

TITLE 68 INDIANA GAMING COMMISSION

Proposed Rule LSA Document #09-144

DIGEST

Amends 68 IAC 2-6-2 to replace the term “riverboat” with “casino”, eliminate obsolete “token acceptors” as requiring testing, and establish clearer guidelines for casino licensees to follow regarding testing of any gaming devices or equipment. Amends 68 IAC 2-6-3 to contemplate the existence of multiple independent gaming laboratories and establish guidelines for persons who submit gaming devices or equipment to an independent laboratory. Repeals 68 IAC 2-6-15. Effective 30 days after filing with the Publisher.

IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses

68 IAC 2-6-2; 68 IAC 2-6-3; 68 IAC 2-6-15

SECTION 1. 68 IAC 2-6-2 IS AMENDED TO READ AS FOLLOWS:

68 IAC 2-6-2 Equipment approval

Authority: IC 4-33-4; IC 4-35-4

Affected: IC 4-33; IC 4-35

Sec. 2. ~~(a) All electronic or mechanical gambling games must be licensed by the commission prior to use.~~

~~(b) (a) The following may not be used for gaming by any riverboat casino licensee without prior written approval of the executive director, or the executive director's designee, authorizing their inclusion in the commission's online database of approved items and technologies:~~

~~(1) Bill acceptors or bill validators.~~

~~(2) Token acceptors.~~

~~(3) Progressive controllers.~~

~~(4) Signs.~~

~~(5) Associated gaming equipment as provided for in 68 IAC 2-7.~~

(1) Electronic gaming devices and any component parts material to gaming activity, including, but not limited to, the following:

(A) Random number generators.

(B) All game media.

(C) Progressive controllers.

(D) Bill changers.

(2) Electromechanical devices used in connection with gaming activity at live gaming devices, including, but not limited to, the following:

(A) Items using radio frequency identification technology.

(B) Shuffling devices.

(C) Progressive controllers.

(3) System-to-system, game-to-system, or intradevice communication software used in the conduct or monitoring of gaming activity, including, but not limited to, the following:

(A) Accounting systems.

(B) Player tracking systems.

(C) Promotional and bonusing systems.

(4) Electromechanical devices material to accounting for casino assets, including, but not limited to, the following:

(A) Kiosks capable of distributing or collecting cashless wagering instruments or credits, or both.

(B) Ticket validation equipment.

(C) Currency counters.

(D) Chip sorters.

(5) Any other device or software that the executive director determines may affect the integrity of gaming in Indiana.

~~(c) The licensure must describe with particularity the equipment or device approved.~~

~~(d) The approval must describe with particularity the equipment or device approved.~~

(b) If a casino licensee intends to use any item or technology referenced in subsection (a) that does not appear in the commission's database, the casino licensee must seek approval for the item or technology by petitioning the executive director, in writing, for inclusion in the database. This petition must identify the following with specificity:

(1) The item or technology for which the casino licensee seeks approval.

(2) The manufacturer and distributor who would supply the item or technology to the casino.

(3) The authorized independent gaming laboratory chosen to test the item or technology in accordance with section 3 of this rule.

(4) The date or dates on which the item or technology was or is expected to be submitted for testing by the authorized independent gaming laboratory.

(Indiana Gaming Commission; 68 IAC 2-6-2; filed Jan 17, 1996, 11:00 a.m.: 19 IR 1301; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898; readopted filed Sep 14, 2007, 1:40 p.m.: 20071003-IR-068070354RFA)

SECTION 2. 68 IAC 2-6-3 IS AMENDED TO READ AS FOLLOWS:

68 IAC 2-6-3 Testing

Authority: IC 4-33-4; IC 4-35-4

Affected: IC 4-33-4-5; IC 4-35-4-7

Sec. 3. (a) ~~The following must be tested prior to licensure or~~ **To be eligible for approval and inclusion in the commission's database, the manufacturer or distributor of any items or technologies contemplated by section 2 of this rule must submit the item or technology to, and obtain certification from, an independent gaming laboratory that maintains a valid contract with the commission to conduct testing on behalf of the agency, for use compliance with the following:**

~~(1) All electronic gaming devices.~~

~~(2) Any other device or equipment as the executive director may deem necessary to ensure compliance with the Act and this title.~~

(1) Indiana law.

(2) All applicable commission regulations and standards.

(3) Any applicable technical standards adopted by the authorized independent gaming laboratory.

~~(b) The executive director may take the following actions:~~

~~(1) Employ the services of an outside independent gaming test laboratory to conduct the testing.~~

~~(2) Bill those riverboat licensees requesting licensure or approval of the devices or equipment through any billing mechanism the executive director deems appropriate.~~

~~(c) Licensure or approval shall not be issued unless payment for all costs of testing is current.~~

~~(d) Licensure, approval, or the denial thereof, of electronic gaming devices, any other device, or equipment will be issued in accordance with IC 4-33-4-5.~~

(b) A manufacturer or distributor seeking certification for an item or technology from an independent gaming laboratory:

(1) is responsible for providing all necessary items and information to an authorized independent gaming laboratory of their choice;

(2) is responsible for any and all costs associated with testing; and

(3) may not, without written approval from the executive director, engage more than one (1) authorized independent gaming laboratory to test an item or technology for Indiana certification.

(Indiana Gaming Commission; 68 IAC 2-6-3; filed Jan 17, 1996, 11:00 a.m.: 19 IR 1301; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898; readopted filed Sep 14, 2007, 1:40 p.m.: 20071003-IR-068070354RFA)

SECTION 3. 68 IAC 2-6-15 IS REPEALED.

Notice of Public Hearing