

CSI - Ohio

The Common Sense Initiative

Business Impact Analysis

Agency Name: Ohio Casino Control Commission ("Commission")

Regulation/Package Title: 2016 Five Year Review Batch One (Instructions for casino owner/operator/management company/holding company license application; Information that must be provided; Facility plan; Other required information; Casino operator, management company and holding company license application, license period and license renewal; Application fees; License fees; Affirmative license standards; Duty to update information; Computation of gross casino revenue; assisting the tax commissioner; Insurance; Approval of third-party engineering and accounting firms; Approval for debt transactions)

Rule Number(s): 3772-4-01; 3772-4-02; 3772-4-03; 3772-4-04; 3772-4-05; 3772-4-06; 3772-4-07; 3772-4-08; 3772-4-09; 3772-4-11; 3772-7-01; 3772-17-01; 3772-29-01

Date: March 23, 2016

Rule Type:

- ☐ New
☐ Amended

- ☒ 5-Year Review
☐ Rescinded

The Common Sense Initiative was established by Executive Order 2011-01K and placed within the Office of the Lieutenant Governor. Under the CSI Initiative, agencies should balance the critical objectives of all regulations with the costs of compliance by the regulated parties. Agencies should promote transparency, consistency, predictability, and flexibility in regulatory activities. Agencies should prioritize compliance over punishment, and to that end, should utilize plain language in the development of regulations.

Regulatory Intent

1. Please briefly describe the draft regulation in plain language.

Please include the key provisions of the regulation as well as any proposed amendments.

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These five-year review rules relate to licensing casino owners, operators, management companies, and holding companies; the insurance certain licensees must carry; approval of third-party engineering and accounting firms for casino operators; and approval for debt transactions for casino operators. Many of these amendments are aimed towards providing flexibility to and removing undue burdens from the regulated community and the Commission, in addition to a multitude of small housekeeping changes to clarify rule language.

In addition to the items specifically listed below, many of the amendments to 3772-4 include adding “initial or new” before “applicant.” This change is intended to specify that a renewal applicant need not resubmit certain material to the Commission when it has already submitted that information in its initial application. This change is intended to remove the need for unnecessary and unduly burdensome submissions, resulting in a more streamlined renewal application process.

- **3772-4-01 (amendment)**, titled “Instructions for casino owner/operator/management company/holding company license application.” This rule provides detailed instructions for these entities to follow during the application process. This rule is being amended for two substantive changes: (1) to remove a notification process the Commission is required to follow when a request is made for information marked by an applicant as protected from disclosure; and (2) to remove a requirement specifying in what form an application must be submitted. Presently, the rule details the procedure by which the Commission must notify an applicant that a request for information that it marked as protected from disclosure has been made and if the Commission has decided to disclose the information. The Commission must already comply with R.C. 3772.16, the Casino Control Law confidentiality provision, and Ohio’s Public Records laws. The purpose of deleting this provision is to remove a superfluous step in the public records process. Further, the rule currently requires all applicants to submit one electronic and three hardcopies of the application to the specific address of the Commission. The purpose of the second change is to provide the Commission with more flexibility to determine how exactly applications should be submitted.
- **3772-4-02 (amendment)**, titled “Information that must be provided.” This amendment mostly provides for housekeeping changes and the “initial or new” addition before “applicant,” discussed above. Presently, the rule specifies the information that must be provided to the Commission for the issuance of an operator license. The purpose of the amendment is to remove the unnecessary requirement that renewal applicants must submit a detailed plan describing the facility and the economic impact of the facility, among other details, which were submitted by the operator upon initial licensure.
- **3772-4-03 (amendment)**, titled “Facility plan.” This amendment again provides for the “initial or new” addition before “applicant,” discussed above. Presently, the rule requires all applicants to submit detailed facility plans, including a plan for completion of the facility, estimated start-up costs, and capitalization. The purpose of this rule is to remove these unnecessary requirements for renewal applicants.

