

**LAW AND PUBLIC SAFETY**

**DIVISION OF GAMING ENFORCEMENT**

**GENERAL PROVISIONS**

**Confidential Information**

**Determination of Confidential Status**

**Proposed Amendment: N.J.A.C. 13:69-4.2**

Authorized By: David Rebuck, Director, Division of Gaming  
Enforcement.

Authority: N.J.S.A. 5:12-69, 70, 74.1, and 76.

Calendar Reference: See Summary below for explanation of exception to  
calendar requirement.

Proposal Number: PRN 2014-133.

Submit written comments by October 3, 2014, to:

Charles F. Kimmel, Deputy Attorney General  
Division of Gaming Enforcement  
1300 Atlantic Avenue  
Atlantic City, NJ 08401  
E-mail: Rulecomments@njdgc.org

The agency proposal follows:

**Summary**

The proposed amendment specifies that casino gaming gross revenue information broken down by table game type and slot machine denomination shall be considered confidential information except as reported on an annual basis. This is a change from the prior policy of releasing such revenue figures monthly.

This notice of proposal is not required to be referenced in a rulemaking calendar since a public comment period of 60 days is being provided. See N.J.A.C. 1:30-3.3(a)5.

**Social Impact**

The proposed amendment does not have any significant social impact; it changes current policy from releasing revenue figures by table game type and slot machine denomination each month to only once a year. This brings New Jersey into line with other states which release casino gaming revenue figures. The effect of this change should be minimal.

**Economic Impact**

The proposed amendment should have no economic impact. It brings New Jersey into line with other states which release casino gaming revenue figures.

**Federal Standards Statement**

A Federal standards analysis is not required because the proposed amendment is authorized by the provisions of the Casino Control Act, N.J.S.A. 5:12-1 et seq., and is not subject to Federal law.

**Jobs Impact**

The proposed amendment is not anticipated to create new jobs in the gaming industry, nor is it anticipated to cause the loss of any jobs.

**Agriculture Industry Impact**

The proposed amendment will have no impact on agriculture in New Jersey.

**Regulatory Flexibility Statement**

The proposed amendment will only affect the release of revenue information from New Jersey casino licensees, none of which is believed to qualify as a "small business" as defined in the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq., because they all employ more than 100 persons full-time in the State of New Jersey. Accordingly, a regulatory flexibility analysis is not required.

**Housing Affordability Impact Analysis**

The proposed amendment will have no impact on the affordability of housing in the State of New Jersey because it affects the regulation of casinos in Atlantic City.

**Smart Growth Development Impact Analysis**

The proposed amendment will have no impact on the achievement of smart growth development in the State of New Jersey because it affects the regulation of casinos in Atlantic City.

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletion indicated in brackets [thus]):

13:69-4.2 Determination of confidential status

(a) Except as provided by N.J.S.A. 5:12-74.1.d, all information and data furnished to or obtained by the Division which relates to the internal controls specified in N.J.S.A. 5:12-99.a, **gross revenue by table game type and slot machine denomination except on an annual basis**, or [to] the earnings or revenue of any applicant, registrant, or licensee, or which pertains to an applicant's criminal record, family, or background, shall be presumed to be confidential and shall

not be released or disclosed to any person except in accordance with the provisions of this subchapter.

(b) (No change.)