

Chapter 67: INVOLUNTARY PLACEMENT OF PERSONS ON THE UNAUTHORIZED PERSONS LIST

1. The Director shall maintain a list of those persons who have been placed on the unauthorized person list involuntarily.
2. Persons who may be involuntarily placed on the unauthorized persons list include:
 - A. Any individual whose participation may undermine the integrity of the wagering or the sports event;
 - B. Any individual who has placed a wager as an agent or proxy, as demonstrated by reliable evidence;
 - C. Any career or professional offenders whose presence in the facility or on a wagering system would be inimical to the interest of the State, including persons whose gambling or sports wagering licenses have been revoked or are currently under suspension as a result of disciplinary action in this State or another gambling jurisdiction; and persons convicted of sports wagering-related or gambling-related offenses, including violations of Title 8 M.R.S. Chapters 31 or 35; Title 17, Chapters 13-A or -62; Title 17-A, Chapter 39; other sports wagering-related or gambling-related offenses in violation of Maine law; and substantially similar offenses in other jurisdictions;
 - D. Persons subject to an order of a court regarding a sports wagering, casino or gambling-related incident or an order of a regulatory agency excluding such persons from sports wagering activities or gambling facilities;
 - E. Persons who have been convicted of a crime involving dishonesty or false statement;
 - F. Persons who pose a threat to the safety of patrons or employees; and
 - G. Persons whose conduct or documented history of conduct involves the undue disruption of the wagering operations, including but not limited to criminal mischief, disorderly conduct, harassment, or cheating.
3. Persons may only be entered on the Director's unauthorized person list pursuant to the following procedures:
 - A. Upon receipt of information that a person meets any criteria in Section (2) above, the Director shall notify the person in writing of placement of the person's name on the unauthorized persons list and the reasons for that decision;

- B. The person may, within 30 days of receipt of this notice, appeal that determination to the Commissioner pursuant to 8 M.R.S.A. §1205(3);
 - C. The request for appeal must be made in writing and outline the factual and legal basis for the appeal;
 - D. If no request for appeal is timely received, the decision becomes final, and the Director shall notify licensed Operators of the person's placement on the list.
4. The Involuntary Unauthorized Persons list shall contain the following information:
- A. The person's full name, and known aliases or nicknames;
 - B. Date of birth;
 - C. The basis for the person's addition to the list;
 - D. A physical description of the person including height, weight, gender, hair color, eye color and any other physical characteristic that may assist in the identification of the person;
 - E. The effective date the person's name was placed on the Involuntary Unauthorized Persons list; and
 - F. A photograph of the person, if available.
5. The Involuntary Unauthorized Persons list will be updated by the Director or their designee on a monthly basis and the list will be circulated to licensed Operators on a monthly basis.
6. Removal from the Involuntary Unauthorized Persons list is available under the following procedures:
- A. Persons on the Involuntary Unauthorized Persons list may petition to have their name removed from the list one year after placement on the list by filing a request in writing to the Director. The request must state with specificity the reasons for the request and include documentation of material changes in the circumstances underlying the basis for exclusion.
 - B. If the Director grants the request, the person's name shall be removed from the Involuntary Unauthorized Persons list. The Director or their designee shall delete the name of the person from the list and notify each Operator of such deletion from the list as described in Section 4.
7. All Operators who control patron access will develop procedures to keep persons on the Involuntary Unauthorized Persons list from accessing the Operator's sports wagering facilities or mobile systems. These procedures must be reviewed and approved by the Director. The procedures must include detailed processes for:

- A. Detecting when persons who are currently on the Involuntary Unauthorized Persons list are attempting to access the sports wagering facility or mobile system;
 - B. Preventing persons who are currently on the Involuntary Unauthorized Persons list from accessing the sports wagering facility or mobile system; and
 - C. Upon discovery of a person who is currently on the Involuntary Unauthorized Persons list, removal from the sports wagering area or sports wagering mobile system.
8. Operators must submit any changes to their procedures outlined in Section 6 above for review and approval by the Director 45 days prior to the anticipated effective date of the new procedures.

STATUTORY AUTHORITY: Title 8 M.R.S.A. §1203(2)(K)

EFFECTIVE DATE: April 7, 2024