

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

Agency Name

Division

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3772-11-42

Rule Number

RESCISSION

TYPE of rule filing

Rule Title/Tag Line

Poker room; banks and transactions.**RULE SUMMARY**1. Is the rule being filed for five year review (FYR)? **Yes**2. Are you proposing this rule as a result of recent legislation? **No**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:

The purpose of this rule is to ensure that poker rooms are held to similar regulatory requirements as other table games, as appropriate, providing for greater consistency for both the casino operators and the Commission.

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 currently specifies how poker room banks and poker room transactions will occur, including that all transactions must be properly authorized and must be an even exchange. The amendment to this rule further clarifies that the general table game requirements apply to the poker room, but provides some exceptions. By doing so, the rule is also able to eliminate some specifics as to how poker room tables should be opened, closed, and inventoried. The amendment also requires all transactions to go through a cashier's cage.

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:

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

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. Five Year Review (FYR) Date: **2/2/2017**

(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 Commission does not anticipate an overall adverse impact from this rule. This rule ensures that poker rooms are held to similar regulatory requirements as other table games, as appropriate, providing for greater consistency for both the casino operators and the Commission. The amendment also requires all transactions to go through a cashier's cage. This ensures that all funds are being handled by the appropriate personnel and allowing transparency and efficient surveillance of all transactions. This benefits casino operators by ensuring their financial integrity and allows timely detection and resolution of any fraud or wrongdoing of their funds or cashless wagering system. Although it appears that one casino may likely have to eliminate the practice of having a satellite poker cage, the burden of walking from a poker table to the cashier's cage in the poker room to conduct the transaction is significantly outweighed by the benefits of eliminating the risk involved with that practice, including easier theft, loss of assets, or error caused by the extra step of handling chips and cash in a place other than the cage or poker table.

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? **No**

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

The Commission does not anticipate an overall adverse impact from this rule. This rule ensures that poker rooms are held to similar regulatory requirements as other table games, as appropriate, providing for greater consistency for both the casino operators and the Commission. The amendment also requires all transactions to go through a cashier's cage. This ensures that all funds are being handled by the appropriate personnel and allowing transparency and efficient surveillance of all transactions. This benefits casino operators by ensuring their financial integrity and allows timely detection and resolution of any fraud or wrongdoing of their funds or cashless wagering system. Although it appears that one casino may likely have to eliminate the practice of having a satellite poker cage, the burden of walking from a poker table to the cashier's cage in the poker room to conduct the transaction is significantly outweighed by the benefits of eliminating the risk involved with that practice, including easier theft, loss of assets, or error caused by the extra step of handling chips and cash in a place other than the cage or poker table.