

OHIO CASINO CONTROL COMMISSION

RESOLUTION 2012-36

WHEREAS, Article XV, Section 6(C)(4) of the Ohio Constitution created the Ohio Casino Control Commission (“Commission”) to ensure the integrity of casino gaming by, among other things, licensing and regulating all gaming authorized by Article XV, Section 6(C) of the Ohio Constitution;

WHEREAS, R.C. 3772.03(A) authorizes the Commission to complete the functions of licensing, regulating, investigating, and penalizing casino operators, management companies, holding companies, key employees, casino gaming employees, and gaming related vendors as well as grants the Commission with jurisdiction over all persons participating in casino gaming authorized by Article XV, Section 6(C)(4);

WHEREAS, R.C. 3772.03(B), (C), and (D) require the Commission to adopt regulations pursuant to R.C. Chapter 119 to complete the functions stated in R.C. 3772.03;

WHEREAS, R.C. 3772.03(D) requires the Commission to adopt regulations that, among other things, includes:

- (A) The prevention of practices detrimental to the public interest;
- (B) Prescribing the information to be furnished by an applicant or licensee as described in R.C. 3772.11;
- (C) Specifying the method of operation according to which the permitted casino gaming is to be conducted as provided in R.C. 3772.20;
- (D) Prescribing requirements for a casino operator to provide unarmed security services at a casino facility by licensed casino employees, and the training that must be completed by these employees;
- (E) Prescribing standards according to which casino operators shall keep accounts and standards according to which casino accounts must be audited;
- (F) Providing for any other thing necessary and proper for successful and efficient regulation of casino gaming under R.C. Chapter 3772;

WHEREAS, R.C. 3772.033(E) and (M) require the Commission to audit gaming operations, including those that have ceased operation, and perform all other things the Commission considers necessary to effectuate the intents and purposes of R.C. Chapter 3772;

WHEREAS, on January 4, 2012, the Commission approved for original filing the following proposed administrative rules (“Administrative Rules”):

- (A) A.C. Chapter 3772-10 Minimum Internal Control Standards
 - (1) 3772-10-16 Security of the cashier’s cage, main bank/vault and count rooms.
 - (2) 3772-10-17 Accounting controls for the cage and main bank/vault.
 - (3) 3772-10-18 Table drop boxes and slot bill validator canisters: physical requirements and transportation.
 - (4) 3772-10-19 Drop box count procedures.
 - (5) 3772-10-20 Unsecured currency, vouchers, tickets and coupons.
 - (6) 3772-10-21 Jackpot payouts.
 - (7) 3772-10-22 Tips and gratuities.
 - (8) 3772-10-24 Signature requirements.
 - (9) 3772-10-26 Key controls.
 - (10) 3772-10-27 Controlled demonstration.
 - (11) 3772-10-28 Amendments to internal control plans.

- (B) A.C. 3772-20 Security Department
 - (1) 3772-20-01 Security department.
 - (2) 3772-20-02 Security department staffing.
 - (3) 3772-20-03 Training.
 - (4) 3772-20-04 Security plan.
 - (5) 3772-20-05 Emergency operations plan.
 - (6) 3772-20-06 Incident reports.
 - (7) 3772-20-07 Security detention area.
 - (8) 3772-20-08 Communications system.

- (C) A.C. 3772-22 Disciplinary Actions
 - (1) 3772-22-01 Disciplinary actions.

- (D) A.C. 3772-23 Involuntary Exclusion
 - (1) 3772-23-06 Casino operator licensee or applicant’s duties.

WHEREAS, R.C. 121.82 prohibits an agency, as defined by R.C. 107.51, from electronically filing proposed rules that have an adverse impact on business, as defined by R.C. 107.52, with the Secretary of State (“SoS”), the Director of the Legislative Service Commission (“LSC”), and the Joint Committee on Agency Rule Review (“JCARR”) any sooner than the sixteenth business day after filing the proposed rule and accompanying Business Impact Analysis with the Common Sense Initiative Office (“CSI”).

WHEREAS, after complying with the CSI filing requirement, R.C. 119.03(B) requires that an agency electronically file proposed rules with the SoS and with LSC at least 65 days before the agency may adopt them;

WHEREAS, R.C. 119.03(H) requires that an agency electronically file proposed rules with JCARR at least 65 days before the agency may adopt them;

WHEREAS, if the proposed rules adversely impact business, R.C. 119.03(H) requires the agency to include with its electronic filing the Business Impact Analysis, any recommendations received from CSI, and the agency's Memorandum in Response;

WHEREAS, R.C. 119.03(A) requires that reasonable public notice be given in the Register of Ohio at least 30 days prior to the date set for a public hearing, which must be held no sooner than the 31st nor any later than the 40th day after any proposed rules are filed under R.C. 119.03(B);

WHEREAS, R.C. 119.03(I)(1)(f) requires JCARR to hold a public hearing on any proposed administrative rules no earlier than the 41st day after the original versions of the proposed rules were filed with JCARR;

WHEREAS, on February 14 and 17, 2012, the Commission's staff electronically filed the Administrative Rules and the public hearing notices with SoS, LSC, and JCARR;

WHEREAS, on March 16 and 19, 2012, the Commission held public hearings on the Administrative Rules;

WHEREAS, on April 16, 2012, JCARR held a public hearing on the Administrative Rules;

WHEREAS, on April 19 and 22, 2012, JCARR's jurisdiction over the Administrative Rules ended, providing the Commission with the authority to adopt them;

WHEREAS, the Commission considered the matter at its public meeting on May 2, 2012;

NOW, THEREFORE, BE IT RESOLVED by the Commission that the Administrative Rules are **ADOPTED**.

BE IT FURTHER RESOLVED that the Commission's staff is hereby authorized and directed to **FINAL FILE** the Administrative Rules in accordance with R.C. Chapter 119.

Adopted: