

## OHIO CASINO CONTROL COMMISSION

John R. Kasich  
Governor



Jo Ann Davidson  
Chair

**NOTICE OF PUBLIC HEARING**

A public hearing will be held by the Ohio Casino Control Commission ("Commission") on **Thursday, April 17, 2014 at 10:00 a.m.** on the 6<sup>th</sup> Floor of the One Columbus Building, located at 10 West Broad Street, Columbus, Ohio 43215. The purpose of the hearing is to solicit public comment on the following proposed rule amendments.

In addition to the items specifically listed below, many of the rules and amendments remove the terms "applicant" and "licensee" after "casino operator" in an effort to streamline Ohio Adm. Code 3772 in its entirety. This is accomplished, in part, by use of the newly defined term "casino operator" that became effective on December 21, 2013. *See* Ohio Adm. Code 3772-1-01(B)(2), eff. 12-21-13.

- **Rule 3772-1-06 (New)**, titled "Minimum licensure requirements." The rule was drafted in response to the recent passage of HB 98, which requires all licensing agencies to adopt rules, no later than June 30, 2014, regarding which military programs of training, military primary specialties, and lengths of service are substantially equivalent to or exceed the educational and experience requirements for each license that agency issues. The purpose of the rule is to state that no such educational or experience requirements exist in order to obtain a license issued under R.C. Chapter 3772.
- **Rule 3772-9-05 (Amendment)**, titled "Transportation of electronic gaming equipment to and from a casino facility." The amendment replaces the term "slot machine" with the term "electronic gaming equipment." Presently, the existing language may be interpreted to describe the procedure by which only slot machines may be transported to and from a casino. However, this rule has already been interpreted to apply to the transportation of all electronic gaming equipment and has already been agreed to and accepted by the casino operators. The purpose of the amendment is to ensure the language accurately reflects accepted practice in Ohio.
- **Rule 3772-9-08 (Amendment)**, titled "Movement of electronic gaming equipment within a casino facility." The amendment removes two items from the log that records the movement of all electronic gaming equipment within a casino. The purpose of the amendment is to streamline the log requirements, prevent redundant reporting, and to promote more efficient record-keeping by the casinos.
- **Rule 3772-10-09 (Amendment)**, titled "Complimentaries." The amendment is a technical change that allows each casino to efficiently maintain a daily log of each complimentary issued. Presently, the language requires the log to include the issuing employee's license number. The amendment replaces the licensenumber requirement with a unique identifier requirement, affording enough flexibility for the casinos to remain in compliance with the rule while still providing sufficient information to the Commission.

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- **Rule 3772-10-10 (Amendment)**, titled “Personal check cashing.” The amendment describes the process by which the casinos may electronically convert personal checks. The purpose of this amendment is to clarify that a casino may electronically cash personal checks, so long as it does so according to Commission-approved internal controls.
- **Rule 3772-10-18 (Amendment)**, titled “Table drop boxes and slot bill validator canisters: physical requirements and transportation.” The amendment prohibits licensed employees who are authorized to remove bill validator canisters from having simultaneous access to the bill validator contents keys and release keys. The purpose of this amendment is to provide an added layer of security to the bill validator canisters and requires at least one additional individual in order to access the contents of the canisters. Further, this amendment mirrors existing language in table game drops, maintaining consistency throughout all drop procedures.
- **Rule 3772-10-26 (Amendment)**, titled “Key controls.” The amendment removes the key for each progressive game’s reset switch from the list of keys that must be designated as sensitive. The purpose of this amendment is to remove an unnecessary and potentially burdensome regulatory requirement by removing that key from the sensitive key list.
- **Rule 3772-11-15 (Amendment)**, titled “Inventory of chips.” The amendment allows the casinos to choose which departments are responsible for transporting chips to or from the reserve chip inventory or the secondary set of chips. Presently, the language requires the licensed employees to be from the table games department and from the security department. The purpose of the amendment is to allow casinos some freedom in choosing which departments should handle this responsibility, so long as the two licensed employees are from different departments and are designated as such in the Commission-approved internal controls.
- **Rule 3772-11-17 (Amendment)**, titled “Counterfeit chips.” The amendment removes the requirement that the casinos record certain information and destroy a counterfeit chip. This requirement cannot be reconciled with the additional requirement that the casino deliver the counterfeit chip to Commission gaming agents. The purpose of this amendment is to eliminate all record-keeping and destruction by the casino regarding counterfeit chips and to require them to instead immediately deliver the counterfeit chip to Commission gaming agents.
- **Rule 3772-11-21 (Amendment)**, titled “Dice; receipt, storage, inspections, and removal from use.” The amendment describes the departments that may be responsible for maintaining the dice inventory ledger. The existing language requires a member of the casino’s security department and a member of the casino’s accounting department to maintain the dice inventory ledger. In practice, however, a member of the table games department may also perform this task. The purpose of this amendment is to allow for someone from either the accounting department, security department, or table games department to do so, as long as properly designated so in the Commission-approved internal controls.