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- **3772-4-04 (amendment)**, titled “Other required information.” This amendment provides for housekeeping changes and the “initial or new” addition before “applicant,” discussed above. Presently, the rule requires applicants to submit their responsible gaming plan and human resources policies with their application. The amendment removes this requirement for renewal applicants because both of these policies are already on file and a part of the applicant’s internal controls.
- **3772-4-05 (amendment)**, titled “Casino operator, management company and holding company license application, license period and license renewal.” The amendment streamlines the rule’s language. Both before and after the amendment, the Commission requires operators, management companies, and holding companies to submit all information requested or required by the Commission. The purpose of this rule is to ensure the Commission has all the information needed to make an informed licensure decision, while clarifying language to alleviate any confusion that may arise.
- **3772-4-06 (amendment)**, titled “Application fees.” The amendment clarifies that the Commission can increase the application fee for both an initial and a renewal operator, management company, or holding company to the extent that actual costs of the licensure investigation exceeds those amounts. Further, the amendment clarifies that should the cost of the investigation exceed the application fee, the Commission shall not issue a license to the applicant until the additional amount has been paid, although the commission may continue its investigation. Finally, the amendment adds a statutory cross reference that was not in existence when the rule was promulgated. The purpose of the amendment is to recognize that statutory language, which limits the ability of the Commission to set license fees by subjecting those amounts to review from the Joint Committee on Gaming and Wagering. The purpose of this rule is to clarify the Commission’s authority to charge the entity the full cost of the licensure investigation, regardless of whether the license is an initial or renewal license, should that amount exceed the application fee. The amendment also provides greater clarity to how the Commission deals with applicants who exceed the application fee.
- **3772-4-07 (amendment)**, titled “License fees.” This rule sets the fees a licensee must pay upon licensure. The amendment adds a statutory cross reference that was not in existence when the rule was promulgated. The purpose of the amendment is to recognize that statutory language, which limits the ability of the Commission to set license fees by subjecting those amounts to review from the Joint Committee on Gaming and Wagering. The same amendment was made to Ohio Adm. Code 3772-4-06, which deals with application fees.
- **3772-4-08 (amendment)**, titled “Affirmative license standards.” This rule creates certain affirmative standards that a casino operator, management company, or holding company must meet before the Commission can grant the entity a license, including establishing the suitability of certain entities and persons by clear and convincing evidence. The

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purpose of this rule is to ensure the integrity of casino gaming by placing the burden of obtaining the privilege of a license on the entity and ensuring these entities all meet certain minimum standards. The changes to this rule are all general housekeeping changes, intended to clarify and streamline the rule's language.

- **3772-4-09 (amendment)**, titled “Duty to update information.” The rule requires casino operators, management companies, and holding companies to update the Commission on information that would affect the entity's suitability for licensure. The purpose of this rule is to ensure that the Commission is aware of all circumstances that may affect an entity's suitability. The amendment to the rule largely clarifies and streamlines the rule's language, including removing the terms “applicant” and “licensee” and using the type of entity instead.
- **3772-4-11 (no change)**, titled “Computation of gross casino gaming revenue; assisting the tax commission.” This rule is not being amended. The rule requires casino operators to comply with the tax code and requests of the Tax Commissioner. The purpose of this rule is to ensure that casino operators comply with Ohio tax law.
- **3772-7-01 (amendment)**, titled “Insurance.” This rule requires casino operators, management companies, holding companies, and gaming-related vendors to obtain and maintain insurance, as required by the Commission. The purpose of this rule is to ensure all relevant entities, and therefore the State of Ohio, are adequately protected from unexpected events. The amendment to the rule is largely housekeeping in nature, streamlining language and clarifying that fire and theft insurance should cover any property damage and damage from all crimes.
- **3772-17-01 (amendment)**, titled “Approval of third-party engineering and accounting firms.” This rule requires casino operators to engage third-party engineering or accounting firms to certify or attest to the cost of its initial investment. The purpose of this rule is to ensure that all operators comply with their constitutional mandate. The only amendment to this rule is a housekeeping measure, removing “Ohio casino control” before “commission,” pursuant to the LSC drafting requirements.
- **3772-29-01 (amendment)**, titled “Debt Transactions.” This rule requires a casino operator to submit certain documentation to the Commission and to receive Commission approval before entering into a debt transaction in order to ensure that the debt transaction will not jeopardize the suitability of the licensee. The amendment to this rule removes a provision that unduly constrains how the Commission can discuss and approve a debt transaction. Further, the amendment removes a notification process the Commission is required to give when a request for information marked as protected is made—this same removal is being made in 3772-4-01.

