

RESOLUTION 2011-77

A RESOLUTION ADOPTING AN EMERGENCY RULE REGARDING CARDS AND DICE

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

The Commission has considered the following factors:

1. Pursuant to IC 4-32.2-3-3 and IC 4-22-2-37.1, the Commission has the authority to adopt emergency rules.
2. Indiana Code 4-32.2-3-3 authorizes the Commission to adopt emergency rules if the Commission determines that: (1) the need for a rule is so immediate and substantial that rulemaking procedures under IC 4-22-2-13 through IC 4-22-2-36 are inadequate to address the need; and (2) an emergency rule is likely to address the need.
3. The movement of playing cards and dice must be regulated in order to ensure the integrity of gaming; if cards or dice are defective or have signs of tampering, the Commission must be able independently to investigate those issues. At a minimum, the Commission should have notice of an incoming shipment, a verifiable chain of custody, and other basic information about shipments of cards and dice.
4. The Commission regulates playing cards and dice under 68 IAC 14-3. That rule does not contain sufficient regulations regarding movement.
5. The proposed emergency rule would adopt the minimum number of requirements necessary to protect the integrity of gaming regarding movement of cards and dice.
6. The Commission finds that the need for a rule addressing card and dice shipments is immediate and substantial such that rulemaking procedures under IC 4-22-2-24 through IC 4-22-2-36 are inadequate to address the needs and that the attached emergency rule is likely to address the need.
7. While the emergency rule is in effect, the Commission will begin the non-emergency promulgation process, including the procedures listed in IC 4-22-2-24 through 4-22-2-36.

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

SECTION 1: SCOPE

This resolution applies to all riverboat licensees, operating agents, and trustees.

SECTION 2: DEFINITIONS

The definitions set forth in IC 4-33 and 68 IAC 1-1 apply to this resolution.

SECTION 3: ADOPTION OF THE EMERGENCY RULE

Pursuant to IC 4-22-2-37.1, the Commission adopts the attached rule as an emergency rule for the initial ninety (90) day period as well as for the optional ninety (90) day extension period. The Commission further adopts any stylistic, grammatical, typographical, or other non-substantive changes that Commission staff or the Legislative Services Agency may make to this emergency rule. Commission staff shall file the proposed emergency rule and submit it for publication with the Legislative Services Agency.

SECTION 4: EFFECTIVE DATE

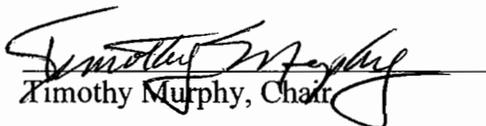
This resolution is effective immediately.

SECTION 5: EXPIRATION DATE

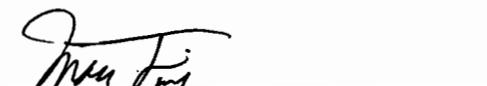
This resolution expires upon the final expiration of the emergency rule adopted herein.

ADOPTED, THIS THE 17th DAY OF MARCH, 2011.

THE INDIANA GAMING COMMISSION


Timothy Murphy, Chair

ATTEST:


Marc Fine, Secretary