

Rule Summary and Fiscal Analysis (Part A)**Ohio Casino Control Commission**

Agency Name

Division

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3772-11-42

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

Poker room; banks and transactions.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **Yes**

Bill Number: **HB519**General Assembly: **128**Sponsor: **Book, Yuko**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **3772.03**

5. Statute(s) the rule, as filed, amplifies or implements: **3772.03**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

Article XV, Section 6(C) of the Ohio Constitution and Chapter 3772. of the Revised Code require the commission to ensure the integrity of casino gaming and to prescribe rules for how casino gaming should be conducted (i.e., minimum internal control standards). This proposed rule is designed to effectuate this constitutional and statutory mandate by establishing minimum internal control

standards for transactions occurring at the casino facilities and for the protection of patrons and members of the public.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

This rule would require the documentation of buy-ins at an imprest bank used to process poker tournament buy-in transactions.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so. If applicable, indicate each specific paragraph of the rule that has been modified:

Not Applicable.

12. 119.032 Rule Review Date: 5/19/2017

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

0

N/A

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

N/A

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

The proposed amendment to 3772-11-42 is a reduction in the regulation of an imprest bank used for poker tournament buy-in funds.

The proposed amendment allows the casino operator licensee more flexibility to accept tournament buy-ins in its poker room bank. The total value of the imprest bank would be allowed to temporarily exceed the imprest value by the amount of the buy-ins, provided that certain documentation requirements and approved internal control standards are followed. Therefore the commission believes the rule has a positive impact on business.

Negligible costs related to compliance include certain administrative requirements related to documentation and the preparation of and adherence to commission approved internal control standards. It is important to note that these costs are only incurred by the operator if the operator chooses to utilize the flexibility given by

this amendment. For this, we must defer to the two operators for estimates on the staff time involved.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**

S.B. 2 (129th General Assembly) Questions

18. Has this rule been filed with the Common Sense Initiative Office pursuant to R.C. 121.82? **Yes**

19. Specific to this rule, answer the following:

A.) Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? **No**

B.) Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? **Yes**

Failure to comply with this rule could result in an administrative action.

C.) Does this rule require specific expenditures or the report of information as a condition of compliance? **Yes**

All buy-in transactions shall be documented by form kept with the buy-ins in the bank, as specified in the internal controls.