

OHIO CASINO CONTROL COMMISSION
RESOLUTION 2015-24
ADMINISTRATIVE RULE – ADOPTION & FINAL FILE

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, and 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, concern:

- (A) Prescribing the method of applying, and the form of application, that an applicant for a license issued pursuant to R.C. 3772 and Ohio Adm. Code 3772;
- (B) Prescribing the information to be furnished by an applicant or licensee as described in R.C. 3772.11;
- (C) Providing for any other thing necessary and proper for successful and efficient regulation of casino gaming under R.C. Chapter 3772;

WHEREAS, R.C. 3772.131(E) requires the Commission to charge each casino gaming employee an application fee covering all actual costs generated by each licensee and all background checks;

WHEREAS, R.C. 3772.15(A) authorizes the Commission to charge each casino gaming employee a reasonable license renewal fee covering all actual costs generated by the review of the license renewal application;

WHEREAS, R.C. 3772.17(F) requires the license fees for a casino gaming employee to be set by rule, subject to the review of the joint committee on gaming and wagering;

WHEREAS, on February 11, 2015, the Commission approved for original filing a proposed amendment (“Administrative Rule”) to Ohio Adm. Code 3772-8-03, titled “Casino gaming employee fees.”

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 April 7, 2015, the Commission’s staff electronically filed the Administrative Rule and the public hearing notice with the SoS, LSC, and JCARR;

WHEREAS, on May 11, 2015, the Commission held a public hearing on the Administrative Rule;

WHEREAS, on June 1, 2015, JCARR held a public hearing on the Administrative Rule;

WHEREAS, on June 11, 2015, JCARR’s jurisdiction over the Administrative Rule ended, providing the Commission with the authority to adopt it;

WHEREAS, the Commission considered the matter at its public meeting on June 17, 2015;

NOW, THEREFORE, BE IT RESOLVED by the Commission that the Administrative Rule is **ADOPTED**.

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

Adopted: June 17, 2015