

Part 3 Chapter 9: UNSUPERVISED MINORS

Rule 9.1 In General

(a) Terms used in this regulation are defined, as follows:

1. "Minor" is a person younger than twenty-one (21) years of age.
2. "Gaming Areas" are the areas of the establishment, vessel, cruise vessel where gaming has been approved and is actively conducted.
3. "Nongaming Areas" are the public common areas located upon the premises of a licensee, including, but not limited to, restaurants, arcades, pools, garages and parking lots.
4. "Young adult" is a minor aged 16 through 20 who may be charged with the responsibility of properly supervising a minor younger than 16 years of age.
5. "Unsupervised minor" is a minor younger than 16 years of age not in the company of a parent, guardian, young adult or other adult responsible for the welfare of the minor.

(b) The responsibility for minors lies first and foremost with parents. However, licensees should use reasonable efforts to safeguard the wellbeing of unsupervised minors.

(c) A licensee shall not allow a minor to play, place wagers, or collect winnings, whether personally or through an agent, from any gaming authorized under the Gaming Control Act. A licensee shall not allow minors to loiter in gaming areas.

(d) A licensee shall not allow unsupervised minors in gaming areas and shall not allow unsupervised minors in nongaming areas between the hours of 10:00 P.M. and 5:00 A.M., Sunday night through Friday morning, or between the hours of 12:00 A.M. and 5:00 A.M., Saturday or Sunday.

(e) Minors shall be allowed in licensed childcare facilities on the premises at any time.

(f) If an unsupervised minor is found in violation of these regulations, security shall immediately take reasonable measures to locate the parent, guardian, young adult or other adult responsible for the welfare of the unsupervised minor. If located, the responsible person or persons will be brought to the unsupervised minor's location and strongly warned that they may not leave minors unattended except in accordance with this regulation. A child safety brochure will be made available to the parent, guardian, young adult or other adult responsible for the welfare of the unsupervised minor, once they are located. The parent, guardian, young adult or other adult responsible for the welfare of the unsupervised minor must present proper identification and the unsupervised minor will be returned to their care and custody. If the parent, guardian or other adult responsible for the welfare of the unsupervised minor is not located within a reasonable time or refuses to provide proper identification, local law enforcement authorities shall be contacted to assume custody of the unsupervised minor or otherwise exercise authority over the matter. A parent, guardian, young adult or other adult responsible for the welfare of the unsupervised minor, who refuses to comply after warned, shall be asked to leave the premises with the unsupervised minor. At the discretion of the licensee, a parent, guardian, young adult or other adult responsible for the welfare of the unsupervised minor, who is a lodging guest, may return to their accommodations with the unsupervised minor. After the detection of a violation of this regulation, actions taken by security personnel shall be recorded in a log, which shall include the identification of the parent, guardian, young adult or other adult responsible for the welfare of the unsupervised minor and his or her relationship to the unsupervised minor.

(g) Upon discovery by a licensee that a minor has obtained access to the premises and participated in gaming activities, said licensee shall notify the Commission of the activity. Both the security and surveillance departments shall immediately determine, to the extent possible:

1. How the person was able to gain access to the premises without being detected and, where possible, how the licensee plans to prevent such breaches in the future;
2. Whether and how many times said person has gained access on previous occasions; and
3. The net winnings or losses attributable to the minor.

A report of the foregoing shall be prepared and forwarded to the Commission within twenty-four (24) hours after the breach is discovered. Any available winnings attributable to the underage patron shall be seized by the Commission and disposed of accordingly.

(h) A licensee shall take reasonable efforts to caution patrons against leaving minors unattended, via signage, as well as upon registration at any lodging facilities on the premises, via a brochure.

(i) A licensee shall establish company policies and procedures, and train all employees who directly interact with gaming patrons on the gaming premises in techniques to identify and respond in dealing with unsupervised minors.

(j) The provisions of this regulation are solely regulatory in nature and neither create a minimum standard of care toward the public nor establish a private cause of action for non-compliance.

(Adopted: 10/22/1998; Amended: 02/23/2006.)

Source: *Miss. Code Ann.* § 75-76-33

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