

OHIO CASINO CONTROL COMMISSION  
RESOLUTION 2017-09

**FIVE YEAR REVIEW CHANGE ADMINISTRATIVE RULES – 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:

- The prevention of practices detrimental to the public interest;
- The design of gaming supplies, devices, and equipment to be distributed by gaming-related vendors;
- Identifying the casino gaming that is permitted, identifying the gaming supplies, devices, and equipment, that are permitted, defining the area in which the permitted casino gaming may be conducted, and specifying the method of operation according to which the permitted casino gaming is to be conducted as provided in R.C. 3772.20, and requiring gaming devices and equipment to meet the standards of this state;
- Requiring that the records, including financial statements, of any casino operator, management company, holding company, and gaming-related vendor be maintained in the manner prescribed by the Commission and made available for inspection upon demand by the Commission, but shall be subject to R.C. 3772.16;
- The chips, tokens, tickets, electronic cards, or similar objects that may be purchased by means of an agreement under which credit is extended to a wagerer by a casino operator;
- Prescribing technical standards and requirements that are to be met by security and surveillance equipment that is used at and standards and requirements to be met by personnel who are employed at casino facilities, and standards and requirements for the provision of security at and surveillance of casino facilities;
- Establishing standards for the repair of casino gaming equipment; and
- Providing for any other thing necessary and proper for successful and efficient regulation of casino gaming under this chapter.

**WHEREAS**, on March 16, June 15, and November 16 2016, the Commission approved for original filing the following proposed rules and/or amendments to the administrative

code (“Administrative Rules”):

- Ohio Adm. Code 3772-1 General Provisions
  - 3772-1-07 Records retention requirements.
- Ohio Adm. Code 3772-9 Gaming Supplies, Devices, and Equipment
  - 3772-9-08 Movement of electronic gaming equipment within a casino facility.
  - 3772-9-09 Installation or removal of electronic gaming equipment.
  - 3772-9-10 Electronic gaming equipment maintenance, repair or other servicing standards.
- Ohio Adm. Code 3772-10 Internal Control Systems
  - 3772-10-01 Definitions.
  - 3772-10-02 Internal controls.
  - 3772-10-04 Accounting records.
  - 3772-10-10 Patron financial transactions at the cashier’s cage.
  - 3772-10-11 Wire transfers. (rescind)
  - 3772-10-12 Cash equivalents. (rescind)
  - 3772-10-14 Internal audit standards.
  - 3772-10-19 Count procedures.
  - 3772-10-24 Signature requirements.
  - 3772-10-25 Unclaimed winnings.
  - 3772-10-27 Controlled demonstration.
  - 3772-10-28 Amendments to internal control plan.
- Ohio Adm. Code 3772-11 Table Games
  - 3772-11-03 Approval of table games.
- Ohio Adm. Code 3772-19 Security, Surveillance System and Commission Facilities
  - 3772-19-09 Surveillance logs and incident reports.

**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, February 22, and March 10, 2017, the Commission's staff electronically filed the Administrative Rules and the public hearing notices with the SoS, LSC, and JCARR;

**WHEREAS**, on March 17 and April 12, 2017, the Commission held public hearings on the Administrative Rules;

**WHEREAS**, on May 8, 2017, JCARR held a public hearing on the Administrative Rules;

**WHEREAS**, on April 20 and May 14, 2017, JCARR's jurisdiction over the Administrative Rules ended, providing the Commission with the authority to adopt them;

**WHEREAS**, the Commission considered the matters at its public meeting on May 17, 2017;

**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: May 17, 2017