

3772-10-09 Complimentaries

(A) In addition to the limits on promotional credits in section 3772.23 of the Revised Code, each casino operator's ~~licensee's or applicant's~~ internal control system shall include internal controls for the authorization, issuance, recording, and auditing of complimentaries, including cash and non-cash gifts. These internal controls shall include the procedures by which the casino operator ~~licensee or applicant~~ delegates to its employees the authority to approve the issuance of complimentaries and the procedures by which conditions or limits that may apply to this authority are established and modified, including limits based on relationships between the authorizer and recipient.

(B) On a daily basis the casino operator ~~licensee~~ shall record the name of each patron provided with complimentaries other than a minimal amount established in the operator's internal controls, the category of service or item, the value of the services or items provided to each patron or that patron's guests as calculated in accordance with paragraph (D) of this rule, and ~~the a unique identifier~~ ~~license number~~ of the employee authorizing the issuance of the services or items. For the purposes of this rule, "guest" shall mean any person who receives complimentaries as a result of that person's relationship with the patron receiving the primary complimentaries. Upon request, a copy of this daily report shall be submitted to the commission.

(C) The internal audit department shall review the reports required in paragraph (B) of this rule at least monthly. These reports shall be made available to the commission, audit committee of the board of directors, and any other entity designated by the commission, upon request.

(D) All complimentaries shall be valued and recorded as follows:

(1) At full retail price normally charged by the casino operator ~~licensee~~ if the complimentary is provided directly to patrons in the normal course of the casino operator's ~~licensee's~~ business, including rooms, food, and beverages;

(2) At an amount based upon the actual cost to the casino operator ~~licensee~~ of providing the service or item, if the complimentary is not offered for sale to patrons in the normal course of a casino operator's ~~licensee's~~ business;

(3) At an amount based upon the actual cost to the casino operator ~~licensee~~ of having a third party who is not affiliated with the casino operator ~~licensee~~ provide a service or item directly or indirectly to patrons by the third party; or

(4) If provided directly or indirectly to a patron on behalf of a casino operator ~~licensee~~ by a third party who is affiliated with the casino operator ~~licensee~~, in accordance with the provisions of this rule as if the affiliated third party were the casino operator ~~licensee~~.

(E) Complimentaries that are cash gifts shall include the following:

(1) Public relations payments made for the purpose of resolving complaints by or disputes with casino operator ~~licensee~~ patrons;

(2) Travel payments made for the purpose of enabling a patron to return home;

(3) Cash gifts issued to patrons as a result of actual gaming activity; and

(4) Coupons and vouchers issued and redeemed as part of a promotion program.

(F) The casino operator ~~licensee~~ shall report to the commission on a quarterly basis both the dollar amount of and number of patrons and patron's guest or guests provided with each category of complimentary. The casino operator ~~licensee~~ shall establish sufficient categories to allow auditing of the complimentary program.

(G) If cash and non-cash complimentary issued to a patron or the patron's guest or guests per occurrence have a value of six hundred dollars or more, the casino operator ~~licensee~~ shall meet the following requirements, in addition to those in paragraph (F) of this rule:

(1) Record the name and address of the recipient;

(2) Record the unique identification number from the recipient's government-issued photo identification card; and

(3) Verify the patron's identification.

(H) All cash complimentary shall be disbursed directly to the patron by a gaming cashier at the cage after receipt of appropriate documentation or in any other manner approved by the commission.

(I) No casino operator ~~licensee~~ may allow any employee to authorize the issuance of complimentary cash or non-cash gifts with a value of ten thousand dollars or more unless the employee is licensed and functioning as a key employee and the authorization is cosigned by a second employee licensed and functioning as a key employee.

(J) Each casino operator ~~licensee~~ shall submit to the commission a report listing the name of each person who has received ten thousand dollars or more in complimentary cash and non-cash gifts within a rolling five-day period during the preceding month end. Such report shall be filed by the last business day of the following month and shall include the total amount of complimentary cash or non-cash gifts provided to each person.

(K) Each casino operator ~~licensee or casino operator applicant~~ shall submit procedures for auditing complimentary transactions which shall include:

(1) Control of inventory of pre-numbered forms;

(2) Accounting for all copies of multiple part forms issued; and

(3) Signatures of individuals authorizing complimentary are compared to signature cards on a test basis.

