorney General,
email=aelliott@attorneygeneral.gov, c=US
Date: 2024.09.24 14:18:49 -0400

9/24/2024

DATE OF APPROVAL

Check if applicable
Copy not approved. Objections
attached.

Copy below is hereby certified to be a true and correct copy of a document issued, prescribed or promulgated by:

Pennsylvania Gaming Control Board
(AGENCY)

DOCUMENT/FISCAL NOTE NO. 125-250
DATE OF ADOPTION: August 21, 2024

BY: Denise J. Smyler
TITLE Denise J. Smyler, Chair
(EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)

Copy below is hereby approved as to form and legality. Executive or Independent Agencies.

BY: Stephen S. Cook
Stephen S. Cook, Chief Counsel

August 21, 2024
DATE OF APPROVAL

(Chief Counsel, Independent Agency)
(Strike inapplicable title)

Check if applicable. No Attorney General
approval or objection within 30 days after
submission.

PROPOSED RULEMAKING 125-250

PENNSYLVANIA GAMING CONTROL BOARD

58 PA. CODE CH. 503a, 815a, and 1119a

**Casino Self-Exclusion; Interactive Gaming Self-Excluded Persons;
and Self-Exclusion;**

The Pennsylvania Gaming Control Board (Board), under authority pursuant to 4 Pa.C.S. §§ 1202(b)(30) (relating to general and specific powers), 1516 (relating to list of persons self excluded from gaming activities), 13B02(a)(12) (relating to interactive gaming regulatory authority relating to exclusions of persons), and 3903 (relating to video gaming self-exclusion) proposes to amend the self-exclusion provisions under chapters 503a, 815a, and 1119a, as outlined in Annex A.

Purpose of the Proposed Rulemaking

This proposed rulemaking standardizes the process for removals from self-exclusion lists and makes editorial corrections.

Explanation

The present self-exclusion under section 503a (casino self-exclusion) represents a framework which requires that after the selected self-exclusion period (one or five years), an individual will remain on the self-exclusion list until they undertake affirmative steps to request removal. This is referred to in the field of compulsive and problem gambling as "active removal." The regulatory framework governing the self-exclusion programs for the other lists (interactive gaming, fantasy contests, and Video Gaming Terminals) provide that when the time period selected has passed (one of five years for interactive gaming or VGTs, or whatever number of years the individual selects for fantasy contests, the individual will automatically be removed from the respective self-exclusion list. This is referred to as "automatic removal." The proposed regulatory revision will make consistent the removal process across all self-exclusion lists to a single, standardized process, wherein when the self-exclusion period has elapsed the individual will be automatically removed from the self-exclusion list.

Requiring individuals to take affirmative removal action after their selected period has elapsed results in individuals experiencing negative effects. Many individuals erroneously

believe that once the time period selected for casino self-exclusion has passed, they are once again allowed to engage in gaming activities in Pennsylvania's retail casinos. This comes from either not reading the self-exclusion paperwork that they sign clearly enough, or simply forgetting after several years that they must request removal. However, with these individuals remaining on the self-exclusion list, they are subject to trespass charges if caught in a licensed facility, and the confiscation of funds if they win while gaming.

This often results in individuals who incorrectly believed they were no longer on the self-exclusion list petitioning the Board for the return of confiscated funds and winnings. Movement to a unified automatic removal process will eliminate confusion, reduce potential trespass actions, and eliminate many administrative proceedings within PGCB relating to requests for the return of confiscated funds.

Finally, the proposed revisions incorporate editorial corrections of typographical errors discovered in the final published regulatory language.

Fiscal Impact

Commonwealth. The Board does not expect that this proposed rulemaking will have a fiscal impact on the Board or other Commonwealth agencies. Any alterations in workload created because of this proposed rulemaking will be handled by existing Board staff.

Political subdivisions. This proposed rulemaking will not have fiscal impact on political subdivisions of this Commonwealth.

Private sector. This proposed rulemaking is not anticipated to have a fiscal impact on the private sector.

General public. This proposed rulemaking will not have fiscal impact on the general public.

Paperwork Requirements

The proposed revisions of this rulemaking do not alter paperwork requirements for licensees in their compliance with PGCB's self-exclusion program. The proposed revision offers some paperwork relief for individuals. Specifically, those individuals who have

completed the time period they selected for self-exclusion from retail casinos will be removed from the self-exclusion list without needing to file paperwork requesting removal.

