

## RESOLUTION 2009-165

### A RESOLUTION ADOPTING LSA DOCUMENT #09-218 AS A FINAL RULE

The Indiana Gaming Commission ("Commission") adopts the following resolution pursuant to the authority granted to it under IC 4-33-4.

The Commission has considered the following factors:

1. The Commission began promulgation of the attached LSA Rule Document #09-218 under IC 4-22. A Notice of Intent to adopt LSA Document #09-218 was posted at DIN: 20090415-IR-068090218NIA on the *Indiana Register* website on April 15, 2009. The proposed rule was then posted at DIN: 20090603-IR-068090218PRA on the *Indiana Register* website on June 3, 2009.
2. The Commission held a public hearing on this rule in compliance with IC 4-22. The public hearing was held on July 27, 2009 at 10:00 a.m. in the offices of the Indiana Gaming Commission, in Indianapolis, IN. The transcript of the hearing and all written comments that were received, including the Indiana Economic Development Commission comments, were fully considered and implemented where appropriate. The transcript of the hearing has been reviewed by Commission members.
3. If the Commission approves this Resolution adopting the attached rule document as a final rule, the rule will be forwarded to the Office of the Attorney General and the Governor for approval, and filed thereafter with the *Indiana Register*. The rule will be effective 30 days after it is filed with the *Indiana Register*.

**NOW, THEREFORE, BE IT RESOLVED BY THE INDIANA GAMING COMMISSION, THAT THE FOLLOWING RESOLUTION IS ADOPTED:**

#### **SECTION 1: SCOPE**

This resolution applies to all persons subject to the authority granted to the Commission by the General Assembly in Indiana Code 4-33 including, but not limited to, all persons and entities licensed by the Commission, and all persons or entities that have applied to the Commission for licensure.

#### **SECTION 2: DEFINITIONS**

The definitions set forth in IC 4-33 and 68 IAC apply to this resolution.

#### **SECTION 3: ADOPTION OF FINAL RULES**

The Commission adopts the following rules as reflected on the attached final rule document:

##### **68 IAC 14-2-2**

Pursuant to IC 4-22-2, the Commission adopts the attached final rule document. The rule will be forwarded to the Office of the Attorney General for approval as to legality under IC 4-22-2-32. Upon

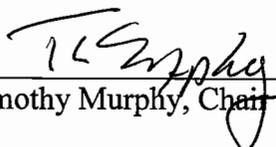
approval by the Office of the Attorney General, the rule will be submitted to the Governor's Office for approval pursuant to IC 4-22-2-33. After the rule has been approved or deemed approved by the Governor, the rule will be submitted to the *Indiana Register* for filing in accordance with IC 4-22-2-35.

**SECTION 4: EFFECTIVE DATE**

This resolution is effective immediately.

**ADOPTED THIS THE 17<sup>th</sup> DAY OF SEPTEMBER, 2009.**

**THE INDIANA GAMING COMMISSION:**

  
\_\_\_\_\_  
Timothy Murphy, Chair

ATTEST:

  
\_\_\_\_\_  
Marc Fine, Secretary

TITLE 68 INDIANA GAMING COMMISSION

Final Rule  
LSA Document #09-218

DIGEST

Amends 68 IAC 14-2-2 to require that a tip box be locked. Makes technical changes. Effective 30 days after filing with the Publisher.

68 IAC 14-2-2

SECTION 1. 68 IAC 14-2-2 IS AMENDED TO READ AS FOLLOWS:

68 IAC 14-2-2 Live gaming device table requirements

Authority: IC 4-33-4

Affected: IC 4-33

Sec. 2. (a) Each live gaming device shall ~~shall~~ **must** have, at a minimum, the following ~~requirements:~~

(1) Each live gaming device shall ~~be capable of having~~ **must have** a drop box attached to it that meets the following requirements:

(A) One (1) lock that secures the contents of the drop box.

(B) A separate lock that attaches the drop box to the live gaming device. The keys to the lock securing the contents of the drop box and attaching the drop box to the live gaming device must be separate.

(C) A slot opening through which:

(i) currency;

(ii) coins;

(iii) tokens;

(iv) chips;

(v) forms;

(vi) records; and

(vii) documents;

can be inserted into the drop box.

(D) Be equipped with a mechanical device that automatically closes and locks the slot opening upon removal of the drop box from the live gaming device.

(E) Is attached to the side of the live gaming device table at which the dealer is located or at another location approved by the executive director.

(F) Have the type of game, the shift, and the live gaming device table number to which the drop box is attached permanently imprinted on the drop box. The imprinted information must be clearly visible.

(2) Each live gaming device shall be capable of having a tip box attached to it for the deposit of tips and gratuities received by the dealer. **If a live gaming device has a tip box attached to it, the tip box shall must** meet the following requirements:

(A) ~~It shall~~ Be a transparent container.

(B) ~~It shall~~ Be ~~capable of being~~ locked.

(C) ~~It shall~~ Be ~~capable of being~~ secured to the table. ~~by means of a chain, a lock, or the equivalent.~~ If the tip box is attached by means of a lock, the key to remove the tip box from the table ~~shall must~~ be separate from the key that opens the tip box.

(D) ~~It shall~~ Be attached to the side of the live gaming device table at which the dealer is located or at another location approved by the executive director.

(3) Each live gaming device that utilizes a table layout shall **must** have the name of the riverboat licensee imprinted on the layout.

(b) The riverboat licensee may have emergency drop boxes to replace the drop boxes on a temporary basis. The emergency drop boxes must:

(1) meet the requirements outlined in subsection (a)(1)(A) through (a)(1)(E); and ~~must~~

(2) have the word "EMERGENCY" permanently and clearly imprinted thereon.

*(Indiana Gaming Commission; 68 IAC 14-2-2; filed Jul 18, 1996, 9:05 a.m.: 19 IR 3294; filed Dec 2, 2001, 12:35 p.m.: 25 IR 1066; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261; readopted filed Nov 14, 2008, 12:51 p.m.: 20081210-IR-068080730RFA)*