

REGULATION 21

LIVE BROADCASTS

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21.005 Waivers or modifications. The Chair may waive or modify one or more of the requirements of this regulation if the Chair determines, in the Chair's sole and absolute discretion, that such waiver or modification is consistent with the state policy set forth in NRS 463.0129. The Chair may condition or limit a waiver or modification granted pursuant to this section in any manner the Chair deems reasonable.

(Adopted: 7/87. Amended: 10/92; 1/11; 12/25.)

21.010 Definitions. As used in this regulation:

1. "Chair" means the Chair of the Nevada Gaming Control Board or the Chair's designee.
2. "Live broadcast" has the meaning ascribed to it in paragraph (a) of subsection 2 of NRS 463.426.
3. "Race book" has the meaning ascribed to it in NRS 463.01855.
4. "Racing meet" means a series of scheduled races held at a track for a specified time period.
5. "Track" has the meaning ascribed to it in paragraph (b) of subsection 2 of NRS 463.426. For the purposes of this regulation, the term includes an authorized agent or representative of a track.
6. "User" has the meaning ascribed to it in paragraph (c) of subsection 2 of NRS 463.426.

(Adopted: 7/87. Amended 1/11; 12/25.)

21.020 Standards for Board authorization. The Board or Chair shall not authorize a user to enter into an agreement with a track for the use of a live broadcast unless it is established to the Board's or Chair's satisfaction that:

1. There exists a comprehensive, effective, government regulatory system governing the track in the jurisdiction where the track is located;
2. Information pertaining to the live broadcast operations at the track will be readily accessible to the Board at all times;
3. Proper and adequate administrative and production controls exist at the track to ensure that the interests of the State of Nevada are not unduly jeopardized; and
4. The track and the proposed live broadcast meet such other standards and requirements as these regulations or the Chair may impose.

(Adopted: 7/87. Amended: 1/11; 12/25; 5/26.)

21.030 Prohibited activities.

1. A user shall not use an audio-only transmission to determine the winners of, or payoffs on, nonpari-mutuel race wagers.

2. No track shall grant or purport to grant to any user, nor shall a user acquire or purport to acquire, an exclusive right to use a live broadcast or any part thereof, and any contractual provision that grants or purports to grant such exclusive right is void.

(Adopted: 7/87. Amended: 1/11; 12/25.)

21.031 Intent to submit a live broadcast proposal. [Repealed: 12/18/25.]

(Adopted: 1/11.)

21.032 Live broadcast proposals. [Repealed: 12/18/25.]

(Adopted: 1/11.)

21.034 Hearing panel. [Repealed: 12/18/25.]

(Adopted: 1/11.)

21.035 Hearing panel members: qualifications and eligibility. [Repealed: 12/18/25.]

(Adopted: 7/87. Amended: 10/92.)

21.039 Notices. [Repealed: 1/27/11.]

21.040 Proposals for the exclusive right to disseminate a live broadcast of a racing meet to users. [Repealed: 1/27/11.]

21.045 Standards for approval of a live broadcast proposal. [Repealed: 12/18/25.]

(Adopted: 7/87. Amended: 12/88; 10/92; 1/11.)

21.046 Approval of live broadcast proposals. [Repealed: 12/18/25.]

(Adopted: 1/11.)

21.047 Withdrawal of authorization and action following withdrawal. [Repealed: 12/18/25.]

(Adopted: 7/87. Amended: 1/11.)

21.050 Documents and information to be maintained or submitted by a user. A user must:

1. Submit to the Chair a copy of the executed agreement providing the live broadcast rights before the live broadcast begins.

2. Maintain copies of the executed agreement referred to in subsection 1.

3. Submit any other information that the Chair may require.

(Adopted: 7/87. Amended: 10/92; 1/11; 12/25.)

21.053 Standard revenue and expense classifications. [Repealed: 1/27/11.]

21.055 Unsuitable methods of operation. It is an unsuitable method of operation:

1. For a user to misrepresent any facts to the Board.

2. For a user to cause a delay of the public showing of a live broadcast for any period of time.

3. For a user to not meet the filing deadlines specified in this regulation.

(Adopted: 7/87. Amended: 1/11; 12/25.)

