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1 CALIFORNIA GAMBLING CONTROL COMMISSION  
2 SPECIFIC LANGUAGE OF PROPOSED REGULATIONS

3  
4 NOTICE OF RELOCATION OF GAMBLING ESTABLISHMENT  
5 CGCC-GCA-2011-0#-R  
6

7 CALIFORNIA CODE OF REGULATIONS  
8 TITLE 4. BUSINESS REGULATIONS.  
9 DIVISION 18. CALIFORNIA GAMBLING CONTROL COMMISSION.  
10

11 CHAPTER 1. GENERAL PROVISIONS.

12 § 12004. Notification of Contact Information Change ~~of Address~~.

13 A registrant or licensee shall report to the Commission any change of ~~address-contact~~  
14 information, whether residence address, address of record or mailing address, phone number or  
15 any other contact information, within ten days of ~~such that~~ change on a form entitled “Notice of  
16 ~~Address-Contact Information~~ Change,” **CGCC-032** (~~New 06-05~~Rev. 06/12), which is attached in  
17 Appendix A to this Chapter. This section does not apply to the physical relocation of a gambling  
18 establishment.

19 Note: Authority cited: Section 19811, 19823, 19824, 19853(a)(3), 19864, and 19984, Business and Professions  
20 Code. Reference: Sections 19850 and 19852, Business and Professions Code.  
21

22 CHAPTER 7. CONDITIONS OF OPERATION FOR GAMBLING ESTABLISHMENTS.

23 ARTICLE 1. GENERAL PROVISIONS

24 § 12364. Relocation of Gambling Establishment.

25 (a) An owner-licensee shall notify the Commission and the Bureau of a planned physical  
26 relocation of a gambling establishment at least 90 days in advance of the intended  
27 commencement of gambling operations at the new location on the form entitled “Notice of  
28 Relocation.” **CGCC-XXX** (New 06/12).

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1        (1) If the new location is more than 1,000 feet from any boundary line of its governing local  
2 jurisdiction, the owner-licensee shall, except as otherwise provided, submit all of the following  
3 prior to the commencement of gambling operations:

4        (A) A copy of the licensee’s fully executed rental or lease agreement for, or evidence of the  
5 licensee’s ownership of the proposed new location.

6        (B) A copy of the licensee’s fire safety and evacuation plan for the proposed new location,  
7 prepared in compliance with Section 12370.

8        (C) A copy of the licensee’s security and surveillance plan for the proposed new location,  
9 prepared in compliance with Section 12372.

10       (D) Documentary evidence of the issuance to the licensee of all required approvals, licenses  
11 and permits by any applicable local jurisdictional entity concerning the new location; e.g.,  
12 business licenses, occupancy permits, conditional use permits, zoning variances, local gaming  
13 licenses, etc.

14       (E) Documentary evidence of the issuance to the licensee of all required approvals, licenses  
15 and permits by any applicable state or federal agency concerning the new location; e.g., liquor  
16 licenses, check cashing permits, etc. These documents are not required to be submitted prior to  
17 the commencement of gambling operations, but must be received by the Commission prior to the  
18 commencement of the associated activity.

19       (2) If the new location is 1,000 feet or less from any boundary line of its governing local  
20 jurisdiction, the owner-licensee shall, in addition to the documentation required by paragraph (1),  
21 and prior to the commencement of gambling operations, submit signed documentation from the  
22 appropriate agency or department in the neighboring jurisdiction confirming that the agency or  
23 department has no objections to the planned location of the gambling establishment. Any  
24 objections to the proposed location must be based upon evidence of probable negative effects  
25 resulting from the gambling establishment’s relocation or proof that the legitimate interests of  
26 residents in the neighboring jurisdiction are threatened. For purposes of this section,  
27 “neighboring jurisdiction” means any other adjoining jurisdiction whose common boundary line  
28 with the governing local jurisdiction is 1,000 feet or less from the proposed new location of the  
29 gambling establishment.

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1 (b) If an owner-licensee cannot obtain the signed documentation required by paragraph (2) of  
2 subsection (a), the gambling establishment shall not be relocated without Commission approval.  
3 To request Commission approval, the owner-licensee shall submit the Notice of Relocation form  
4 and so indicate. A document describing all efforts made to obtain the confirmation specified in  
5 paragraph (2) of subsection (a) shall be included in the request. The relocation approval request  
6 shall be placed on a Commission agenda. The Commission shall notify the neighboring  
7 jurisdiction of the time and place of the Commission hearing in order for representatives of that  
8 jurisdiction to have the opportunity to attend and be heard.

9 (c) The Bureau shall schedule and conduct a site visit prior to the commencement of  
10 gambling operations at the new location or within 30 days after of the commencement of  
11 gambling operations. A written report of the findings of the site visit shall be provided to the  
12 Commission, as well as any follow-up reports.

13 (1) If the Bureau notes any deficiency, it shall issue a notice to correct the deficiency. The  
14 notice shall specify a reasonable time in which the deficiency is to be corrected. The  
15 commencement of gambling operations shall not be delayed nor the operation suspended unless  
16 the deficiency prevents substantial compliance with laws or regulations and materially threatens  
17 public safety or the integrity of the gambling operation, and the deficiency cannot be cured or  
18 mitigated within a reasonable time. Failure to correct or otherwise mitigate the deficiency may  
19 be considered during the license renewal process and may result in disciplinary action under  
20 Chapter 10 of this division.

21 (d) No gambling operations may be conducted at any new location until all the required  
22 approvals have been obtained and the provision of subsections (a) and, if applicable, (b) have  
23 been complied with.

24 (e) If any gambling operations are conducted in violation of subsection (d), the owner-licensee  
25 and each endorsed owner shall be subject to disciplinary action under Chapter 10 of this division.  
26 For the purposes of this subsection, each day or portion thereof, whether consecutive or not,  
27 during which any gambling operations are conducted in violation of subsection (d) shall  
28 constitute a separate violation.

29 (f) Failure to timely notify the Commission of any change pursuant to this section shall  
30 constitute a ground for disciplinary action pursuant to Chapter 10 of this division.

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- 1 [Note: Authority cited: Section 19811, 19823, 19824, 19826, 19840, 19841, 19853\(a\)\(3\), 19860, 19862 and 19864,](#)
- 2 [Business and Professions Code. Reference: Sections 19811, 19824, 19826, 19860, 19862 and 19868, Business and](#)
- 3 [Professions Code.](#)

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