

3772-9-01

Definitions.

The following words and terms, when used in this chapter, shall have the following meanings unless the context indicates otherwise:

(A) “Activated voucher feature” means a feature activated at the slot machine that enables the slot machine to print a gaming voucher redeemable for cash or credits when a patron collects an amount on the slot machine's credit meter and may also enable the slot machine to accept gaming vouchers for wagering.

(B) “Electronic gaming equipment” means all of the following:

(1) Slot machines;

(2) Mechanical, electromechanical or electronic table games;

(3) Any computer systems used in connection with casino gaming, including slot accounting systems, that the commission determines needs to be tested to ensure the integrity of casino gaming; and

(4) Any other device, software, hardware or other technology that the commission determines may affect the integrity of casino gaming in Ohio.

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3772-9-02

Approval for use in a casino facility.

(A) A casino operator, management company or holding company licensee shall not install, maintain, use or operate any slot machine or other electronic gaming equipment in this state unless such machine or equipment has been approved by the commission and meets the standards in the appendix to this rule.

(B) No casino operator, management company or holding company licensee may use any of the following for casino gaming before the commission authorizes their inclusion in the commission's database of approved items and technologies:

(1) Slot machines and any component parts material to casino gaming activity including, but not limited to, random number generators, all game media, progressive controllers, bill changers and/or bill validators;

(2) Mechanical or electromechanical devices used with live table games and electronic table games including, but not limited to, items using radio frequency identification technology, shuffling devices, and/or progressive controllers;

(3) System-to-system, game-to-system or intra-device communication software, or any equivalent thereof, used in the conduct or monitoring of casino gaming activity, including, but not limited to, accounting systems, player tracking systems, except for systems used exclusively or solely for marketing purposes, and/or promotional and bonusing systems;

(4) Electromechanical devices used to account for casino gaming assets, including, but not limited to, kiosks capable of distributing or collecting cashless wagering instruments or credits, or both, ticket validation equipment, currency counters and/or chip sorters; and

(5) Any other device, software, hardware or other technology that the commission determines may affect the integrity of casino gaming in this state.

(C) A casino operator, management company or holding company licensee intending to use any device, software, hardware or other technology that is described in paragraph (B) of this rule but that does not appear in the commission's database must seek the commission's approval by requesting, in writing, inclusion of such device, software, hardware or other technology and must identify the following information with specificity:

(1) The device, software, hardware or other technology for which approval is sought;

(2) The gaming-related vendor licensee or applicant that will supply the device, software, hardware or other technology;

(3) The certified independent testing laboratory chosen to scientifically test and

technically evaluate the device, software, hardware or other technology;

- (4) The date or dates on which the device, software, hardware or other technology was or is expected to be submitted to the certified independent testing laboratory for scientific testing and technical evaluation; and
- (5) The results of the scientific testing and technical evaluation performed on the device, software, hardware or other technology by the certified independent testing laboratory.

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**MINIMUM ELECTRONIC GAMING EQUIPMENT STANDARDS FOR CASINO
OPERATOR, MANAGEMENT COMPANY OR HOLDING COMPANY
LICENSEES OR APPLICANTS AND GAMING-RELATED VENDOR
LICENSEES OR APPLICANTS**

These standards establish the minimum requirements that must be followed by a casino operator, management company or holding company licensee or applicant and gaming-related vendor licensee or applicant (collectively "licensee or applicant") with respect to electronic gaming equipment. The commission may require a licensee or applicant to comply with electronic gaming equipment requirements that are more stringent than those set forth by these standards based upon electronic gaming equipment improvements or the necessity to ensure the integrity of casino gaming.

**Standard One
Gaming Devices in Casinos**

The licensee or applicant shall comply with GLI Standard 11 "Gaming Devices in Casinos" version 2.1 dated August 25, 2011, except for the following:

- (A) Each reference to a payout percentage shall be replaced by not less than eighty-five percent of the theoretical payout percentage as approved by the commission.
- (B) The commission does not adopt sections 1.1 and 1.2, and any revision history.

**Standard Two
Progressive Gaming Devices in Casinos**

The licensee or applicant shall comply with GLI Standard 12 "Progressive Gaming Devices in Casinos" version 2.1 dated September 6, 2011, except for the following:

- (A) Each reference to a payout percentage shall be replaced by not less than eighty-five percent of the theoretical payout percentage as approved by the commission.
- (B) The commission does not adopt sections 1.1 and 1.2, and any revision history.