Effective Date

The proposed rulemaking will become effective upon final-form publication in the *Pennsylvania Bulletin*. The revisions will not be applied retroactively. Any individual who requests casino self-exclusion prior to the effective date of this final-form rulemaking will be required to comply with the current regulatory scheme and must request removal from the self-exclusion list. This is to ensure that any individual who previously signed up for the self-exclusion list will get the benefit of the bargain he or she agreed to when requesting self-exclusion.

Public Comments

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking within 30 days after the date of publication in the *Pennsylvania Bulletin*. Public comments should be addressed to Robert Wood, Assistant Chief Counsel, Attention: Regulation #125-250 Public Comment, Pennsylvania Gaming Control Board, 303 Walnut Street, 5th Floor, Harrisburg, PA 17101, or submitted by way of electronic mail, subject: Regulation #125-250 to PGCBregs@pa.gov.

Contact Person

The contact person for questions about this proposed rulemaking is Robert Wood, Assistant Chief Counsel, (717) 346-8300.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on **INSERT DATE HERE**, the Board submitted a copy of this proposed rulemaking and a copy of the Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Gaming Oversight Committee and the Senate Community, Economic and Recreational Development Committee. A copy of this material is available to the public upon request and is available on the Board's web site at www.gamingcontrolboard.pa.gov.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly and the Governor of comments, recommendations or objections raised.

DENISE J. SMYLER,
Chairperson

Annex A
TITLE 58. RECREATION
PART VII. GAMING CONTROL BOARD

SUBPART I. COMPULSIVE AND PROBLEM GAMBLING

CHAPTER 503a. CASINO SELF-EXCLUSION

§ 503a.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

* * * * *

OCPG—Office of Compulsive and **[Program] Problem** Gambling.

* * * * *

§ 503a.2. Request for casino self-exclusion.

* * * * *

(e) A request for casino self-exclusion must include a signed release which:

(1) Acknowledges that the request for casino self-exclusion has been made voluntarily.

(2) Certifies that the information provided in the request for casino self-exclusion is true and accurate.

(3) Acknowledges that the individual requesting casino self-exclusion is **or may be** a problem gambler.

(4) Acknowledges that a person requesting a lifetime exclusion may only request removal from the casino self-exclusion list in accordance with the procedures set forth in § ~~503a.5(f)~~ 503a.5 (relating to removal from casino self-exclusion list) and that a person requesting a 1-year or 5-year exclusion will remain on the casino self-exclusion list until **[a request for removal under § 503a.5 is accepted and the 7 business days required under § 503a.5(e) have elapsed.] the period of exclusion expires.**

(5) Acknowledges that if the individual is discovered on the gaming floor, in areas off the gaming floor where gaming activity is conducted or engaging in gaming related activities at any licensed facility or other location approved by the Board to conduct gaming activity, that the individual will be subject to removal and arrest for criminal trespass under 18 Pa.C.S. § 3503 (relating to criminal trespass) and the individual's winnings will be subject to confiscation and remittance to support compulsive and problem gambling programs.

(6) Releases, indemnifies, holds harmless and forever discharges the Commonwealth, the Board and all slot machine licensees from claims, damages, losses, expenses or liability arising out of, by reason of or relating to the casino self-excluded person or to any other party for any harm, monetary or otherwise, which may arise as a result of one or more of the following:

(i) The failure of a slot machine licensee to withhold gaming privileges from or restore gaming privileges to a casino self-excluded person.

(ii) Otherwise permitting or not permitting a casino self-excluded person to engage in gaming activity in a licensed facility or other location approved by the Board to conduct gaming activity while on the list of casino self-excluded persons.

(iii) Confiscation of the individual's winnings.

(f) Casino self-exclusions for 1-year or 5 years remain in effect until the period of casino self-exclusion concludes **[and] or** the person requests **early** removal from the Board's casino self-exclusion list under **§ 503a.5(b) and** the request for removal is **[accepted] granted** by the Board. **[, and the required 7 business days under § 503a.5(e) have elapsed.]**

(g) A person submitting a casino self-exclusion request shall present or submit electronically a copy of that person's valid government-issued identification containing the person's signature and photograph when the person submits the request, or if the person does not possess a valid government-issued identification, some other documentation to verify the identity of the person (for example, a utility or other bill in the person's name at the same address provided).

