

Proposed Rule
LSA Document #12-659

DIGEST

Adds [68 IAC 1-12.5](#) regarding casino promotional events. Amends [68 IAC 15-12-3](#) to correct an internal reference and make technical changes. Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[68 IAC 1-12.5](#); [68 IAC 15-12-3](#)

SECTION 1. [68 IAC 1-12.5](#) IS ADDED TO READ AS FOLLOWS:

Rule 12.5. Promotional Events

[68 IAC 1-12.5-1](#) General provisions

Authority: [IC 4-33-4](#); [IC 4-35-4](#)

Affected: [IC 4-33](#); [IC 4-35](#)

Sec. 1. (a) This rule applies to casino licensees.

(b) "Promotional event" means an activity that either:

- (1) is sponsored by a casino licensee; or**
- (2) takes place on a casino licensee's property;**

and is designed to entice people to visit the casino in order to increase casino patronage or the public awareness and appreciation of gaming in Indiana.

(c) Promotional events must comply with this rule.

(d) The following promotional events require approval by the commission:

(1) An electronic gaming device tournament or live gaming device tournament sanctioned by the casino that:

- (A) incorporates a game;**
- (B) may require a buy-in or invitation;**
- (C) has a fixed number of players;**
- (D) pays out a percentage of the total buy-in; and**
- (E) pays out one (1) grand prize and other smaller payouts.**

(2) Giveaways where a patron's chances of winning the giveaway are based on the patron's level of play at the casino.

(3) Other promotional events that the commission determines require approval.

(e) The following promotional events require review by the commission:

- (1) Live entertainment.**
- (2) Other promotional events that the commission determines require review.**

(f) The following activities, if they otherwise would constitute a promotional event, do not require approval under this rule:

- (1) Contributions and donations to charities, and sponsorship of community events.**
- (2) Theme decorations.**
- (3) Giveaways where the chances of winning are not based on the patron's level of play at the casino.**
- (4) Food and nonalcoholic beverage coupons, excluding coupons provided on a routine basis exclusively to card members.**
- (5) Other promotional events that the commission determines require only notice.**

(Indiana Gaming Commission; [68 IAC 1-12.5-1](#))

[68 IAC 1-12.5-2](#) Submission of promotional events

Authority: [IC 4-33-4](#); [IC 4-35-4](#)

Affected: [IC 4-33](#); [IC 4-35](#)

Sec. 2. (a) A casino licensee shall submit a promotional event to the commission for approval or review if the promotional event is listed under section 1(d) or 1(e) of this rule. A casino licensee:

- (1) shall submit a promotional event under this subsection to the commission at least thirty (30) business days prior to the promotional event; and
- (2) has fifteen (15) days from the date of the commission's decision to make changes to its submission, but may not make changes to the submission within ten (10) business days prior to the start of the event.

(b) A submission for approval or review under subsection (a) must be submitted on the appropriate forms prescribed by the commission and must include the following:

- (1) A copy of the official rules.
- (2) A detailed description of the ways a patron can win.
- (3) A copy of the marketing materials.
- (4) A copy of documents used in the implementation of the promotional event.
- (5) The signature of the casino licensee's general manager or designee.

(c) A casino licensee shall submit written notice to the commission for promotional events that are listed in section 1(f) of this rule as follows:

- (1) Written notice under this subsection may take whatever form the casino licensee prefers.
- (2) A casino licensee shall submit notice of a promotional event under this subsection to the commission at least fifteen (15) business days prior to the promotional event.
- (3) Notice under this subsection shall include the following:
 - (A) The date of the promotional event.
 - (B) The time of the promotional event.
 - (C) The location of the promotional event.
 - (D) A general description of the promotional event.

(d) A submission shall be deemed filed when the casino licensee has submitted the completed submission forms, including required documents, and the commission has stamped the submission as received.

(e) A misrepresentation or omission made with respect to the submission may be grounds for denial of the promotional event.

(f) The casino licensee is under a continuing duty to disclose changes in the submission, subject to the limitations in subsection (a).

(Indiana Gaming Commission; [68 IAC 1-12.5-2](#))

[68 IAC 1-12.5-3](#) Internal controls

Authority: [IC 4-33-4](#); [IC 4-35-4](#)

Affected: [IC 4-33](#); [IC 4-35](#)

Sec. 3. (a) In accordance with [68 IAC 11-1](#), a casino licensee shall submit to the executive director internal control procedures concerning promotional events.

