

TITLE 10: LOCAL LAWS
DIVISION 2: SECOND SENATORIAL DISTRICT (TINIAN, ETC.)

§ 25105. List of Names of Excluded Persons.

(a) The commission shall, by regulation, provide for the establishment of a list of persons who are to be excluded or ejected from any licensed casino establishment. Such provisions shall define the standards for exclusion, and shall include standards relating to persons:

(1) Who are career or professional offenders as defined by regulations of the commission;

(2) Who have been convicted of a criminal offense under the laws of any state or of the United States, which is punishable by more than six months in prison, or any crime or offense involving moral turpitude; or

(3) Whose presence in a licensed casino would, in the opinion of the commission, be inimical to the interest of the Municipality of Tinian or of licensed gaming therein, or both.

The commission shall promulgate definitions establishing those categories of persons who shall be excluded pursuant to this section, including cheats and persons whose privileges for licensure or registration have been revoked. Race, color, creed, national origin or ancestry, sex, or religious belief shall not be a reason for placing the name of any person upon such list.

(b) The commission may impose sanctions upon a licensed casino or individual licensee or registrant in accordance with the provisions of this chapter if such casino or individual licensee or registrant knowingly fails to exclude or eject from the premises of any licensed casino any person placed by the commission on the list of persons to be excluded or ejected.

(c) Any list compiled by the commission of persons to be excluded or ejected shall not be deemed an all-inclusive list, and the licensed casino establishments shall have a duty to keep from their premises persons known to them to be within the classifications declared in subsection (a) of this section and the regulations promulgated thereunder.

(d) Whenever the name or description of any person is placed on a list pursuant to this section, the commission shall serve notice of such fact to such person by personal service, by certified mail at the last known address of such person, or by publication daily for one week in a newspaper of general circulation in the Commonwealth.

(e) The commission shall adopt as its own those lists of persons to be excluded from the States of Nevada and New Jersey. All persons excluded from casinos in Nevada and New Jersey shall be excluded from Tinian casinos. The commission may adopt as its own those lists of persons to be excluded from other jurisdictions if it is satisfied the persons on those lists were given due process of law.

(f) Within 30 days after service by mail or in person or 60 days from the time of last publication, as the case may be, the person named for exclusion or ejection may demand a hearing before the commission and show cause why he should have his name removed from such list. Failure to demand such a hearing within the time allotted in this section shall preclude a person from having an administrative hearing, but shall in no way affect his right to judicial review as provided herein.

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(g) Upon receipt of a demand for a hearing, the commission shall set a time and place for such hearing. Unless otherwise agreed by the commission and the named person, such hearing shall not be later than 30 days after the receipt of a demand for such hearing.

(h) If, upon completion of the hearing, the commission determines that the regulation does not or should not apply to the person so listed, the commission shall notify all casino licensees of such determination.

(i) If, upon completion of a hearing, the commission determines that the placement of the name of the person on the exclusionary list was appropriate, the commission shall make and enter an order to that effect. Such order shall be subject to review by the Commonwealth Superior Court in accordance with the rules of court.

Source: Tinian Local Initiative 1, § 96.