



District of Columbia

REGISTER

HIGHLIGHTS

- D.C. Council Schedules a Public Oversight Roundtable on the “District Government Home Foreclosure Prevention Programs”
- D.C. Council Issues the District of Columbia Official Code Update Chart
- District Department of the Environment Amends the Ban on Swimming in the Potomac River
- D.C. Commission on the Arts and Humanities Announces Funding Availability for the FY 2012 Grant Season
- Department of Health Care Finance Provides Information on Reference Materials Related to Medicaid Reimbursement for Inpatient Hospital Services
- Department of Health Announces Funding Availability for the Maternal and Child Health Services Title V Block Grant Program

**THE DISTRICT OF COLUMBIA
LOTTERY AND CHARITABLE GAMES CONTROL BOARD
NOTICE OF PROPOSED RULEMAKING**

The Executive Director of the District of Columbia Lottery and Charitable Games Control Board, pursuant to the authority set forth in section 4 of the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172; D.C. Official Code §§ 3-1306(a), 3-1313(c) and 3-1321(2007 Repl.), District of Columbia Financial Responsibility and Management Assistance Authority Order effective September 21, 1996, and Office of the Chief Financial Officer Financial Management Control Order No. 96-22, effective September 24, 1996, hereby gives notice of his intent to add a new chapter 26 (Games Offered Over the Internet) to title 30 (Lottery and Charitable Games) of the District of Columbia Municipal Regulations (DCMR).

The Executive Director gives notice of his intent to take final rulemaking action to adopt the amendments in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Title 30, Lottery and Charitable Games, of the District of Columbia Municipal Regulations is amended by adding a new chapter 26 to read as follows:

CHAPTER 26 GAMES OFFERED OVER THE INTERNET

2600 Internet Demonstration Games

2600.1 The Executive Director may authorize the following internet demonstration games:

- (a) Victory at Sea;
- (b) Blackjack;
- (c) Texas Hold'em;
- (d) Bingo;

- (e) Electronic Instant Tickets; and
- (f) Random Number Generated Games.

2600.2 Instructions describing how to play individual internet demonstration games shall be made available to players on the District of Columbia Lottery and Charitable Games Control Board's (Agency) internet demonstration games website.

- 2600.3 Internet demonstration games shall not require the player to stake or risk anything of values other than the following:
- (a) Personal efforts of the players in playing the demonstration games or contests or obtaining access to the Internet; or
 - (b) points or credits that the Agency provides to participants free of charge and that can be used or redeemed only for participation in games or contests offered by the Agency.
- 2600.4 No payment is required in order to participate in internet demonstration games.
- 2600.5 Players must be nineteen (19) years of age or older in order to participate in internet demonstration games. The Agency shall:
- (a) Utilize age verification databases and other methods which are reasonably designed to block access to persons under nineteen (19) years of age; and
 - (b) Utilize appropriate data security standards to prevent access to the internet demonstration games by any person whose age has not been verified to be nineteen (19) years of age or older.
- 2600.6 Players must fully complete the Agency's internet registration form and open an account in order to participate in internet demonstration games. No deposit of funds is required in order to open account for internet demonstration games.
- 2600.7 The following applies to player's accounts on the Agency's internet demonstration games website:
- (a) In order to have a valid account, the player shall provide full and truthful registration information and any additional information requested by the Agency in connection with the players account;
 - (b) For security purposes, players must create a username and password for their account;
 - (c) Players will be required to enter their username and password in order to access their account;
 - (d) Players are responsible for keeping their username and password confidential;
 - (e) The Agency is not responsible for any access to the player's account, including situations in which the access was unauthorized or unintended. This includes circumstances where the player inadvertently or otherwise discloses their username or password, or where the player uses software to

automatically input their username or password, or where the player uses their internet browser to save their username or password;

- (f) Players may only hold one (1) account and shall only access the internet games demonstration website using such single account;
- (g) Only the registered player is authorized to use the account; and
- (h) Player accounts are non transferrable.

2600.8 Players must be physically located within the District of Columbia while participating in internet demonstration games, and all bets or wagers shall be initialed and received or otherwise made exclusively within the District of Columbia. The Agency shall:

- (a) Utilize location verification technologies and other methods which are reasonably designed to block access to persons located outside of the District of Columbia; and
- (b) Utilize appropriate data security standards to prevent access to the internet demonstration games by any person whose current location has not been verified and confirmed to be located within the District of Columbia.

2600.9 The Agency may block participation in internet demonstration games and cancel the player's account if the Agency cannot confirm the player's age or if the Agency cannot confirm that the player is physically located within the District of Columbia while attempting to participate in internet demonstration games. The Agency may require that the player provide any information to the Agency that the Agency deems necessary in order to confirm the player's age and to confirm that the player is physically located within the District of Columbia while attempting to participate in internet demonstration games.

2600.10 Internet demonstration games will be available for play daily between the hours of 10:00 a.m. and 4:00 a.m. or at any other times designated by the Executive Director.

2600.11 Play is conducted through the use of points or credits. Points or credits are:

- (a) For entertainment purposes only and have no monetary value;
- (b) Not redeemable or transferable for cash or prizes and cannot be used for any purpose except as provided in this section; and
- (c) Usable or redeemable by the players for participation in games or contests offered by the Agency.

- 2600.12 All players receive free points or credits when they register. The player may receive additional free points or credits on a daily basis. The Executive Director reserves the right to decide the number of free points or credits a player will receive upon registering and the number of free points or credits a player will receive on a daily basis.
- 2600.13 The Agency has the right to manage, control, modify and eliminate points or credits as it sees fit at its sole discretion. The Agency shall have no liability based upon its exercise of these rights.
- 2600.14 The Agency is not responsible for any computer or network malfunction or congestion, including, without limitation, at the Agency's or any other entity's servers.
- 2600.15 Players are solely responsible to ensuring the accuracy of their play decisions before submitting them for processing.
- 2600.16 Players shall not to engage in any fraudulent activity while on the Agency's website. Fraudulent activities include the following:
- (a) Colluding with others;
 - (b) Use of any computer program, systems or device which provides the player with an unfair advantage;
 - (c) Engaging in any unfair practice, including activities that the Agency determines are designed to attempt to defraud the Agency, its sales agents, vendors, or other players; or
 - (d) Concealing or attempting to conceal their identity, location or age.
- 2600.17 The Agency may take steps to detect and prevent the use of prohibited computer programs, systems or devices which provide the player with an unfair advantage. These steps may include, but are not limited to, examination of software programs running concurrently with the Agency's software on the player's computer.
- 2600.18 In the event that the Agency has reasonable grounds to believe that the player has engaged in such fraudulent activities, the Agency shall be entitled to take one (1) or more of the following actions:
- (a) Seize players account;
 - (b) Suspend or terminate the player's account; or
 - (c) Ban the player from accessing the Agency's internet demonstration games website.

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments in writing no later than thirty (30) days from the date of publication of this notice in the *D.C. Register*. Comments should be filed with the Office of the General Counsel, District of Columbia Lottery and Charitable Games Control Board, 2101 Martin Luther King, Jr., Avenue, SE, Washington, D.C. 20020. Copies of these proposed rules may be obtained at the address stated above.