* * * * *

§ 503a.5. Removal from casino self-exclusion list.

(a) For individuals who are self-excluded from licensed facilities or other locations approved by the Board to conduct gaming activity for 1 year or 5 years, upon the conclusion of the period of casino self-exclusion, **[the individual may request removal from the casino self-exclusion list electronically on the Board's web site or by scheduling an appointment with the OCPG at (717) 346-8300 or problemgambling@pa.gov.] the individual will be removed from the casino self-exclusion list without further action on his part.**

[(b) The individual requesting removal shall complete and submit a Request for Removal from Voluntary Self-Exclusion Form as required under subsections (c) and (d).

With an appointment, removal from the list may be conducted at the Board's Harrisburg office, one of the Board's regional offices or other location approved by the OCPG.

(c) A completed Request for Removal from Voluntary Self-Exclusion Form must include:

(1) The identifying information specified in § 503a.2(b) (relating to request for casino self-exclusion).

(2) The signature of the person requesting removal from the casino self-exclusion list indicating acknowledgment of the following statement:

“I certify that the information that I have provided above is true and accurate. I am aware that my signature below constitutes a revocation of my previous request for casino self-exclusion, and I authorize the Board to permit all slot machine licensees of the Commonwealth of Pennsylvania to reinstate my gaming privileges at licensed facilities or other locations approved by the Board to conduct gaming activity.”

(d) A person submitting a Request for Removal from Voluntary Self-Exclusion Form shall be required to present or submit a copy of that person's valid government-issued identification containing the person's signature and photograph when the form is submitted electronically or during the person's scheduled appointment, or if the person does not possess a valid government-issued identification, some other documentation to verify the identity of the person (for example, a utility or other bill in the person's name at the same address provided).

(e) Within 5 business days after the completed Request for Removal from Voluntary Self-Exclusion Form is accepted by Board staff, the OCPG will delete the name

of the individual from the casino self-exclusion list. An individual who was removed from the voluntary casino self-exclusion list may not enter the gaming floor, areas off the gaming floor where contests or tournaments are conducted or engage in gaming related activities for 7 business days from the date Board staff accepts the complete Request for Removal from Voluntary Self-Exclusion Form.]

(b) For individuals who have elected to be casino self-excluded for less than lifetime, the individual may be removed from the casino self-exclusion list before the period of self-exclusion has run, if all of the following has occurred:

(1) The individual has filed a petition with the Board’s Office of Hearings and Appeals requesting to be removed from the casino self-exclusion list.

(2) The individual has presented facts and circumstances which, in the Board’s discretion, demonstrate a compelling reason for the Board to grant early removal from the casino self-exclusion list.

(3) The Board has found by a preponderance of the evidence that the person should be removed from the casino self-exclusion list and issues an order to that effect.

[(f)] (c) For individuals who selected lifetime casino self-exclusion under § 503a.2(d)(3):

(1) After being on the casino self-exclusion list for a period of 10 years, the individual may petition the Board to be removed from the casino self-exclusion list.

*** * * * ***

§ 503a.7. Disclosure of information related to persons on the [casion] casino self-exclusion list.

* * * * *

SUBPART L. INTERACTIVE GAMING

CHAPTER 815a. INTERACTIVE GAMING SELF-EXCLUDED PERSONS

§ 815a.2. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

* * * * *

OCPG—Office of Compulsive and [Program] Problem Gambling.

* * * * *

SUBPART N. VIDEO GAMING

CHAPTER 1119a. SELF-EXCLUSION

§ 1119a.2. Definitions

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

OCPG—Office of Compulsive and [Program] Problem Gambling.

* * * * *



PENNSYLVANIA GAMING CONTROL BOARD
303 Walnut Street
Commonwealth Tower, 5th Floor
Harrisburg, PA 17101
www.gamingcontrolboard.pa.gov

ROBERT WOOD
Senior Counsel
303 Walnut Street
Commonwealth Tower, 5th Floor
Harrisburg, PA 17101
Phone: (717) 346-8300
Fax: (717) 346-8350
Email: rmwood@pa.gov

