

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 **Tuesday, March 14, 2017 at 3:30 p.m.** on the 6th 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 amendments:

These rules relate to electronic gaming equipment, table games, and security. Many of the changes are small housekeeping amendments to clean up and clarify rule language. Several of the amendments remove the terms "applicant or licensee" and instead use the name of the entity in an effort to streamline and clarify Ohio Adm. Code 3772 in its entirety.

- **3772-9-11 (rescind)**, titled "Remote systems access." This rule is being rescinded. Its substance has already been moved into current Ohio Adm. Code 3772-10-15.
- **3772-11-01 (amendment)**, titled "Definitions." This rule defines certain table game-related terms. The purpose of this rule is to create a clear set of definitions that will apply throughout the code. The amendments to this rule are largely intended to clarify and streamline rule language. As the Commission has been doing throughout the code, we have replaced the words "this chapter" with "rules adopted by the commission" to ensure that these general terms apply throughout the entire code and not just Ohio Adm. Code Chapter 3772-11.
- **3772-11-02 (rescind)**, titled "Table game internal controls." This rule is being rescinded. Table games internal controls are already required by Ohio Adm. Code 3772-10-02, and a table games director and appropriate department staffing are already required under Ohio Adm. Code 3772-10-03. The purpose of this rescission is to streamline Ohio Adm. Code 3772. by removing a duplicitious provision.
- **3772-11-04 (amendment)**, titled "Prohibition on table game play by casino operator employees and gaming-related vendors." The rule, as amended, provides that no director, officer, or employee of a gaming-related vendor may play table games at a casino facility to which the vendor provides its goods or services. The purpose of this rule is to ensure the integrity of casino gaming by eliminating any appearance of impropriety, including collusion and other cheating behavior. Paragraph (A) has been removed as moot because R.C. 3772.99(D)(5) already prohibits any casino operator or casino operator employee from participating in casino gaming anywhere in the State of Ohio other than as part of operation or employment. SB 265, pending in the 131st General Assembly, would soften this statutory prohibition to only the casino facility in which the casino operator has an interest, where the employee is employed, or at an affiliated casino facility in the State of Ohio.
- **3772-11-05 (amendment)**, titled "Purchase or lease from authorized gaming-related vendors." This rule provides that casino operators may only purchase or lease table games or table game

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equipment from gaming-related vendors, as required by R.C. 3772.21. The first amendment to this rule clarifies that it applies to lease transactions as well, in order to comport with R.C. 3772.21. The second amendment removes an unnecessary approval requirement for each time a casino operator purchases or leases such equipment.

- **3772-11-06 (amendment)**, “Shipment of table games and table games mechanisms.” This rule specifies that the shipment of all table games and table game mechanisms must be approved in advance by the Executive Director or the designee thereof. The rule requires a seven-day prior notification, unless otherwise approved, and some specifics regarding what information the notice must contain. The amendment to this rule clarifies that only a casino operator is responsible for obtaining shipment approval (rather than gaming-related vendors or any other person causing the shipment) and also removes a few requirements on these notices that the Commission has found to be unnecessary, such as an exact time of arrival and the reason for shipping.
- **3772-11-07 (amendment)**, titled “Receipt of gaming chips from manufacturer.” This rule specifies how casino operators must handle the receipt of gaming chips. This procedure requires notification to the Commission, the presence of casino employees from separate departments, and entry of the chips in the chip inventory ledger, as well as specifying how reserve chips are to be stored. The purpose of this rule is to ensure that the chips, which are a cash equivalent, as mandated under R.C. 3772.22’s cashless wagering system, and are rarely delivered to the casino, are properly accounted for and handled in a manner similar to cash. The amendments to this rule are largely meant to clarify and streamline rule language, and also specify that a member from the cage department must be present when the chips are received. This reflects current practice at the casinos.
- **3772-11-08 (amendment)**, titled “Compliance with law; prohibited activities.” This rule provides that casino operators shall not cheat or permit any cheating. The rule largely echoes provisions in R.C. 3772.01 and R.C. 3772.99. The amendment to this rule is a minor grammatical fix.
- **3772-11-09 (amendment)**, titled “Publication of rules and payoff schedules for all permitted games.” This rule provides that casino operators must post and provide accurate and non-misleading copies of rules and payoff schedules for all permitted games. The amendment is a minor reorganization and clarifies that the casino operator must post the rules on their website.
- **3772-11-10 (rescind)**, titled “Waiver of requirements.” This rule is being rescinded. This rule provides a waiver process for variances from the requirements in this chapter. The purpose of the rescission is to remove a duplicitous provision from Ohio Adm. Code 3772, as Ohio Adm. Code 3772-1-04 functions as the general waiver provision for all rules adopted by the Commission.
- **3772-11-13 (amendment)**, titled “Primary, secondary, and reserve sets of gaming chips.” This rule requires that the casino keep a secondary set of value chips and a reserve set of nonvalue chips. The rule requires that these sets be placed in play if something calls into question the