- **Rule 3772-11-37 (Amendment)**, titled “Minimum and maximum table game wagers.” The amendment allows patrons to aggregate current bets to satisfy a table game minimum unless the casino posts that aggregation is not permitted. The purpose of this amendment is to clarify how a patron may wager in order to satisfy the posted minimum wager while still affording the casinos the freedom to decide whether to allow aggregation or not.
- **Rule 3772-11-40 (Amendment)**, titled “Poker room; general.” The amendment removes confusing language that distinguishes traditional poker from carnival-type poker games. The purpose of the amendment is to clarify that only poker games from which a rake is taken must be conducted in a designated poker room.
- **Rule 3772-11-42 (Amendment)**, titled “Poker room; banks and transactions.” The amendment allows for the casinos to use a lammer or sign, while still having the option to use a transfer slip for any transfer between a poker table bank and the poker room bank. The existing language permits the casinos to only use transfer slips. The purpose of this amendment is to clarify that the use of a lammer or sign, as specified in each casino’ s Commission-approved internal controls, is also permissible under Ohio law.
- **Rule 3772-12-02 (Amendment to Appendix)**, titled “Application for voluntary exclusion.” The amended application matches the amendment to Ohio Adm. Code 3772-12-03, described below, and clarifies the applicant’ s written acknowledgement that they are aware that if they enter a casino facility, they must surrender any money or thing of value they convert or attempt to convert into a wagering instrument to the Commission for deposit in the State Problem Casino Gambling and Addictions Fund. This change will ensure that the applicant’ s answer to Question No. 24 of the updated application matches their written acknowledgment found later in the document.
- **Rule 3772-12-03 (Amendment)**, titled “Responsibilities of voluntarily excluded individual.” The amended rule matches the amendment to the Voluntary Exclusion Program Application, described above, and clarifies that a Program participant who enters a casino facility must surrender any money or thing of value they convert or attempt to convert into a wagering instrument to the Commission for deposit in the State Problem Casino Gambling and Other Addictions Fund.
- **Rule 3772-19-01 (Amendment)**, titled “Surveillance.” The amendment describes the requirement for each casino to have a surveillance system that must operate under Commission approval. The amended rule still allows for a casino to seek a waiver from a Commission surveillance rule. The purpose of this amendment is to remove items that were duplicated in a subsequent rule while clarifying the casinos’ responsibilities with respect to casino surveillance.
- **Rule 3772-19-02 (New)**, titled “Surveillance plan.” The rule converts the minimum requirements for each casino’ s surveillance plan into rule format and removes the requirement that a casino operator submit a complete updated copy of its surveillance plan to the Commission each year. A casino operator is already required to obtain

approval from the Commission for each change to its surveillance plan and to provide a current copy of the plan to the Commission immediately upon request. The purpose of the removal is to eliminate a duplicative regulation.

- **Rule 3772-19-03 (New)**, titled “Required Surveillance system.” The rule converts the minimum requirements for each casino’s surveillance system into rule format. The purpose of the rule is to detail the baseline requirements for each casino’s surveillance system including, but not limited to, video camera quality, video monitor capability, and image capturing utility.
- **Rule 3772-19-04 (New)**, titled “Commission surveillance room and on-site facilities.” The rule converts the requirement that each casino facility have a Commission surveillance room into rule format. The purpose of the rule is to detail the minimum specifications for the Commission surveillance room including, but not limited to, how room location and size are to be determined, workstation capabilities, and telephone and internet communication systems.
- **Rule 3772-19-05 (New)**, titled “Casino surveillance room.” The rule converts the requirement that each casino facility have a casino surveillance room into rule format. The purpose of the rule is to detail minimum specifications for the casino surveillance room including, but not limited to, location of the entrance, limits on access, and minimum surveillance room staff requirements.
- **Rule 3772-19-06 (New)**, titled “Surveillance department.” The rule converts the minimum operating requirements for each casino’s surveillance department into rule format. The purpose of the rule is to detail minimum operating requirements for each casino’s surveillance department including, but not limited to, the responsibilities of the director of surveillance, surveillance employee training, and permitted use of surveillance resources.
- **Rule 3772-19-07 (New)**, titled “Required surveillance coverage.” The rule converts the required surveillance coverage in each casino into rule format. The purpose of the rule is to detail the required surveillance coverage in each casino including, but not limited to, the monitoring of table game play, activities occurring at slot machines, and cage activity.
- **Rule 3772-19-08 (New)**, titled “Surveillance retention.” The rule converts the surveillance retention requirements into rule format. Of note, the rule requires all recording to be retained for a minimum of thirty days. The purpose of the rule is to detail the surveillance retention requirements and to detail how law enforcement agencies may obtain copies of surveillance from each casino.
- **Rule 3772-19-09 (New)**, titled “Surveillance logs and incident reports.” The rule converts the minimum surveillance log and incident report requirements into rule format. The purpose of the rule is to detail the minimum surveillance log and incident report requirements including, but not limited to, events that must be recorded in the surveillance log, surveillance room visitor log requirements, and the retention period for

surveillance logs, incident reports, and visitor logs.

- **Rule 3772-19-10 (New)**, titled “Maintenance and malfunctions.” The rule converts the maintenance and malfunction requirements into rule format. The purpose of the rule is to detail, among other things, what actions must be taken if a surveillance malfunction occurs and how routine maintenance of surveillance equipment should be conducted.

All interested parties are invited to attend the hearing and present oral and/or written testimony. Written comments may also be submitted to the attention of Michelle Siba, Assistant General Counsel, Ohio Casino Control Commission, at 10 West Broad Street, 6<sup>th</sup> Floor, Columbus, Ohio 43215, or by electronic mail at [michelle.siba@casinocontrol.ohio.gov](mailto:michelle.siba@casinocontrol.ohio.gov).