2. Please list the Ohio statute authorizing the Agency to adopt this regulation.

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R.C. 3772.03; 3772.033; 3772.09; 3772.11.

- 3. Does the regulation implement a federal requirement? Is the proposed regulation being adopted or amended to enable the state to obtain or maintain approval to administer and enforce a federal law or to participate in a federal program? If yes, please briefly explain the source and substance of the federal requirement.**

Not applicable.

- 4. If the regulation includes provisions not specifically required by the federal government, please explain the rationale for exceeding the federal requirement.**

This question does not apply to these amendments because the federal government does not regulate casino gaming in this state. Rather, casino gaming is permitted pursuant to Article XV, Section 6(C) of the Ohio Constitution and is controlled by Ohio's Casino Control Act (i.e., R.C. Chapter 3772).

- 5. What is the public purpose for this regulation (i.e., why does the Agency feel that there needs to be any regulation in this area at all)?**

Article XV, Section 6(C) of the Ohio Constitution and/or R.C. Chapter 3772 require the Commission to ensure the integrity of casino gaming and to prescribe rules for how casino gaming should be conducted, including licensing casino operators, certifying minimum investments by these operators, guaranteeing these operators obtain a minimal amount of facility insurance, and ensuring continued financial suitability through approval of debt transactions. To ensure the integrity of casino gaming, it is imperative to protect casino patrons and to ensure that all casino operators meet the requirements for licensure in order to conduct casino gaming in the state of Ohio. These amendments are designed to continue to effectuate this constitutional and statutory mandate.

- 6. How will the Agency measure the success of this regulation in terms of outputs and/or outcomes?**

Overall, the Commission will measure the success of these amended rules in terms of whether they help to ensure the integrity of casino gaming. This can be done in two ways: First, through evaluating whether the administrative cost of implementing and enforcing the proposed rules outweighs their public benefit. Second, through analyzing the regulated community's comments about requests for waivers or variances from these rules once they are implemented.

Development of the Regulation

- 7. Please list the stakeholders included by the Agency in the development or initial review of the draft regulation.**

If applicable, please include the date and medium by which the stakeholders were initially contacted.

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Casino Operators

- Penn National Gaming, Inc. (Hollywood Casinos Columbus & Toledo)
- Rock Ohio Caesars – joint venture between Rock Gaming and Caesars Entertainment (Horseshoe Casinos Cleveland & Cincinnati)

First, the above-listed casino operators were contacted via email with the amendments on February 16, 2016, at 11:29 AM. Notably, the casino operators were permitted to review and comment on the amendments before submission to the members of the Commission for consideration of initial filing, at the February 17, 2016 Commission Meeting. (Exhibit 1.)

8. What input was provided by the stakeholders, and how did that input affect the draft regulation being proposed by the Agency?

After sending the amendments to the RCOs on February 16, 2016, the Commission has received no feedback.

9. What scientific data was used to develop the rule or the measurable outcomes of the rule? How does this data support the regulation being proposed?