security or integrity of the primary sets, for example, the presence of a significant number of counterfeits. The purpose of this rule is to ensure the integrity of the casino's cashless wagering system, as required by R.C. 3772.22. The amendment to this rule changes the person the casino operator should notify that the primary sets have been compromised and need to be removed from play from a gaming agent to the Executive Director or the designee thereof. This should provide a consistent, coordinated response, in the event of such a major incident.

- **3772-11-15 (amendment)**, titled "Inventory of chips." This rule specifies that casino operators must conduct a monthly inventory of chips and that all movements of chips must be recorded on the chip inventory ledger. Further, the rule requires the casino operator to compute unredeemed liability, to keep chips securely stored, and to ensure the proper handling and destruction of damaged chips. Finally, the rule also provides an exception to monthly inventories for secondary and reserve chips if such chips are properly secured. The purpose of this rule is to ensure the integrity of the casino's cashless wagering system, as required by R.C. 3772.22. The amendment to this rule clarifies exactly when chip movements shall be included on the inventory ledger and provides for several other streamlining and clarifying changes.
- **3772-11-16 (amendment)**, titled "Destruction of chips." This rule specifies when and how a casino operator may destroy chips, including submission of written notification to and receipt of approval from the Commission. The rule also specifies that the destruction must take place in a monitored room in the presence of licensed employees, who shall record the destruction in the chip inventory ledger. The purpose of this rule is to ensure the integrity of the casino's cashless wagering system, as required by R.C. 3772.22, by providing proper procedures for destruction. The amendment to this rule clarifies that the Commission must approve the destruction, requires an employee of a cage department to be present at destruction, and shortens the notification period for destruction from ten to seven days. These amendments reflect current practice.
- **3772-11-20 (amendment)**, titled "Dice and card specifications." This rule sets the standards that dice and cards used for casino gaming must meet. These dice and cards must be submitted to and approved by the Executive Director before being used. These specifications are industry standard, and the rule allows casino operators to vary from these requirements if approved by the Executive Director or if stated in the casino operator's internal controls. The purpose of this rule is to implement the Commission's R.C. 3772.03(D) statutory mandate to identify and ensure the use of only permitted gaming supplies and devices. The amendment to this rule is largely streamlining and clarifying, including reorganization. Specifically, card specifications have been moved from Ohio Adm. Code 3772-11-22 to this rule but have not changed otherwise.
- **3772-11-21 (amendment)**, titled "Dice and cards receipt, storage, and use." This rule specifies how dice and cards must be received, stored, and used. The rule requires dice to be received by at two licensed employees and then placed into storage. Further, all dice and cards must be recorded in inventory. The purpose of this rule is to implement the Commission's R.C. 3772.03(D) statutory mandate to identify and ensure the use of only permitted gaming supplies and devices, by ensuring uniformity in the receipt, storage, and use of such equipment. The amendment to this rule is largely streamlining and clarifying, including reorganization.