**Standard Three
On-Line Monitoring and Control Systems**

The licensee or applicant shall comply with GLI standard 13 "On-Line Monitoring and Control Systems (MCS) and Validation Systems in Casinos" version 2.1 dated September 6, 2011, except for the following:

- (A) Each reference to a payout percentage shall be replaced by not less than eighty-five percent of the theoretical payout percentage as approved by the commission.
- (B) The commission does not adopt section 1 and any revision history.

**Standard Four
Cashless Systems in Casinos**

The licensee or applicant shall comply with GLI standard 16 “Cashless Systems in Casinos” version 2.1 dated September 6, 2011, except for the following: the commission does not adopt section 1.2 and any revision history.

**Standard Five
Bonusing Systems in Casinos**

The licensee or applicant shall comply with GLI standard 17 “Bonusing Systems in Casinos” version 1.3 dated September 6, 2011, except for the following: the commission does not adopt section 1.2 and any revision history.

**Standard Six
Promotional Systems in Casinos**

The licensee or applicant shall comply with GLI standard 18 “Promotional Systems in Casinos” version 2.1 dated September 6, 2011, except for the following: the commission does not adopt section 1.2 and any revision history.

**Standard Seven
Redemption Kiosks**

The licensee or applicant shall comply with GLI standard 20 “Redemption Kiosks” version 1.5 dated September 6, 2011, except for the following: the commission does not adopt section 1.1.3 and any revision history.

**Standard Eight
Client-Server Systems**

The licensee or applicant shall comply with GLI standard 21 “Client-Server Systems” version 2.2 dated September 6, 2011, except for the following: the commission does not adopt sections 1.1 and 1.2, and any revision history.

Standard Nine
Electronic Table Game Systems

The licensee or applicant shall comply with GLI standard 24 “Electronic Table Game Systems” version 1.3 dated September 6, 2011, except for the following:

- (A) Each reference to a payout percentage shall be replaced by not less than eighty-five percent of the theoretical payout percentage as approved by the commission.
- (B) The commission does not adopt section 1.1 and any revision history.

Standard Ten
“Dealer Controlled Electronic Table Games”

The licensee or applicant shall comply with GLI standard 25 “Dealer Controlled Electronic Table Games” version 1.2 dated September 6, 2011, except for the following:

- (A) Each reference to a payout percentage shall be replaced by not less than eighty-five percent of the theoretical payout percentage as approved by the commission.
- (B) The commission does not adopt section 1.1 and any revision history.

Standard Eleven
“Wireless Gaming Systems”

The licensee or applicant shall comply with GLI standard 26 “Wireless Gaming Systems” version 1.1 dated January 18, 2007, except for the following:

- (A) Each reference to a payout percentage shall be replaced by not less than eighty-five percent of the theoretical payout percentage as approved by the commission.
- (B) The commission does not adopt section 1.1 and any revision history.

Standard Twelve
“Player User Interface Systems”

The licensee or applicant shall comply with GLI standard 28 “Player User Interface Systems” version 1.0 dated February 14, 2011, except for the following: the commission does not adopt section 1.1.

3772-9-03**Testing.**

(A) To be eligible for approval and inclusion in the commission's database described in rule 3772-9-02 of the Administrative Code, a gaming-related vendor of any device, software, hardware or other technology must submit the device, software, hardware or other technology for scientific testing and technical evaluation by a certified independent testing laboratory to determine compliance with Chapter 3772. of the Revised Code and the rules adopted thereunder.

(B) A gaming-related vendor seeking commission approval and inclusion in the commission's database described in rule 3772-9-02 of the Administrative Code of any device, software, hardware or other technology must comply with the following:

(1) Submit a written request to a certified independent testing laboratory that, at a minimum, specifically references the scientific testing and technical evaluation necessary under Chapter 3772. of the Revised Code and this rule as well as identifies the particular device, software, hardware or other technology at issue;

(2) Submit all necessary items and information to the certified independent testing laboratory;

(3) Pay all costs associated with the scientific testing and technical evaluation performed by the certified independent testing laboratory; and

(4) Engage no more than one certified independent testing laboratory to perform scientific testing and technical evaluation of any particular device, version of software, hardware or other technology to be used in this state without prior written authorization from the commission.