This question does not apply to these amendments because no scientific data was necessary to develop or measure their outcomes. Instead, the Commission staff reviewed how other jurisdictions approached operator licensure. Further, the Commission staff considered whether existing rules were the most efficient means by which to maintain the integrity of casino gaming and whether any waivers or variances had been requested and granted to the regulated community. In so doing, the Commission was able to use, as much as possible, rules the regulated community is accustomed to, with minor adaptations to remain in compliance with Ohio law.

10. What alternative regulations (or specific provisions within the regulation) did the Agency consider, and why did it determine that these alternatives were not appropriate? If none, why didn't the Agency consider regulatory alternatives?

The Commission staff reviewed the rules adopted in other jurisdictions, including Kansas and New Jersey. Further, the Commission staff considered any waivers or variances to existing rules that had been requested and granted. The amendments are a conglomeration of the rules used in other jurisdictions with adaptations made for Ohio law.

11. Did the Agency specifically consider a performance-based regulation? Please explain. *Performance-based regulations define the required outcome, but don't dictate the process the regulated stakeholders must use to achieve compliance.*

These amendments are not performance-based because it governs minimum standards for casino operator licensure, facility insurance, minimum investment certification, and debt-

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transaction approval. However, Ohio Adm. Code 3772-1-04 allows the casino operators and gaming related vendors to seek waivers and variances from these rules, which the Commission will evaluate on a case-by-case basis and may grant as long as it determines that doing so is in the public's best interest. Past performance of a casino may be considered in determining whether a waiver from any specific provisions of these rules could be granted.

12. What measures did the Agency take to ensure that this regulation does not duplicate an existing Ohio regulation?

This question does not apply to the majority of these amendments because no other regulations, in these areas, currently exist with respect to casino gaming in this state. However, as this package amends existing administrative rules, several within the package bring clarity to requirements in R.C. Chapter 3772 and Ohio Adm. Code 3772.

13. Please describe the Agency's plan for implementation of the regulation, including any measures to ensure that the regulation is applied consistently and predictably for the regulated community.

The amendments in this package largely relate to licensing, which is handled by the Commission's licensing staff, which is managed by a single director in the Commission's main office. Further, to ensure ongoing compliance, there are gaming agents and financial auditors observing, evaluating, and investigating casino operations. Any issues that arise at the facilities are funneled to the Commission's central office in Columbus, Ohio, where the Executive Director and his division directors can coordinate a consistent response and conduct outreach to the regulated community.

Adverse Impact to Business

14. Provide a summary of the estimated cost of compliance with the rule. Specifically, please do the following:

a. Identify the scope of the impacted business community;

The casino operators, management companies, and holding companies are the impacted business community with respect to these amendments.

b. Identify the nature of the adverse impact (e.g., license fees, fines, employer time for compliance); and

The nature and potential adverse impact from these amendments includes the cost of each application and license fee for initial and renewal operators, management companies, and/or holding companies, as well fees relating to the obtaining of insurance. In addition, each operator may face additional costs in the form of fines for noncompliance and costs for employer time and payroll.

c. Quantify the expected adverse impact from the regulation.

The adverse impact can be quantified in terms of dollars, hours to comply, or other factors; and may be estimated for the entire regulated population or for a “representative *business*.” Please include the source for your information/estimated impact.

3772-4-01 Instructions for casino owner/operator/management company/holding company license application. (amendment)

This rule provides detailed instructions for these entities to follow during the application process. The amendment removes some specifics from the rule, including exactly how the Commission must handle requests for confidential information and exactly how operators must submit applications. The purpose of these changes is to provide the regulated community and the Commission with more flexibility in these areas.

The Commission does not anticipate a negative impact on business from these amendments, as the changes are intended to streamline the application process. Detailed applications are common in the casino industry in every jurisdiction in which they operate. Because of this, the applicants already have dedicated staff to ensure these license requirements are met in each jurisdiction. Therefore, the cost to the operator of following these instructions is nominal and built into their business model.