Specifically, card receipt and storage requirements have been moved from Ohio Adm. Code 3772-11-23 to this rule. This includes rules relating to the movement of cards and dice, how cards and dice will be replaced, and how they will be destroyed.

- **3772-11-22 (amendment)**, titled “Inspection of dice and cards before use.” This rule specifies how dice and cards will be inspected before use to ensure that these dice meet the requirements in R.C. Chapter 3772. and the rules adopted thereunder. The purpose of this rule is to implement the Commission’s R.C. 3772.03(D) statutory mandate to identify and ensure the use of only permitted gaming supplies and devices. The amendment to this rule is just a reorganization from inspections previously being contained in Ohio Adm. Code 3772-11-21 to being contained in this rule and card specifications being moved to Ohio Adm. Code 3772-11-22 in an effort to clarify and streamline the code.
- **3772-11-23 (amendment)**, titled “Cancellation and destruction of dice and cards.” Currently, this rule contains specifics as to card receipt, storage, and inspection. However, these specifics have been moved to and reorganized in Ohio Adm. Code 3772-11-21, in an effort to clarify and streamline the code. The amended rule relates solely to the cancellation and destruction of dice and cards, which had previously been contained in this rule and Ohio Adm. Code 3772-11-21. This rule requires the casino operators to have internal controls relating to cancellation and destruction, and requires such cancellation to take place in a secure location. Further, the rule specifies what mark is sufficient for cancellation and that shredding shall be the method of destruction. The purpose of this rule is to implement the Commission’s R.C. 3772.03(D) statutory mandate to identify and ensure the use of only permitted gaming supplies and devices.
- **3772-11-25 (amendment)**, titled “Handling of cash at gaming tables.” This rule specifies how cash will be handled at gaming tables. Specifically, the rule implements R.C. 3772.22, which mandates a cashless wagering system, and specifies protections for how cash will be converted into chips. The purpose of this rule is to ensure the cashless wagering system is implemented with appropriate consumer protections, allowing patrons and the Commission to monitor cash conversions. The amendment to this rule refers to the rule that specifies the manner in which the boxperson or dealer must count chips when exchanging them with cash.
- **3772-11-26 (amendment)**, titled “Table inventory.” This rule specifies how casino operators are to handle the inventory of chips at each table, including when chips are allowed to be disbursed or added and that the inventory must be kept locked with an inventory slip. The purpose of this rule is to ensure that the integrity of the casino’s cashless wagering system, mandated by R.C. 3772.22. The amendment incorporates two existing requirements from Ohio Adm. Code 3772-11-32 and Ohio Adm. Code 3772-11-42, respectively: (1) that chips may only be bought from the casino; and (2) that foreign currency should be exchanged at a cage, not the pit. The amendment also removes a never-used circumstance under which chips can be moved to or from the inventory and removes a requirement for casino operators to provide a daily list of table games not open for play.
- **3772-11-27 (amendment)**, titled “Opening of gaming tables.” This rule specifies how a gaming table must be opened for play, including that the openers must verify that the count is correct and how to handle variances in the inventory. The purpose of this rule is to ensure that the

integrity of the casino's cashless wagering system, mandated by R.C. 3772.22. The amendment to this rule refers to the rule that specifies the manner in which the dealer or boxperson shall count the chips and verify the table inventory upon opening.