October 3, 2024

Chair
DENISE J. SMYLER

Commissioners
FRANK DERMODY
SHAWN DILLON
DAVID S. HICKERNELL
SARA MANZANO-DÍAZ
NEDIA RALSTON
FRANCES J. REGAN

Ex-Officio Members
PAT BROWNE
STACY GARRITY
RUSSELL C. REDDING

Delivered via e-mail

David Sumner, Executive Director
Independent Regulatory Review Commission
333 West Market Street, 14th Floor
Harrisburg, PA 17120

RE: PGCB Proposed Rulemaking #125-250: Self-Exclusion Program Regulations Update

Dear Mr. Sumner:

Enclosed with this letter please find a copy of a proposed rulemaking for review by the Independent Regulatory Review Commission (“Commission”) from the Pennsylvania Gaming Control Board (“Board”). This proposed rulemaking provides updates to the Board’s self-exclusion program regulations to create uniformity across all self-exclusion programs. This proposed rulemaking was adopted by the Board August 21, 2024, and was approved for form and legality by the Attorney General’s Office on September 24, 2024.

This proposed rulemaking was e-Delivered to the Majority Chair and Minority Chair of the House Gaming Oversight Committee, the Majority Chair and Minority Chair of the Senate Community, Economic and Recreational Development Committee, the Legislative Reference Bureau, and the Governor’s Budget Office for the issuance of a fiscal note. Confirmation of the deliveries to the Committees and the Legislative Reference Bureau is contained in the proposed rulemaking packet.

Sincerely,

Robert Wood
Senior Counsel

Enclosure

Shani Shenk

From: Bowman, Sally <Sally.Bowman@pasenate.com>
Sent: Thursday, October 3, 2024 7:32 AM
To: Wood, Robert (PGCB)
Subject: Re: E-Delivery of PGCB Proposed Rulemaking 125-250

RECEIVED

Independent Regulatory
Review Commission

October 3, 2024

Received. Thanks.

Sally M. Bowman (she/her)
PA Senate Dems
Director of Caucus Operations
55 EW
717-772-1737 (direct line)
717-982-3188 (cell)

From: Wood, Robert (PGCB) <rmwood@pa.gov>
Sent: Thursday, October 3, 2024 7:16 AM
To: Bowman, Sally <Sally.Bowman@pasenate.com>; Derek Clepper (PA Sen Maj (R)) <dclepper@pasen.gov>; Jweeter <Jweeter@pahousegop.com>; Jim Moser (PA House Maj. (D)) <jmoser@pahouse.net>
Subject: E-Delivery of PGCB Proposed Rulemaking 125-250

■ EXTERNAL EMAIL ■

Good Morning,

This email serves as electronic delivery of PGCB Proposed Rulemaking #125-250. This Proposed Rulemaking relates to self-exclusion regulation updates.

Attached to this email are the following documents:

1. Regulatory Analysis Form (PDF Format)
2. Face Sheet (PDF Format)
3. Preamble (PDF Format)
4. Annex A text (PDF format)

The Attorney General completed its review on September 24, 2024, as noted by the signed facesheet.

Please reply to this email confirming receipt of the materials on behalf of the Committee Chairs. A confirmatory email is required in order to be able to document delivery for IRRC. Thank you, and please let me know if you need anything else from the PGCB.

Robert Wood, Esq.
Senior Counsel
Pennsylvania Gaming Control Board

From: Clepper, Derek <dclepper@pasen.gov>
Sent: Thursday, October 3, 2024 8:55 AM
To: Wood, Robert (PGCB)
Subject: RE: E-Delivery of PGCB Proposed Rulemaking 125-250

October 3, 2024

Good morning,

On behalf of Senator Chris Gebhard, Chair PA Senate Community, Economic & Recreational Development Committee, I confirm receipt of **PGCB Proposed Rulemaking 125-250**.

Thank you,

Derek R. Clepper, Esq.

Counsel/Executive Director
Senate Community, Economic & Recreational Development
Senator Chris Gebhard
15 East Wing Capitol Building
Harrisburg, PA 17120
Phone: 717-787-5708
dclepper@pasen.gov

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From: Wood, Robert (PGCB) <rmwood@pa.gov>
Sent: Thursday, October 3, 2024 7:15 AM
To: Bowman, Sally <Sally.Bowman@pasenate.com>; Clepper, Derek <dclepper@pasen.gov>; Jweeter <Jweeter@pahousegop.com>; Jim Moser (PA House Maj. (D)) <jmoser@pahouse.net>
Subject: E-Delivery of PGCB Proposed Rulemaking 125-250
Importance: High

ⓘ CAUTION : External Email ⓘ

Good Morning,

This email serves as electronic delivery of PGCB Proposed Rulemaking #125-250. This Proposed Rulemaking relates to self-exclusion regulation updates.