3772-4-02 Information that must be provided. (amendment)

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This rule specifies the information that must be provided to the Commission for the issuance of a casino operator, management company, or holding company license. The purpose of the amendment is to remove the unnecessary requirement that renewal applicants must submit a detailed plan describing the facility and the economic impact of the facility, among other details, which were submitted by the operator upon initial licensure.

The Commission does not anticipate an adverse impact on business from this amendment, as the changes are intended to remove unnecessary requirements for renewal applicants. Detailed applications are common in the casino industry in every jurisdiction in which they operate. Because of this, the applicants already have dedicated staff to ensure these license requirements are met in each jurisdiction. Therefore, the cost to the operator submitting these instructions is nominal and built into their business model.

3772-4-03 Facility plan (amendment)

This rule requires all applicants to submit detailed facility plans, including a plan for completion of the facility, estimated start-up costs, and capitalization. This amendment eliminates certain of these requirements from renewal applicants, who have already provided this information.

The Commission anticipates no adverse impact on business from this amendment. The changes remove requirements for renewal applicants, as the Commission recognizes that requiring certain information again is an unnecessary burden to the operators. Further, detailed applications are common in the casino industry in every jurisdiction in which they operate. Because of this, the applicants already have dedicated staff to ensure these license requirements are met in Ohio and other jurisdictions. Additionally, much of this information is also created and kept in the regular course of business. Therefore, the cost to the operator submitting these instructions is nominal and built into their business model.

3772-4-04 Other required information. (amendment)

This rule requires applicants to submit their responsible gaming plan and human resources policies with their application, among other documents. The amendment removes the requirement to submit these policies for renewal applicants.

The purpose of this rule is to remove these unnecessary requirements from the renewal process—both of these policies are already on file and a part of the applicant's internal controls. Therefore, the Commission does not anticipate an

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adverse effect on business from this amendment. Detailed applications are common in the casino industry in every jurisdiction in which they operate. Because of this, the applicants already have dedicated staff to ensure these license requirements are met in Ohio and other jurisdictions. Further, much of this information is also created and kept in the regular course of business. Therefore, the cost to the operator submitting these instructions is nominal and built into their business model.

3772-4-05 Casino operator, management company and holding company license application, license period and license renewal. (amendment)

This rule requires operators to provide the Commission with all information requested during the licensing process and provides for a three-year expiration of licenses. The amendment is a housekeeping amendment, which streamlines the rule's language.

Given that the amendment is solely housekeeping, the Commission does not anticipate an adverse impact on business from the amendment. Detailed applications are common in the casino industry in every jurisdiction in which they operate. Because of this, the applicants already have dedicated staff to ensure these license requirements are met in each jurisdiction. Therefore, the cost to the operator submitting these instructions is nominal and built into their business model.

3772-4-06 Application fees. (amendment)

This rule specifies the amount that shall be charged for an operator license, along with the steps the Commission must follow to increase that amount. This amendment also provides greater clarity as to how the Commission deals with applicants whose investigations exceed the application fee.

Given that the amendment is solely housekeeping and clarifying, the Commission does not anticipate an adverse impact on business from the amendment. The rule reiterates an initial application fee of \$1,500,000 and a renewal application fee of \$500,000, which was imposed by statute in R.C. 3772.17(C). Given the highly regulated nature of the industry and the high costs of processing and reviewing these applications, this fee is both customary and justified in the casino industry. Further, to date, all casino operators have paid at least two application fees.

3772-4-07 License fees. (amendment)

This rule sets the fees a licensee must pay upon licensure. Given that the amendment is solely housekeeping, by adding a statutory cross reference, the Commission does not anticipate an adverse impact on business from the amendment. The rule itself

does impose an initial licensure fee of \$1,500,000 and a renewal licensure fee of \$1,500,000. As this amendment clarifies, these amounts are subject to review by the Joint Committee on Gaming and Wagering. However, given the highly regulated nature of the industry and the high costs of processing and reviewing these applications, this fee is both customary and justified in the casino industry. Further, to date, all casino operators have paid at least two license fees.