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3772-9-04**Testing results.**

- (A) No device, software, hardware or other technology will be included in the commission's database described in rule 3772-9-02 of the Administrative Code unless the certified testing laboratory concludes, subject to the approval of the commission, that the item at issue complies with Chapter 3772. of the Revised Code and the rules adopted thereunder.
- (B) If the commission determines that the device, software, hardware or other technology at issue is approved and will be included on the commission's database described in rule 3772-9-02 of the Administrative Code, the commission, through the executive director or a designee thereof, shall provide written notification of such approval and inclusion to the gaming-related vendor.
- (C) If the commission does not approve of the device, software, hardware or other technology at issue, the commission, through the executive director or a designee thereof, shall provide written notification that the item is not approved with a listing of deficiencies that require correction and, that it will not be included in the commission's database described in rule 3772-9-02 of the Administrative Code, and that it may not be distributed to casino operator, management company or holding company licensees in this state.

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3772-9-05

Transportation of slot machines to and from a casino facility.

(A) All slot machines or any mechanical, electromechanical or other device or machine intended for use as a slot machine (slot machine(s) as referenced in this rule) shall only be transported in accordance with this rule. All casino operator, management company or holding company licensees or applicants, and gaming-related vendor licensees or applicants must comply with this rule before any of the following occur:

- (1) Slot machines are transported from any point outside of this state into the state;
- (2) Slot machines are transported from any point within this state to any point outside of the state; or
- (3) Slot machines are transported within this state.

(B) Transportation notification under this rule is not required for the movement of a slot machine on the casino floor or within a casino facility.

(C) A slot machine may not be delivered to a casino operator, management company or holding company licensee or applicant unless a member of the commission staff or a commission agent is present at point of delivery. The casino operator, management company or holding company licensee or applicant is responsible for ensuring that a member of the commission staff or a commission agent is present at the point of delivery.

(D) Prior to the transportation of any slot machine into, out of, or within this state, the casino operator, management company or holding company licensee or applicant or gaming-related vendor licensee or applicant shall first notify the commission, in writing or in an electronic format as approved by the commission. The notice shall be submitted no later than one day before the slot machine(s) are transported and shall include the following information:

- (1) The full name and address of the person or persons shipping or moving the slot machine(s);
- (2) The full name and address of the person who owns the slot machine(s), if different from the person(s) shipping or moving such machine(s);
- (3) The full name(s) and address(es) of any new owner(s) in the event ownership is being changed in conjunction with the shipment or movement;
- (4) The method of shipment or movement and the name and address of the common carrier or carriers, if applicable;
- (5) The full destination address for the slot machine(s);
- (6) The quantity of slot machines being shipped to each location if more than one

destination:

- (7) The manufacturer's serial number of each slot machine;
 - (8) The expected date and time of delivery to any authorized location or to any port of entry or exit, if the origin or destination of the slot machine is outside the continental United States; and
 - (9) The reason for transporting or moving the slot machine.
- (E) The casino operator, management company or holding company licensee or applicant, or gaming-related vendor licensee or applicant shipping or moving any slot machine shall provide to the common carrier or to the operator of the transporting conveyance, and the commission, documentation of shipment, of which at least one copy shall be kept with the slot machines at all times during the shipment process, containing the following information:
- (1) The manufacturer's serial number of the slot machines being transported;
 - (2) The full name and address of the person from whom the slot machine was obtained;
 - (3) The full name(s) and address(es) of the person(s) to whom the slot machine(s) is being sent; and
 - (4) The dates of shipment.
- (F) An applicant prior to the shipment of any slot machine into, within or out of this state shall have the prior written approval of the executive director or his/her authorized designee and shall comply with any conditions therein.
- (G) Nothing in this rule shall prohibit the shipment of slot machines going to different destinations from being transported by the same carrier simultaneously, provided each shipment is physically segregated in a manner approved by the commission and the notice required by this rule above clearly distinguishes which machines are being sent to each location.
- (H) All EPROMs, compact flash cards, or other program storage device, which is defined as media or an electronic device that contains the critical control program components, shall be transported separately from the shipment of slot machines and shall be transported in compliance with and in the same manner as slot machines as set forth in this rule. If a slot machine is not being utilized by the casino operator, management company or holding company licensee or applicant and is being stored off of the casino floor, the EPROM, compact flash card or other program storage device shall be stored separately in a locked safe or the equivalent as approved by the commission.

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3772-9-06

Possession and storage of slot machines.