Attached to this email are the following documents:

1. Regulatory Analysis Form (PDF Format)
2. Face Sheet (PDF Format)
3. Preamble (PDF Format)
4. Annex A text (PDF format)

The Attorney General completed its review on September 24, 2024, as noted by the signed facesheet.

Please reply to this email confirming receipt of the materials on behalf of the Committee Chairs. A confirmatory email is required in order to be able to document delivery for IRRC. Thank you, and please let me know if you need anything else from the PGCB.

Robert Wood, Esq.
Senior Counsel
Pennsylvania Gaming Control Board
Phone: (717) 317-5744

RECEIVED

Independent Regulatory
Review Commission

October 3, 2024

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Shani Shenk

RECEIVED

From: Bulletin <bulletin@palrb.us>
Sent: Thursday, October 3, 2024 11:11 AM
To: Wood, Robert (PGCB)
Cc: Adeline E. Gaydosh
Subject: [External] Re: E-Delivery of PGCB Proposed Rulemaking 125-250

Independent Regulatory
Review Commission

October 3, 2024

ATTENTION: This email message is from an external sender. Do not open links or attachments from unknown senders. To report suspicious email, use the [Report Phishing button in Outlook](#).

Good morning, Robert,

Thank you for resubmitting this proposed rulemaking package. Upon receipt of the fiscal note, I'll contact you with the publication schedule.

Warm regards,
Adeline

From: Wood, Robert (PGCB) <rmwood@pa.gov>
Sent: Thursday, October 3, 2024 11:07 AM
To: A.J. Mendelsohn <amendelsohn@palrb.us>; Adeline E. Gaydosh <agaydosh@palrb.us>; Bulletin <bulletin@palrb.us>
Subject: E-Delivery of PGCB Proposed Rulemaking 125-250

This email serves as electronic delivery of PGCB Proposed Rulemaking #125-250. This Proposed Rulemaking relates to self-exclusion regulation updates.

Attached to this email are the following documents:

1. Regulatory Analysis Form (Word)
2. Face Sheet (PDF Format)
3. Preamble (Word)
4. Annex A text (Word)

The Attorney General completed its review on September 24, 2024, as noted by the signed facesheet.

Please reply to this email confirming receipt of the materials on behalf of LRB. A confirmatory email is required in order to be able to document delivery for IRRC. Thank you, and please let me know if you need anything else from the PGCB.

Robert Wood, Esq.
Senior Counsel
Pennsylvania Gaming Control Board
Phone: (717) 317-5744

CONFIDENTIALITY NOTICE:

Shani Shenk

RECEIVED

From: Jweeter <Jweeter@pahousegop.com>
Sent: Thursday, October 3, 2024 9:18 AM
To: Wood, Robert (PGCB)
Subject: RE: [EXTERNAL]: E-Delivery of PGCB Proposed Rulemaking 125-250

Independent Regulatory
Review Commission
October 3, 2024

Received

Thanks

From: Wood, Robert (PGCB) <rmwood@pa.gov>
Sent: Thursday, October 3, 2024 7:15 AM
To: Bowman, Sally <Sally.Bowman@pasenate.com>; Derek Clepper (PA Sen Maj (R)) <dclepper@pasen.gov>; Jennifer Weeter <Jweeter@pahousegop.com>; Jim Moser (PA House Maj. (D)) <jmoser@pahouse.net>
Subject: [EXTERNAL]: E-Delivery of PGCB Proposed Rulemaking 125-250
Importance: High

Good Morning,

This email serves as electronic delivery of PGCB Proposed Rulemaking #125-250. This Proposed Rulemaking relates to self-exclusion regulation updates.

Attached to this email are the following documents:

1. Regulatory Analysis Form (PDF Format)
2. Face Sheet (PDF Format)
3. Preamble (PDF Format)
4. Annex A text (PDF format)

The Attorney General completed its review on September 24, 2024, as noted by the signed facesheet.

Please reply to this email confirming receipt of the materials on behalf of the Committee Chairs. A confirmatory email is required in order to be able to document delivery for IRRC. Thank you, and please let me know if you need anything else from the PGCB.

