

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

Agency Name

Division

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3772-11-42

Rule Number

NEW

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, 3772.033**

5. Statute(s) the rule, as filed, amplifies or implements: **3772.03, 3772.033**

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. Part and parcel to this requirement is the protection of casino facility patrons and the public as a whole, which can be gleaned, in part, from the General Assembly's requirement that the Commission prescribe rules for how the gaming supplies,

devices, and equipment should be designed and for tournament play. This proposed rule is designed to effectuate this constitutional and statutory mandate by establishing part of the regulatory framework applicable to table games and tournaments.

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:

The proposed rule establishes poker room requirements as they relate to the banks contained and financial transactions occurring within the poker rooms.

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:

(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.

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Not Applicable.

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

Not Applicable.

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:

It is unlikely the casino operators will experience any increased costs to comply with this proposed rule because it is industry standard and a best practice to have procedures in place to deal with banks contained and financial transactions occurring in poker rooms. This is especially true if the operators already have well-developed internal controls that include such procedures. Consequently, any estimated cost is minimal and the operators would be in the best position to provide an estimated cost.

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 proposed rule would prevent a casino operator from being authorized to conduct games within a poker room as well as may be the cause for an administrative action.

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

The casino operators must include, as part of their internal control submissions to the Commission, a statement regarding whether the bank is operated as a branch of the main cage with a cashier's cage or if accountability and staffing of the bank are the responsibility of the poker room manager or poker room supervisor. Additionally, each transfer between any table banks and the poker room bank shall be authorized by a poker room supervisor and evidenced by the use of a transfer slip as specified in the internal controls. Finally, transfers between the table banks, poker room banks, or the cashier's cages outside the poker room shall be properly authorized and documented by the poker room supervisor on an even exchange slip as specified in the internal controls.