(A) The following persons and any employee or agent acting on their behalf may, subject to any terms and conditions imposed by the commission, possess slot machines in this state for the purposes provided herein, provided that the machines are kept only in such locations as may be specifically approved in writing by the commission and that any machines located outside of a licensed casino facility not be used for gaming activity:

(1) An applicant for or holder of:

(a) A casino operator, management company or holding company license at a casino facility to conduct casino gaming;

(b) A gaming related vendor license, for the purpose of distributing, repairing or servicing slot machines;

(2) An employee or agent of the commission, for the purpose of fulfilling official duties or responsibilities;

(3) A common carrier, for the purpose of transporting such slot machines; or

(4) Any other person the commission may approve after finding that possession of slot machines by such person in this state is necessary and appropriate to fulfill the goals and objectives of Chapter 3772. of the Revised Code and the rules adopted thereunder.

(B) Each casino operator, management company and holding company licensee shall file, prior to the commencement of casino gaming and every thirty days thereafter, at the office of the commission's agent in the casino facility comprehensive lists of:

(1) The slot machines and bill validators and/or bill changers on its casino floor (the "Slot Machine Master List");

(2) The slot machines possessed by the licensee in restricted areas off the casino floor but on the premises of its casino facility;

(3) The slot machines possessed by the licensee at locations in this state but off the premises of its casino facility.

(C) At a minimum, each list of slot machines required by paragraph (B) of this rule shall contain the following information, as applicable, for each slot machine and any accompanying bill validator and/or bill changer on the Slot Machine Master List, in consecutive order by location number:

(1) The date on which the list was prepared;

(2) A description of each slot machine by:

- (a) Slot machine model and serial number;
- (b) Computer program number;
- (c) Denomination;
- (d) Manufacturer and machine type, noting with particularity whether the machine has a bill validator or bill changer attached or is a progressive machine;
- (e) Whether the slot machine has an activated electronic funds transfer (EFT) feature; and
- (f) Whether the slot machine has an activated voucher feature;
- (3) A cross reference for each slot machine by zone and serial number;
- (4) The restricted casino area within the casino facility where the slot machine is located for each slot machine included on the list required by paragraph (C)(2) of this rule;
- (5) The address of the slot machine storage facility where the slot machine is located; and
- (6) Such other information as the commission may require.
- (D) Any building located outside of a casino facility where slot machines will be kept shall meet, at a minimum, the following requirements:

 - (1) All access doors and windows must be locked and alarmed;
 - (2) Access is restricted to those individuals permitted to maintain slot machines pursuant to this rule; and
 - (3) Any other requirements as deemed appropriate by the commission.

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3772-9-07**Transportation of electronic gaming equipment to and from a certified independent testing laboratory located in this state.**

(A) A certified independent testing laboratory located in this state may, solely for the purpose of conducting or otherwise providing scientific testing or technical evaluation, directly receive from and ship to a gaming-related vendor licensee or applicant any electronic gaming equipment and any device, software, hardware or other technology necessary for conducting or otherwise providing such testing and evaluation without being subject to the requirements contained in rules 3772-9-05 and 3772-9-06 of the Administrative Code.

(B) Except as otherwise provided, nothing in this rule shall be construed as exempting a certified independent testing laboratory located in this state; a casino operator, management company or holding company licensee or applicant; or a gaming-related vendor licensee or applicant from complying with Chapters 2915., 3769., 3770. and 3772. of the Revised Code or any rules adopted thereunder.

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3772-9-08 Movement of electronic gaming equipment within a casino facility.

- (A) Except when necessary due to a malfunction, a casino operator, management company or holding company licensee or applicant shall notify the executive director of the commission in writing and receive written approval at least five days before moving electronic gaming equipment within a gaming floor. In the event of a malfunction, the casino operator, management company or holding company licensee or applicant shall immediately notify the commission of the movement.
- (B) All movements of electronic gaming equipment shall be recorded in a log that shall be maintained in accordance with the record retention requirements contained in rule 3772-3-05 of the Administrative Code and include the following:
 - (1) The manufacturer's serial number;
 - (2) The casino operator's equipment number, if applicable;
 - (3) An indication as to whether the equipment is equipped for tokenization, and if so, the denomination;
 - (4) The date and time of movement of the equipment;
 - (5) The location from which the equipment was moved;
 - (6) The location to which the equipment was moved; and
 - (7) The printed name(s) and signature(s) of the person(s) involved in moving the equipment.
- (C) Paragraphs (A) and (B) of this rule do not apply to the transportation of electronic gaming equipment to a casino facility when such transportation is done in accordance with rule 3772-9-05 of the Administrative Code.

3772-9-09 Removal of electronic gaming equipment from the casino facility's gaming floor.