Robert Wood, Esq.
Senior Counsel
Pennsylvania Gaming Control Board
Phone: (717) 317-5744

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Shani Shenk

From: Moser, Jim <JMoser@pahouse.net>
Sent: Thursday, October 3, 2024 12:40 PM
To: Wood, Robert (PGCB)
Subject: Re: E-Delivery of PGCB Proposed Rulemaking 125-250

RECEIVED

Independent Regulatory
Review Commission

October 3, 2024

Received...thanks!

Jim Moser

Executive Director, House Gaming Oversight Committee (D)
Representative Pat Harkins, Chair
328 Irvis Office Building
Harrisburg, PA 17120
Office: (717) 772-5404
Mobile: (717) 480-1333
Internal: 6580

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From: Wood, Robert (PGCB) <rmwood@pa.gov>
Sent: Thursday, October 3, 2024 11:57 AM
Subject: FW: E-Delivery of PGCB Proposed Rulemaking 125-250

I wanted to follow up on the below email to ensure that I can complete the delivery to IRRC today.

Robert Wood, Esq.
Senior Counsel
Pennsylvania Gaming Control Board
Phone: (717) 317-5744

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From: Wood, Robert (PGCB)
Sent: Tuesday, October 1, 2024 7:31 AM
To: Bowman, Sally <Sally.Bowman@pasenate.com>; Derek Clepper (PA Sen Maj (R)) <dclepper@pasen.gov>; Jen Weeter (PA House Minority (R)) <jweeter@pahousegop.com>; Jim Moser (PA House Maj. (D)) <jmoser@pahouse.net>
Cc: Posavec, Cheryl (PGCB) <cposavec@pa.gov>

Subject: E-Delivery of PGCB Proposed Rulemaking 125-250

Importance: High

RECEIVED

Independent Regulatory
Review Commission

October 3, 2024

Good Morning,

This email serves as electronic delivery of PGCB Proposed Rulemaking #125-250. This Final Form Rulemaking relates to self-exclusion regulation updates.

Attached to this email are the following documents:

1. Regulatory Analysis Form (PDF Format)
2. Face Sheet (PDF Format)
3. Preamble (PDF Format)
4. Annex A text (PDF format)

The Attorney General completed its review on September 24, 2024, as noted by the signed facesheet.

Please reply to this email confirming receipt of the materials on behalf of the Committee Chairs. A confirmatory email is required in order to be able to document delivery for IRRC. Thank you, and please let me know if you need anything else from the PGCB.

Robert Wood, Esq.
Senior Counsel
Pennsylvania Gaming Control Board
Phone: (717) 317-5744

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**TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE
REGULATORY REVIEW ACT**

I.D. NUMBER: 125-250

SUBJECT: Self-Exclusion Program Regulation Updates

AGENCY: Pennsylvania Gaming Control Board

RECEIVED


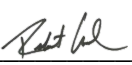

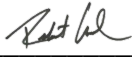


Independent Regulatory
Review Commission

October 3, 2024

TYPE OF REGULATION

- Proposed Regulation**
- Final Regulation**
- Final Regulation with Notice of Proposed Rulemaking Omitted**
- 120-day Emergency Certification of the Attorney General**
- 120-day Emergency Certification of the Governor**
- Delivery of Tolled Regulation**
 - With Revisions**
 - Without Revisions**

FILING OF REGULATION

<u>DATE</u>	<u>SIGNATURE</u>	<u>DESIGNATION</u>
		<u>HOUSE COMMITTEE -</u>
10/3/24		MAJORITY CHAIR <u>Rep. Patrick J. Harkins, via e-delivery</u>
10/3/24		MINORITY CHAIR <u>Rep. Russ Diamond, via e-delivery</u>
		<u>SENATE COMMITTEE -</u>
10/3/24		MAJORITY CHAIR <u>Sen. Chris Gebhard, via e-delivery</u>
10/3/24		MINORITY CHAIR <u>Sen. Anthony H. Williams, via e-delivery</u>
10/3/24		<u>INDEPENDENT REGULATORY REVIEW COMMISSION</u> David Sumner, via e-delivery
		<u>ATTORNEY GENERAL (for Final Omitted only)</u>
10/3/24		<u>LEGISLATIVE REFERENCE BUREAU (for Proposed only)</u> via e-delivery