- **3772-11-28 (amendment)**, titled "Closing of gaming tables." This specifies how gaming tables must be closed for play, including that all chips must be counted, proved, and locked away, and that an inventory slip must be prepared attesting to the amount. The rule also includes some specifics as to how multiple closings and openings within a gaming day should be handled. The purpose of this rule is to ensure that the integrity of the casino's cashless wagering system, mandated by R.C. 3772.22. The amendment to this rule provides some flexibility to the casinos in what paperwork to provide in the Commission in the event of twenty-four hour gaming, as well as a reference to refers to the rule that specifies the manner in which table inventories should be counted and verified when closing a table.
- **3772-11-29 (amendment)**, titled "Payout for progressive table games." This rule specifies how casino operators are to handle payouts for progressive table games. Specifically, it requires notice to the patrons of the progressive amount and how that amount will be disbursed, and requires progressives to be laid out in the casino operator's internal controls. The purpose of this rule is to ensure that all progressive funds are properly accounted for and that patrons understand the rules and amounts of the progressive. The amendment to this rule replaces the term "jackpot" with "manual payout." A term which was recently defined in an amendment to Ohio Adm. Code 3772-10-21. The amendment also removes specifics as to how progressives are canceled. This is consistent with how the Commission handles slot machine progressives.
- **3772-11-30 (rescind)**, titled "Procedures for manually filling chips from cage to table; form procedures." This rule is being rescinded. The rule currently specifies how manual fills of tables must occur. These requirements are being largely removed from the Administrative Code and will instead be required to be placed in a casino operator's internal controls pursuant to Ohio Adm. Code 3772-11-32. The purpose of this amendment is to give the Commission and the casino operators more discretion in adapting to changing industry practices.
- **3772-11-32 (amendment)**, titled "Procedures for recording manual table credits." The rule currently specifies how casino operators are to record manual fills of tables. These requirements are being largely removed from the Administrative Code and will instead be required to be placed in a casino operator's internal controls. The purpose of this amendment is to give the Commission and the casino operators more discretion in adapting to changing industry practices.
- **3772-11-35 (amendment)**, titled "Table game pit areas and supervision." This rule currently specifies how table game pit areas are to be operated and the staffing in those areas, including when a separate area for games is necessary. The purpose of this rule is to ensure that all table game pit areas are appropriately secured, staffed, and supervised, so as to ensure the integrity of the games offered. The amendment to this rule is intended to streamline and clarify. The amendment also includes the already-existing requirement that a supervisor should be in direct management of the room at all times, removed from Ohio Adm. Code 3772-11-41.

- **3772-11-36 (amendment)**, titled “Instructional table games offered to public.” This rule specifies how instructional table games may be offered to the public, including that the game must use only cancelled dice or cards and non-value chips, and that the casino operator must not allow any wagers or participation by those under 21. The casino operator must also provide prior notice before providing the instructional game. The purpose of this rule is to ensure the integrity of table game equipment and chips, by ensuring that they are only used in casino gaming, and to ensure that of-age patrons are provided an appropriate learning environment.
- **3772-11-40 (rescind)**, titled “Poker room; general.” This rule is being rescinded. The current rule requires that non-dealer-played games must occur in the approved poker room—a requirement that has been moved to Ohio Adm. Code 3772-11-35—and that the casino operator have written house rules—a requirement that has been removed, as duplicative.
- **3772-11-41 (rescind)**, titled “Poker room; supervision.” This rule is being rescinded. The rule currently requires supervision of the poker room by a supervisor. This requirement has been moved to Ohio Adm. Code 3772-11-35 in order to streamline and better organize poker room requirements. The rule also specifies that the title of the supervisor is not determinative, but who the supervisor is must be clearly specified in the internal controls—this requirement is duplicative given Ohio Adm. Code 3772-10-03.
- **3772-11-42 (amendment)**, “Poker room transactions.” 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. 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.
- **3772-20-01 (amendment)**, titled “Security department.” This rule specifies that casino operators must have a security department to provide unarmed security at the casino and that those employed in the security department must hold a casino gaming employee license. The rule elaborates on the duties of the security department and specifies the limited situations in which a casino operator may permit a firearm at the facility. One amendment now requires the security department to notify the Commission, at the time of detection, of any suspected or known illegal activity, so that the Commission may commence an investigation as soon as practical. The rule previously required notice within twenty-four hours of detection. The purpose of this rule is to prescribe security requirements, as required by R.C. 3772.03, ensuring the casino operator has sufficient security to keep both those at the casino and the facility itself safe, as well as to assist the Commission as requested.
- **3772-20-02 (amendment)**, titled “Security department staffing.” This rule specifies that the security department shall be supervised by a director, who reports to the general manager, and

that the casino operator shall maintain sufficient security staffing to ensure safety and to meet the requirements of R.C. Chapter 3772. The purpose of this rule is to prescribe security requirements, as required by R.C. 3772.03, ensuring the casino operator has sufficient security to maintain safety and meet the requirements of R.C. 3772.03. The amendment to this rule is solely streamlining.