3772-4-08 Affirmative license standards. (amendment)

This rule creates certain affirmative standards that a casino operator, management company, or holding company must meet before the Commission can grant the entity a license, including establishing the suitability of certain entities and persons by clear and convincing evidence, which is a statutory requirement. The changes to this rule are all general housekeeping changes, intended to clarify and streamline the rule's language.

Given that this rule merely parrots statutory language, sets standards for licensure without requiring any specific submissions, and is not unique to the casino industry, the Commission does not anticipate any adverse impact on business from this rule.

3772-4-09 Duty to update information. (amendment)

The rule requires casino operators, management companies, and holding companies to update the Commission on information that would affect the entity's suitability for licensure. The amendment to the rule largely clarifies and streamlines the rule's language.

Given that the amendment is solely intended to streamline the rule's language, the Commission does not anticipate an adverse impact on business from the amendment. Providing suitability updates is common in the casino industry in every jurisdiction in which they operate. Because of this, the operators already have dedicated staff to ensure these continuing reporting requirements are met in each jurisdiction. Therefore, the cost to the operator submitting these instructions is nominal and built into their business model.

3772-4-11 Computation of gross casino gaming revenue; assisting the tax commission. (no change)

This rule is not being amended. The rule requires casino operators to comply with the tax code and requests of the tax commissioner. Given that this rule merely provides the Commission oversight in ensuring that the operators are sending tax reports, as

required by R.C. Chapter 5753, the Commission does not anticipate any adverse impact on business. Because operators are already required to fulfill this statutory duty to the Department of Taxation, no adjustments to ensure compliance with this rule are necessary.

3772-7-01 Insurance. (amendment)

This rule ensures that casino operators, management companies, holding companies, and gaming-related vendors obtain and maintain insurance—a suitability requirement under R.C. 3772.10. The amendment to the rule is largely housekeeping in nature, streamlining language and clarifying that fire and theft insurance should cover any property damage and damage from all crimes. Given that the amendment is housekeeping in nature, the Commission does not anticipate any adverse impact on business. Even without this requirement, both statute and common industry practice dictate that the operator would likely purchase such insurance.

3772-17-01 Approval of third-party engineering and accounting firms. (amendment)

This rule requires initial casino operators to engage third-party engineering or accounting firms to certify or attest to the cost of its initial investment, as required by R.C. 3772.27. The purpose of this rule is to ensure that all operators are complying with their constitutionally mandated initial investment. The only amendment to this rule is a housekeeping measure. Notably, this rule, as written, only applies to initial applicants and all required investments have been made. No further actions to ensure compliance will be necessary.

3772-29-01 Debt Transactions. (amendment)

This rule requires a casino operator to submit certain documentation to the Commission and to receive Commission approval before entering into a debt transaction in order to ensure that the debt transaction will not jeopardize the suitability of the licensee, as required by R.C. 3772.28. The changes to this rule remove provisions that unduly constrain the Commission.

The Commission does not anticipate an adverse impact on business from the amendment. Approval of debt transactions are required by statute, and therefore, the rule should not adversely impact the operators. Further, requiring debt transactions to be approved is standard within the casino industry, and the operators already have dedicated staff to ensure these requirements are met in each jurisdiction. Therefore,

the cost to the operator of following doing so in Ohio is nominal and built into their business model.

15. Why did the Agency determine that the regulatory intent justifies the adverse impact to the regulated business community?

Each of the rules in this package is needed to correct current issues, such as conflicting provisions of law, or to clarify the Commission's interpretation of a particular rule. Additionally, the regulatory intent justifies any adverse impact because Article XV, Section 6(C) of the Ohio Constitution and R.C. Chapter 3772 require the Commission to ensure the integrity of casino gaming, specifically by licensing and ensuring certain other minimum standards for operators are met.

