

OHIO CASINO CONTROL COMMISSION  
RESOLUTION 2020-06

**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, regulating all gaming authorized by Article XV, Section 6(C) of the Ohio Constitution;

**WHEREAS**, R.C. 3772.03(B), (C), and (D) require the Commission to adopt administrative rules 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 rules that, among other things, concern:

- The prevention of practices detrimental to the public interest;
- 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; and
- Providing for any other thing necessary and proper for successful and efficient regulation of casino gaming under this chapter;

**WHEREAS**, the Commission approved the initial filing of the following rules:

- 3772-10-02 Internal controls.
- 3772-11-17 Counterfeit chips. (No Change)
- 3772-19-01 Minimum surveillance requirements.
- 3772-19-02 Responsibilities of the surveillance department.
- 3772-19-03 Required surveillance system.
- 3772-19-04 Commission surveillance room and on-site facilities.
- 3772-19-05 Casino surveillance room.
- 3772-19-06 Surveillance department.
- 3772-19-07 Required surveillance coverage.
- 3772-19-08 Surveillance retention.
- 3772-19-09 Surveillance reports.
- 3772-19-10 Maintenance and malfunctions.

**WHEREAS**, R.C. 119.04 requires the Commission, whenever it adopts a rule or any amendment to a rule, to assign a review date no later than five years after its effective date;

**WHEREAS**, R.C. 106.03 requires the Commission, in conducting its five-year review of its rules, to consider, among other things, whether a rule is still necessary, must be amended, or conflicts with other rules;

**WHEREAS**, as a result of the Commission's five-year review, the agency proposed amendments to each of the above-listed rules, except to Ohio Adm.Code 3772-11-17 for which there were no changes;

**WHEREAS**, R.C. 121.82 prohibits an agency, as defined by R.C. 107.51, from electronically filing 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 16th business day after filing the rules 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 the rules with the SoS, LSC, and JCARR at least 65 days before the agency may adopt them;

**WHEREAS**, R.C. 106.031 requires the agency to assign a new review date to no-change rules;

**WHEREAS**, if the proposed rules adversely impact business, R.C. 119.03(C) 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 the rules are filed under R.C. 119.03(B);

**WHEREAS**, R.C. 106.02 requires JCARR to hold a public hearing on the rules no earlier than the 41st day after filing with JCARR;

**WHEREAS**, the Commission electronically filed the rules and related public-hearing notice with the SoS, LSC, and JCARR;

**WHEREAS**, the Commission assigned a new review date for the no-change rule (Ohio Adm.Code 3772-11-17) with the SoS, LSC, and JCARR;

**WHEREAS**, the Commission held public hearings on the rules;

**WHEREAS**, JCARR held public hearings on the rules and its jurisdiction over the rules has ended, providing the Commission with the authority to adopt them; and

**WHEREAS**, the Commission considered the matter at its public meeting held on January 15, 2020.

**NOW, THEREFORE, BE IT RESOLVED** by the Commission that the amended rules are **ADOPTED**.

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

Adopted: January 15, 2020