(b) The internal control procedures for promotional events shall include, without limitation, the following:

- (1) General rules that govern promotional events.
- (2) Methods and personnel generally responsible for handling the following:
 - (A) Disputes over promotional events.

(B) Irregularities regarding promotional events, including the duty to inform the commission of irregularities.

(Indiana Gaming Commission; [68 IAC 1-12.5-3](#))

[68 IAC 1-12.5-4](#) Deviation from provisions

Authority: [IC 4-33-4](#); [IC 4-35-4](#)

Affected: [IC 4-33](#); [IC 4-35](#)

Sec. 4. The executive director or the commission may approve deviations from the provisions of this rule upon written request if the executive director or commission determines that the:

- (1) procedure or requirement is impractical or burdensome; and**
- (2) alternative means of satisfying the procedure or requirement:**
 - (A) fulfill the purpose of this rule;**
 - (B) are in the best interest of the public and the gaming industry; and**
 - (C) do not violate [IC 4-33](#) or [IC 4-35](#).**

(Indiana Gaming Commission; [68 IAC 1-12.5-4](#))

SECTION 2. [68 IAC 15-12-3](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 15-12-3](#) Live gaming device fill procedures

Authority: [IC 4-33-4](#)

Affected: [IC 4-33](#)

Sec. 3. (a) Live gaming device fills shall proceed in the following manner:

- (1) The appropriate occupational licensee shall initiate a live gaming device fill by completing an input form. The input form is either carried to the casino cage or the information is electronically transmitted to the casino cage.
- (2) The **appropriate occupational licensee uses the** input form ~~is utilized~~ to prepare and print a live gaming device fill slip.
- (3) Surveillance shall be notified that a live gaming device fill is being processed.
- (4) Based on the information contained on the fill slip, the casino cashier shall prepare the proper denomination and amount of chips or tokens, or both, and sign the fill slip. The casino cashier shall sign the fill slip, summon a security officer, and present the chips or tokens, or both, and the fill slip to the security officer.
- (5) The security officer ~~must~~ **shall** verify that the denomination and amount of chips or tokens, or both, match the amount on the fill slip. The security officer shall sign the fill slip after verifying the chips or tokens, or both, match the fill slips. The security officer who begins the live gaming device fill must complete the process of witnessing, escorting, and signing the appropriate documentation to verify **that** the live gaming device fill was completed. If there is a discrepancy with the live gaming device fill, the same security officer who began the live gaming device fill must accompany the fill back to the cage to resolve the discrepancy.
- (6) The casino cashier shall retain one (1) copy of the fill slip in the casino cage.
- (7) The security officer shall transport the chips or tokens, or both, to the appropriate pit area.
- (8) The appropriate level of occupational licensee shall count the chips or tokens, or both, that are received as a live gaming device fill to ensure the denomination and amounts received match the amount and denomination reflected on the fill slip.
- (9) If the amounts in subdivision ~~(7)~~ **(4)** agree, the occupational licensee who counted fill shall sign the fill slip. The pit supervisor or the equivalent shall also sign the fill slip. A copy of the fill slip or the original shall be inserted into the drop box of the live gaming device that received the fill. A copy of the fill slip or the original fill slip shall be returned to the casino cage.
- (10) If the amounts in subdivision ~~(7)~~ **(4)** do not agree, the fill slip shall not be signed and the discrepancy shall be resolved in accordance with the policy and procedure submitted in accordance with section 2(b)(8) of this rule. Surveillance shall be notified, and the security officer shall return the chips or tokens, or both, and the fill slip to the casino cage.

(b) ~~The copies of the completed live gaming device fill slip shall be utilized by~~ The casino cashier or appropriate department **shall use copies of the completed live gaming device fill slip** to balance the cage. All completed live gaming device fill slips shall be ~~utilized~~ **used** to complete the soft count.

(c) If a live gaming device fill slip was erroneous, it shall be voided and a new live gaming device fill slip generated. The person voiding the fill slip shall indicate the reason the slip was voided and sign the slip. ~~Any~~ **A** voided live gaming device fill slip shall be retained and deposited into a locked accounting box.

(Indiana Gaming Commission; [68 IAC 15-12-3](#); filed Jul 18, 1996, 8:55 a.m.: 19 IR 3310; filed Jul 10, 2000, 4:46 p.m.: 23 IR 3064; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261; readopted filed Nov 14, 2008, 12:51 p.m.: [20081210-IR-068080730RFA](#))

[Notice of Public Hearing](#)

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