A casino operator shall not remove any electronic gaming equipment from the casino facility's gaming floor unless:

- (A) The commission, through its employees or agents, is notified beforehand;
- (B) The equipment's bill validator canister is removed and transported to the count room;
- (C) All meters are read and recorded in conformity with the casino operator's minimum internal control standards;

- (D) Any credits, cashable or non-cashable, remaining on the equipment are cancelled in accordance with the casino operator's minimum internal control standards; and
- (E) The removal is recorded in the log required to be maintained under rule 3772-9-08 of the Administrative Code.

3772-9-10 Electronic gaming equipment maintenance, repair or other servicing standards.

- (A) No electronic gaming equipment may be placed into operation at a casino facility unless the equipment is in a suitable operating condition.
- (B) A casino operator shall notify the commission's gaming agents about and remove from operation any electronic gaming equipment that becomes unsuitable for operation at a casino facility.
- (C) Any maintenance, repair or other type of servicing of electronic gaming equipment that is to be or has been placed into operation at a casino facility must occur in a secure location approved by the commission, including the gaming floor.
- (D) A casino operator shall keep a log of electronic gaming equipment undergoing any maintenance, repair or other type of servicing.
 - (1) The log, at a minimum, shall include the:
 - (a) Name of the person(s) involved in the maintenance, repair or other type of servicing;
 - (b) Date and time of the maintenance, repair or other type of servicing;
 - (c) Areas or components of the equipment accessed; and
 - (d) The electronic gaming equipment's asset number of identification.
 - (2) The log shall be maintained in accordance with the record retention requirements contained in rule 3772-3-05 of the Administrative Code.
 - (3) The log shall be made available to the commission upon request.
- (E) Upon completion of any maintenance, repair or other type of servicing of any electronic gaming equipment or the determination not to return the equipment to operation at a casino facility, a casino operator shall submit a written report to the commission detailing the issue with the equipment and describing either how it was resolved or why it could not be resolved.

3772-9-11 Remote systems access.

- (A) In emergency situations or as an element of technical support, an employee of a licensed gaming-related vendor may perform analysis of, or render technical support with regard to, a licensed casino operator, management company or holding company's electronic gaming monitoring system, casino management system, player tracking system, external bonusing system, cashless funds transfer system, wide-area progressive system, ticket-in ticket-out system or other approved system from a remote location.
- (B) All remote access to these systems shall be performed in accordance with the following procedures:
 - (1) A licensed gaming-related vendor shall establish a unique system account for each employee of that vendor that is identified as being potentially required to perform technical support from a remote location;
 - (2) All system access afforded pursuant to this rule shall meet the following requirements:
 - (a) Be restricted in a manner that requires the licensed casino operator, management company or holding company's management information systems department, or the equivalent thereof, to receive prior notice from the licensed gaming-related vendor of that vendor's intent to remotely access a designated system;
 - (b) Require the licensed casino operator, management company or holding company to take affirmative steps, for each instance of access, to activate the licensed gaming-related vendor's access privileges; and
 - (c) Be designed to appropriately limit the ability of any person authorized under this rule to deliberately or inadvertently interfere with the normal operation of the system or its data.
 - (3) Separate logs shall be maintained by the licensed gaming-related vendor and the casino operator, management company or holding company's management information systems department, or the equivalent thereof, and include, at a minimum, the following information:
 - (a) The system accessed, including manufacturer, and version number;
 - (b) The type of connection;
 - (c) The name of the employee remotely accessing the system;

- (d) The name and license number of the employee in the management information systems department, or the equivalent thereof, activating the vendor's access to the system;
 - (e) The date, time and duration of the connection;
 - (f) The reason for the remote access, including a description of the symptoms or malfunction prompting the need for remote access to the system; and
 - (g) Any action taken or further action required.
- (4) All communications between the licensed gaming-related vendor and any of the systems identified in paragraph (A) of this rule shall occur using a dedicated and secure communication facility that may consist of a leased line approved in writing by the executive director of the commission.
- (C) If an employee of a licensed gaming-related vendor is no longer employed by, or authorized by, that vendor to remotely access a system pursuant to this rule, the vendor shall:
 - (1) Notify, by the end of that business day, the commission, through its employees or agents, and each casino operator, management company or holding company that has established a unique system account for that employee of the change in authorization; and
 - (2) Verify with each casino operator, management company or holding company that any access privileges previously granted to that employee have been revoked.
- (D) Each licensed casino operator, management company or holding company authorizing access to a system by a licensed gaming-related vendor under this rule shall implement a system of access protocols and other controls over the physical integrity and the remote access process of that system sufficient to ensure appropriately limited access to software and the system-wide reliability of data.