

**MEMORANDUM**

TO: Michelle Siba, Deputy General Counsel, Ohio Casino Control Commission

FROM: Emily Kaylor, Regulatory Policy Advocate

DATE: June 3, 2016

RE: **CSI Review – Five Year Review Batch One (OAC 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, and 3772-29-01)**

On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

Analysis

This rule package consists of thirteen rules, twelve amended and one no-change, submitted by the Ohio Casino Control Commission for their statutorily required five-year review. The rule package was submitted to the CSI Office on March 23, 2016 and the comment period was held open until April 7, 2016. No comments were received during this time.

The rules pertain to the application and fees for licensing casino owners, operators, management companies, and holding companies. The package also includes rules related to the necessary insurance, approval of third-party engineering and accounting firms for casino operators, approval for debt transactions, and requirements to update information for license renewal. Amendments are being proposed to the rules to clarify language and remove some unnecessary application procedures, such as requiring three hard copies of a completed application to be submitted.

The Commission lists the specific adverse impacts of each rule. Casino operators, management companies, and holding companies are all impacted by these rules. They may experience application and license fees, costs for staff and their time, fees related to obtaining the necessary insurance, and fines for noncompliance. The BIA explains that these rules are necessary to correct

current issues that needed clarification, ensure the integrity of casino gaming, protect patrons, and adhere to ORC Chapter 3772.

The Commission contacted Penn National Gaming, Inc. and Rock Ohio Caesars regarding the proposed rules. The rules were also sent to all of the Regulatory Compliance Officers. From these distributions, the Commission received no feedback. Additionally, no comments were received during the CSI comment period that the rules are overly burdensome. Therefore, the CSI Office has determined the purpose of the rules is justified.

Recommendations

For the reasons discussed above, the CSI Office does not have any recommendations for this rule package.

Conclusion

Based on the above comments, the CSI Office concludes that the Ohio Casino Control Commission should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.

cc: Mark Hamlin, Lt. Governor's Office