- **3772-20-03 (amendment)**, titled “Training.” This rule specifies that each casino operator must provide training to all members of its security department, as required by R.C. 3772.03. The rule requires Commission approval of this training program and some specifics in what procedures should be included in the program. The purpose of this rule is to ensure the proper training of security personnel, so as to ensure safety and to ensure that the requirements of R.C. Chapter 3772 and the rules adopted thereunder are met. The amendment to this rule is largely for streamlining purposes, but also provides greater flexibility to casino operators and the Commission by allowing for the training plan to be submitted on a schedule approved by the Commission, instead of on a rigid timeframe.
- **3772-20-04 (amendment)**, titled “Security plan.” This rule specifies that each casino operator must have a security plan, approved by the Commission and containing certain information, before the commencement of casino gaming. The purpose of this rule is to ensure the casino has proper plans in place for the safety of all involved. The amendments to this rule provides greater flexibility to casino operators and the Commission by allowing for the security plan to be submitted on a scheduled approved by the Commission, instead of a rigid timeframe, and removes duplicitous requirements regarding the submission and approval of the plan.
- **3772-20-05 (amendment)**, titled “Emergency operations plan.” This rule specifies that the casino operator must have an emergency operations plan to deal with certain emergency situations, including severe storms, fires, and active shooter scenarios. Further, the rule specifies that the Commission should be notified at the time that an emergency arises. The purpose of this rule is to ensure the safety of those at the casino in case of emergency. The amendment to this rule is largely streamlining, but it also specifies that casino operators should also have a plan to deal with major civil disturbances – which at least two casinos already do – and removes duplicitous requirements regarding the submission and approval of the plan.
- **3772-20-06 (amendment)**, titled “Incident reports.” This rule requires casino operators to prepare reports regarding specific kinds of incidents at the casino, including injuries, underage gambling, removal of patrons, and several different types of illegal activity. The rule further specifies what information the report must contain and that each report must be provided to the Commission. The purpose of this rule is to ensure the safety of those at the facility, as well as to ensure proper documentation of activity at the facility in contravention of the law, including R.C. Chapter 3772. and the rules adopted thereunder. The amendment to this rule is largely streamlining, but also clarifies that the casino need only make available incident reports to the Commission instead of physically provide a copy to the Commission. Finally, the amendment removes a records-retention provision that conflicts with the Commission’s general five-year records-retention requirement.

- **3772-20-07 (amendment)**, titled “Security detention area.” This rule specifies that the security department must have at least one designated security detention area and that if a person is being detained, then a member of the security department must be present. The rule further specifies that the area be safe, secure, and monitored by surveillance. The purpose of this rule is to ensure the safety of those at the casino and that proper detention procedures are followed. The amendment to this rule clarifies that a Commission agent may ask a security department employee to leave the room.
- **3772-20-08 (amendment)**, titled “Communications system.” This rule specifies that each casino operator must have a communications system that allows all members of the department to communicate and that is useable by the Commission upon request. The purpose of this rule is to ensure that security personnel have the technical requirements necessary to perform their duties, as required by R.C. 3772.03. The amendment to this rule is solely streamlining.

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 William Cox, Assistant General Counsel, Ohio Casino Control Commission, at 10 West Broad Street, 6th Floor, Columbus, Ohio 43215, or by electronic mail at william.cox@casinocontrol.ohio.gov.