21.060 Production.

1. For each race, the video portion of every live broadcast must include:

(a) The post parade;

(b) Before the start of a race, the track totalizator board or a graphics display, which is interfaced with the tote system, showing the race odds and pool information in United States currency and the minutes until post time at the track;

(c) The race;

(d) After the end of the race, the track totalizator board or a graphics display, which is interfaced with the tote system, showing the official order of finish and the resulting payoffs in United States currency;

(e) The track totalizator board or a graphics display that accurately reproduces some or all of the information displayed on the totalizator board if any required, permitted, or other portion of the track's program is not otherwise displayed in the live broadcast;

(f) At all times, the track's name or logo; and

(g) At all times, a digital display, as described in subsection 4, of the date and time of day at the track where the live broadcast races are run.

2. For each race, the audio portion of every live broadcast must include:

(a) Post time, as defined in Regulation 22;

(b) An announcement of the start of the race; and

(c) The call of the race.

3. The audio and video portions of any live broadcast may include:

(a) Information identifying the next race, its distance, and track conditions;

(b) The names, numbers, post positions, and other information identifying the horses and jockeys or other entrants in the next race;

(c) Pre-race preparation activities in the paddock area or on the racetrack; and

(d) Race replays, but only if the replays are conspicuously identified as such on the video portion of the live broadcast throughout the replay.

4. The digital display referred to in paragraph (g) of subsection 1 must be generated at the track, and displayed continuously by the track and user. The time must be displayed to the nearest second, conform as closely as possible to the official time used by the track, and, along with the date, be readily visible to the person in the user's employ who controls the closing of wagering for each race.

5. Except as the Chair may otherwise approve in advance in writing, speakers, television screens, and similar devices used to display the audio and video portions of live broadcasts must be located only within public areas of the user's premises.

6. The track from which the live broadcast originates must maintain a recording of the live broadcast for at least one year after the conclusion of the final race of the relevant meet.

(Adopted: 7/87. Amended 1/11; 12/25.)

21.070 Signal transmission, reception, and security. Before utilizing a live broadcast, the user must:

1. Verify that the live broadcast will be encrypted and controlled by a conditional access system; and

2. Install and maintain on the user's premises such equipment and software needed to receive and decrypt the signals transmitted to the user.

(Adopted: 7/87. Amended: 12/88; 1/11; 12/25.)

21.080 Procedures of users.

1. A user may not utilize a live broadcast before the user has executed an agreement with the track. The user must maintain copies of all such executed agreements for five years after the expiration of such executed agreement.

2. A user who has executed a live broadcast agreement with a track may use information contained in the live broadcast to determine winners of, or payoff on, wagers accepted at the user's race book, provided the agreement is in compliance with the requirements set forth in section 21.050.

3. Each user shall post at the user's establishment an explanation of any discrepancies between numbers used at the track and those used at the user's establishment to identify entrants.

(Adopted: 7/87. Amended: 10/92; 1/11; 12/25.)

21.090 Records and reports.

1. Each user who uses information included in a live broadcast to determine winners of and payoffs on wagers accepted at the user's race book shall document simultaneously with the occurrence of the recorded event, for each live broadcast race:

(a) The actual post time as defined in Regulation 22;

(b) The name, number, and official finishing position, as supplied by the track, of each entrant finishing in a position for which a payoff is made or offered;

(c) The official track payoff results; and

- (d) Such other information as the Chair may require.
2. Users shall create and maintain the records required by this or any other regulation in such manner and using such forms as the Chair may require or approve.
 3. The Chair may require users to create and maintain such other records and reports as are necessary or convenient for strict regulation of users.
 4. At the Chair's request, users shall submit the records specified in this section.
 5. Users shall preserve the records required by this section for at least five years after they are made.
- The Board may at any time examine and copy the records of any user.
(Adopted: 7/87. Amended: 1/11; 12/25.)

21.100 Board monitoring and authority.

1. The Board may review the security of the live broadcast at any time and in any manner.
2. The Chair may order the immediate termination of any live broadcast originating from a track located in Nevada or to a user located in Nevada without prior notice or hearing whenever the Chair has reason to believe the track or user has violated any regulation of the Commission. After any such termination, the track or user may, within three days of the order, request a hearing before the Commission to review the Chair's order. The decision of the Commission is binding and conclusive on the affected track and user.
3. The Board may recommend to the Commission that a person or an entity providing services in connection with the transmission of live broadcasts be required to file an application for a finding of suitability pursuant to NRS 463.168.

(Adopted: 7/87. Amended: 1/11; 12/25.)

21.110 Live broadcast supervision. [Repealed: 12/18/25]

(Adopted: 7/87.)

21.120 Notification procedures. The method of "notification" used pursuant to this regulation may include, but is not limited to, written notification through United States mail, email, and posting to the Board's website.

(Adopted: 1/11.)

End – Regulation 21