

TITLE 4: ECONOMIC RESOURCES
DIVISION 2: TOURISM

§ 2353. Casino Credit Instruments. The following shall apply to casino credit instruments:

(a) A licensee or a person acting on behalf of a licensee:

(1) may accept a casino credit instrument that is payable to an affiliated company or may complete a casino credit instrument in the name of an affiliated company as payee, only if the affiliated company is licensed by the Commission, the casino credit instrument otherwise complies with this subsection, and the records of the affiliated company are made available to agents of the Commission upon request.

(2) may accept a casino credit instrument either before, at the time of, or after the patron incurs the debt. This subsection does not apply to a casino credit instrument made between a casino licensee (or its affiliates) and a commission licensed junket operator.

(b) The casino credit instrument and the debt that the casino credit instrument represents are enforceable without regard to whether the casino credit instrument was accepted before, at the time of, or after the debt is incurred.

(c) This section does not prohibit the establishment of an account by deposit of cash, recognized traveler's check, or any other instrument which is equivalent to cash.

(d) If a casino credit instrument is lost or destroyed, the debt represented by the credit instrument may be enforced if the licensee or person acting on behalf of the licensee pursuant to a written authorization can prove the existence of the casino credit instrument.

(e) A patron's claim of having a mental or behavioral disorder involving gambling:

(1) is not a defense in civil or administrative action based on or arising out of a casino credit instrument or the debt that the casino credit instrument represents; and

(2) is not a valid counterclaim to any civil or administrative enforcement or collection action.

(f)(1) A casino licensee in any senatorial district or a person acting on behalf of casino licensee may accept an incomplete casino credit instrument provided that it:

(i) is signed by a patron;

(ii) states the credit limit being offered or that there is no credit limit;

(iii) states the interest rate and any fees to be incurred;

(iv) advises the patron that the principal debt amount will be filled in after play is completed and the debt is incurred; and

(v) states that the patron will also be responsible for paying interest as it accrues as well as collection fees listed.

(2) Subsection (f) does not apply to a casino credit instrument made between a casino licensee (or its affiliates) and a commission-licensed junket operator.

TITLE 4: ECONOMIC RESOURCES
DIVISION 2: TOURISM

(g) Casino credit instruments that leave open the final amount of the debt when signed by the patron and that are then filled in by the licensee when play is complete are enforceable. This subsection does not apply to a casino credit instrument made between a casino licensee (or its affiliates) and a commission-licensed junket operator.

(h) The appropriate regulatory commission or agency in each senatorial district may adopt regulations prescribing the conditions under which a casino credit instrument may be redeemed or presented to a bank, credit union or other financial institution for collection or payment.

(i) The failure of a licensee or any other person to comply with the provisions of this section or any applicable regulation promulgated by a governmental regulatory agency does not invalidate a casino credit instrument or affect the ability to enforce the casino credit instrument or the debt that the casino credit instrument represents.

Source: PL 20-85 § 3 (Jan. 7, 2019), modified; amended by PL 21-38 § 19 (Jan. 7, 2021).

Commission Comment: The Commission modified the capitalization in the section title and in (a)(1)–(2), (e)(1)–(2), and (h) pursuant to 1 CMC § 3806(f). The Commission inserted a comma after “subsection” and before “and”; and after “payee” and before “only” in (a)(1) pursuant to 1 CMC § 3806(g). In codifying (f), the Commission numbered the paragraphs to include (f)(1) and (f)(2), renumbered the list within (f)(1) from (1)–(5) to (i)–(v), and changed “This subsection” to “Subsection (f)” pursuant to 1 CMC § 3806(a), (c), and (d).