Moreover, the regulatory intent justifies any adverse impact because casino gaming is a highly regulated industry. Unregulated gaming poses a threat to the public welfare and raises the potential for fraud and abuse. To mitigate these threats, the Commission, like other gaming regulatory bodies, is using its regulatory authority to establish a best practice framework for casino operators.

Regulatory Flexibility

16. Does the regulation provide any exemptions or alternative means of compliance for small businesses? Please explain.

Yes (indirectly), though it is unlikely this will be necessary since these proposed regulations only impact the casino operators, none of which likely constitute a small business. These amendments indirectly provide exemption or alternative means of compliance through Ohio Adm. Code 3772-1-04, which permits the Commission, upon written request, to grant waivers and variances from the rules adopted under R.C. Chapter 3772, including these rules, if doing so is in the best interest of the public and will maintain the integrity of casino gaming in the State of Ohio.

17. How will the agency apply Ohio Revised Code section 119.14 (waiver of fines and penalties for paperwork violations and first-time offenders) into implementation of the regulation?

Though it is unlikely R.C. 119.14 will apply to these amendments because the rules only impact the casino operators, management companies, and holding companies, none of which likely constitute a small business, the Commission will adhere to the statutory requirements thereunder, if applicable.

To the extent R.C. 119.14 would apply to a violation of these amendments, the Commission will provide verbal and written notification to the small business in an attempt to correct the paperwork violation. Thereafter, the Commission would allow the small business a

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reasonable time to correct the violation. The Commission and its staff would also offer any additional assistance necessary to aid in remediation of the violation. No further action would be taken unless the small business fails to remedy the violation within the reasonable time allotted by the Commission.

18. What resources are available to assist small businesses with compliance of the regulation?

The Commission and its staff are dedicated to working with members of the regulated community and the public to effectively and efficiently regulate casino gaming in this state. As a result, the following resources are available:

- Commission's mailing address:
10 W. Broad Street, 6th Floor
Columbus, Ohio 43215
- Commission's toll free telephone number: (855) 800-0058
- Commission's fax number: (614) 485-1007
- Commission's website: <http://www.casinocontrol.ohio.gov/>
- Commission's email: info@casinocontrol.ohio.gov

Also, all members of the regulated community and public may, in accordance with rule 3772-2-04, request to address the Commission during a public meeting. Finally, all members of the regulated community may, pursuant to rule 3772-1-04, request waivers and variances from Commission regulations.

Cox, William

From: Siba, Michelle
Sent: Tuesday, February 16, 2016 11:29 AM
To: Alistair Cameron <Alistair.Cameron@pngaming.com>
(Alistair.Cameron@pngaming.com); 'Robert Wamsley'; Lisa Powers; Edward Dick
Cc: Martin, Patrick; Oyster, Matt
Subject: 5 Year Review Batch #1 Rule Language
Attachments: Combined Rules.pdf

RCOs,

Every state agency is required to review its administrative rules at least once every 5 years. Over the next year, the Commission will be conducting this review and will be moving rules through the filing process with which you are all very familiar. The first batch of 5 Year Review rules are on tomorrow's Commission meeting agenda for their initial approval. Although you all will have ample opportunity to provide feedback within the formal process, I am providing the draft language to you now. You'll notice that there are very few actual substantive changes. Rather, Commission staff has taken the opportunity to clean up some of the language for clarity's sake. **If you do have comments or suggestions that you would like to provide regarding the language, please send them to me via email by 3:30 pm today.** If you just have a question or need additional clarification, you may contact me at 614-387-0485 or Matt Oyster at 614-387-5859.

Also, I want to be very clear that these rules are different than those discussed in our meeting a few weeks ago. Those rules will be on an upcoming Commission meeting agenda. This is your first opportunity to review changes to Ohio Adm. Code 3772-4, -7, -17, and -29.

Respectfully,

Michelle

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