

OHIO CASINO CONTROL COMMISSION  
RESOLUTION 2018-13  
**ADMINISTRATIVE RULES – ADOPTION & FINAL FILE**

**WHEREAS**, Article XV, Section 6(C)(4) of the Ohio Constitution created the Ohio Casino Control Commission (“Commission”) to ensure the integrity of casino gaming by, among other things, licensing and regulating all gaming authorized by Article XV, Section 6(C) of the Ohio Constitution;

**WHEREAS**, R.C. 3772.03(K) grants the Commission jurisdiction over all persons conducting or participating in the conduct of skill-based amusement machine operations authorized by R.C. Chapters 3772 and 2915, including the authority to complete the functions of licensing, regulating, investigating, and penalizing those persons in a manner that is consistent with the Commission’s authority with respect to casino gaming;

**WHEREAS**, R.C. 3772.03(K) authorizes the Commission to adopt rules under R.C. Chapter 119, including rules establishing fees and penalties related to the operation of skill-based amusement machines;

**WHEREAS**, on August 3, 2016, September 2, 2016, October 12, 2016, November 16, 2016, December 21, 2016, January 11, 2017, February 15, 2017, March 15, 2017, April 19, 2017, and December 5, 2017, the Commission approved for original filing the following proposed rules (“Administrative Rules”):

- 3772-50-01 Definitions.
- 3772-50-02 Authority and purpose.
- 3772-50-03 General licensing requirements.
- 3772-50-04 Skill-based amusement machine vendor licensure.
- 3772-50-05 Skill-based amusement machine key employee licensure.
- 3772-50-06 Type-B skill-based amusement machine operator licensure.
- 3772-50-07 Type-C skill-based amusement machine operator licensure.
- 3772-50-08 Type-C skill-based amusement machine location licensure.
- 3772-50-09 Registration of operation of skill-based amusement machine.
- 3772-50-10 Waivers and variances.
- 3772-50-11 Duty to update.
- 3772-50-12 Filing requirements.
- 3772-50-13 Record retention requirements.
- 3772-50-14 Inspection and audits.
- 3772-50-15 Advertising.
- 3772-50-16 Prohibited activities.
- 3772-50-17 Duties of skill-based amusement machine vendors.
- 3772-50-18 Duties of type-B skill-based amusement machine operators.
- 3772-50-19 Duties of type-C skill-based amusement machine operators.

- 3772-50-20 Duties of type-C skill-based amusement machine locations.
- 3772-50-25 Testing.
- 3772-50-26 Skill-based amusement machine tournaments.
- 3772-50-27 Hearings.
- 3772-50-28 Sanctions.

**WHEREAS**, R.C. 121.82 prohibits an agency, as defined by R.C. 107.51, from electronically filing proposed rules that have an adverse impact on business, as defined by R.C. 107.52, with the Secretary of State (“SoS”), the Director of the Legislative Service Commission (“LSC”), and the Joint Committee on Agency Rule Review (“JCARR”) any sooner than the sixteenth business day after filing the proposed rule and accompanying Business Impact Analysis with the Common Sense Initiative Office (“CSI”).

**WHEREAS**, after complying with the CSI filing requirement, R.C. 119.03(B) requires that an agency electronically file proposed rules with the SoS and with LSC at least 65 days before the agency may adopt them;

**WHEREAS**, R.C. 119.03(H) requires that an agency electronically file proposed rules with JCARR at least 65 days before the agency may adopt them;

**WHEREAS**, if the proposed rules adversely impact business, R.C. 119.03(H) requires the agency to include with its electronic filing the Business Impact Analysis, any recommendations received from CSI, and the agency’s Memorandum in Response;

**WHEREAS**, R.C. 119.03(A) requires that reasonable public notice be given in the Register of Ohio at least 30 days prior to the date set for a public hearing, which must be held no sooner than the 31st nor any later than the 40th day after any proposed rules are filed under R.C. 119.03(B);

**WHEREAS**, R.C. 119.03(I)(1)(f) requires JCARR to hold a public hearing on any proposed administrative rules no earlier than the 41st day after the original versions of the proposed rules were filed with JCARR;

**WHEREAS**, on October 7, 2016, January 3, 2017, January 4, 2017, March 8, 2017, October 24, 2017, and January 3, 2018, the Commission’s staff electronically filed the Administrative Rules and the public hearing notice with the SoS, LSC, and JCARR;

**WHEREAS**, on November 10, 2017, February 8, 2017, April 12, 2017, November 29, 2017, and February 7, 2018, the Commission held a public hearing on the Administrative Rules;

**WHEREAS**, on November 10, 2016, March 6, 2017, May 8, 2017, December 11, 2017 and March 5, 2018, JCARR held a public hearing on the Administrative Rules;

**WHEREAS**, on December 11, 2016, March 9, 2017, March 10, 2017, May 12, 2017, December 28, 2017 and March 9, 2018, JCARR's jurisdiction over the Administrative Rules ended, providing the Commission with the authority to adopt them;

**WHEREAS**, the Commission considered the matter at its public meeting on March 21, 2018;

**NOW, THEREFORE, BE IT RESOLVED** by the Commission that the Administrative Rules are **ADOPTED**.

**BE IT FURTHER RESOLVED** that the Commission's staff is hereby authorized and directed to **FINAL FILE** the Administrative Rules in accordance with R.C. Chapter 119.

Adopted: March 21, 2018