

24 NCAC 06A .0602 VOLUNTARY EXCLUSION PROGRAM

(a) The Commission operates a Voluntary Exclusion Program under which Individuals are excluded from establishing a Wagering Account or placing Wagers for a set period, up to and including that Individual's lifetime. Information regarding such Individuals is collected and securely shared with authorized recipients in order to effectuate G.S. 18C-922.

(b) An Individual may request to be placed in the Voluntary Exclusion Program by completing a form prescribed by the Commission and providing the following information:

- (1) full name and any aliases or nicknames;
- (2) date of birth;
- (3) current residential address;
- (4) email addresses;
- (5) telephone numbers;
- (6) last four digits of Social Security Number or tax identification number, when provided voluntarily in accordance with Section 7 of the Privacy Act of 1974, 5 U.S.C. 552a, or an equivalent government identification number for a noncitizen, for example, a passport or taxpayer identification number, if available;
- (7) height, weight, gender, hair color, eye color, and any other physical characteristic that may assist in the identification of the Individual;
- (8) the requested period of exclusion at one year, three years, five years, or lifetime; and
- (9) other relevant information as required by the Commission.

(c) The Individual seeking placement in the Voluntary Exclusion Program shall agree to make certain sworn acknowledgements, which are binding upon the Individual. These include, but are not limited to, the following:

- (1) an acknowledgment that the Individual in the Voluntary Exclusion Program shall be prohibited from participating in any form of legalized Wagering in the State, excluding federally-recognized tribal lands, and is prohibited from collecting any Winnings or recovering any losses resulting from violation of the restrictions to which such Individual has agreed;
- (2) an acknowledgment that the Individual in the Voluntary Exclusion Program may be refused entry or ejected from the Wagering Facility;
- (3) an acknowledgement from the Individual that they will not engage in Wagering in North Carolina for the duration of the exclusion period and that it is the Individual's responsibility to refrain from doing so;
- (4) an acknowledgment that the Commission will share a list of participants in the Voluntary Exclusion Program with Operators in the State and that such Operators, pursuant to their own Internal Controls, may extend the exclusion of the Individual to Wagering offerings that the Operator and its Affiliates make available outside of North Carolina;
- (5) an acknowledgement that the Commission may securely share the Voluntary Exclusion Program participant list with other domestic Wagering jurisdictions resulting in placement on the lists of such other jurisdictions, and may share such portion of the list with designated agents as may be necessary for the purpose of administering Voluntary Exclusion Programs;
- (6) an acknowledgment that the Individual requesting placement in the Voluntary Exclusion Program shall notify the Commission within fourteen Days if the Individual's address or other contact information changes; and
- (7) an acknowledgment that the Individual will be removed from the Voluntary Exclusion Program upon expiration of the period of exclusion set at initial enrollment into the program.

(d) An Individual requesting placement in the Voluntary Exclusion Program shall execute a waiver and release that shall release and forever discharge the State of North Carolina, the Commission, and the Commission's employees and agents from any liability to the Individual requesting exclusion, as applicable, and the Individual's heirs, administrators, executors, and assigns for any harm, monetary or otherwise, that may arise out of or by reason of any act or omission relating to the request for exclusion or request for removal from the Voluntary Exclusion Program, including, but not limited to:

- (1) the processing or enforcement of the request for exclusion or request for removal from the Voluntary Exclusion Program;
- (2) the failure to withhold Wagering privileges from or restore Wagering privileges to a Voluntarily Excluded Person;
- (3) permitting a Voluntarily Excluded Person to engage in Wagering Activity while in the Voluntary Exclusion Program; and

- (4) disclosure of the information contained in the Voluntary Exclusion Program, except for a willfully unlawful disclosure of such information.

*History Note: Authority G.S. 18C-114(a)(14);
Previously adopted as Rule 1F-002;
Eff. January 8, 2024;
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