

# ASSEMBLY, No. 430

## STATE OF NEW JERSEY 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

**Sponsored by:**

**Assemblyman ROBERT AUTH**

**District 39 (Bergen and Passaic)**

**Assemblywoman VICTORIA A. FLYNN**

**District 13 (Monmouth)**

**SYNOPSIS**

Allows problem gamblers to request placement on Division of Gaming Enforcement's list for self-excluded persons through division's website, by mail, or in-person.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning methods of self-exclusion from in-person  
2 gambling and amending P.L.2001, c.39.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

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7 1. Section 1 of P.L.2001, c.39 (C.5:12-71.2) is amended to read  
8 as follows:

9 1. a. The division shall provide by regulation for the  
10 establishment of a list of persons self-excluded from gaming  
11 activities at all licensed casinos and simulcasting facilities. Any  
12 person may request placement on the list of self-excluded persons  
13 by agreeing that, during any period of voluntary exclusion, the  
14 person may not collect any winnings or recover any losses resulting  
15 from any gaming activity at such casinos and facilities.

16 b. (1) The regulations of the division shall establish  
17 procedures for placements on, and removals from, the list of self-  
18 excluded persons. Such regulations shall establish procedures for  
19 the transmittal to licensed casinos and simulcasting facilities of  
20 identifying information concerning self-excluded persons, and shall  
21 require licensed casinos and simulcasting facilities to establish  
22 procedures designed, at a minimum, to remove self-excluded  
23 persons from targeted mailings or other forms of advertising or  
24 promotions and deny self-excluded persons access to credit,  
25 complimentaries, check cashing privileges club programs, and other  
26 similar benefits.

27 (2) The regulations of the division shall also establish  
28 procedures to permit persons requesting placement on the list of  
29 self-excluded persons for any in-person gambling to submit the  
30 required documentation through the division's website, by mail, or  
31 in-person. The regulations shall include measures to verify the  
32 identity and intention of self-exclusion by the person wishing to  
33 self-exclude and the verification shall be specific to the self-  
34 exclusion method the person chooses.

35 c. A licensed casino or simulcasting facility or employee  
36 thereof shall not be liable to any self-excluded person or to any  
37 other party in any judicial proceeding for any harm, monetary or  
38 otherwise, which may arise as a result of:

39 (1) the failure of a licensed casino or simulcasting facility to  
40 withhold gaming privileges from, or restore gaming privileges to, a  
41 self-excluded person; or

42 (2) otherwise permitting a self-excluded person to engage in  
43 gaming activity in such licensed casino or simulcasting facility  
44 while on the list of self-excluded persons.

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 d. Notwithstanding the provisions of P.L.1977, c.110 (C.5:12-1  
2 et seq.) or any other law to the contrary, the division's list of self-  
3 excluded persons shall not be open to public inspection. Nothing  
4 herein, however, shall be construed to prohibit a casino licensee  
5 from disclosing the identity of persons self-excluded pursuant to  
6 this section to affiliated gaming entities in this State or other  
7 jurisdictions for the limited purpose of assisting in the proper  
8 administration of responsible gaming programs operated by such  
9 gaming affiliated entities.

10 e. A licensed casino or simulcasting facility or employee  
11 thereof shall not be liable to any self-excluded person or to any  
12 other party in any judicial proceeding for any harm, monetary or  
13 otherwise, which may arise as a result of disclosure or publication  
14 in any manner, other than a willfully unlawful disclosure or  
15 publication, of the identity of any self-excluded person.  
16 (cf: P.L.2014, c.20, s.1)

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18 2. This act shall take effect immediately.

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#### STATEMENT

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23 This bill allows problem gamblers to request placement on  
24 Division of Gaming Enforcement's (DGE) list for self-excluded  
25 persons through the division's website, by mail, or in-person.

26 Under current law, the DGE provides regulations to establish a  
27 list of persons self-excluded from gaming activities at all licensed  
28 casinos and simulcasting facilities. Any person may request  
29 placement on the list of self-excluded persons. Current DGE  
30 regulations require that a person must self-exclude from any in-  
31 person casino gambling by appearing in-person at either the DGE  
32 office in Atlantic City or by visiting one of the various offices of  
33 the New Jersey Racing Commission. However, a person is  
34 permitted to self-exclude from any internet gambling through the  
35 division's website or an online player account.

36 This bill provides additional methods for players to self-exclude  
37 from in-person gambling. The bill requires the division to establish  
38 procedures to permit persons requesting placement on the list of  
39 self-excluded persons for any in-person gambling to submit the  
40 required documentation through the division's website, by mail, or  
41 in-person. The regulations will include measures to verify the  
42 identity and intention of self-exclusion by the player wishing to  
43 self-exclude and the verification shall be specific to the self-  
44 exclusion method the player chooses. These measures will ensure  
45 that the person submitting the self-exclusion request is, in fact, the  
46 person who will be excluded from gambling.