

ADVISORY NOTICE

APPROVED REGULATIONS REGARDING: NOTICE OF RELOCATION OF GAMBLING ESTABLISHMENT

(CGCC-GCA-2012-04-R)

On May 23, 2013, the Office of Administrative Law (OAL) approved regulations that implement the procedure for providing notification of a change in location of a gambling establishment and change in contact information for licensees. The approved regulations were filed with the Secretary of State on May 23, 2013 and will become effective July 1, 2013.

In general, these regulations establish uniform procedures for notifying the Bureau of Gambling Control (Bureau) of any change in contact information or location for licensees or gambling establishments.

Approved Regulations

This regulatory action has made changes in Chapter 1 and Article 1 of Chapter 7, Division 18, Title 4 of the California Code of Regulations. Those changes are as follows:

1. Amend Section 12004. Notification of Contact Information Change.

Section 12004 is amended to clarify that any change of contact information must be reported to the Bureau within 10 days of that change. The relevant form (CGCC-032) with which to notify the Bureau of changes is updated accordingly. Additionally, amendments are made to clarify that this section does not apply to the physical relocation, as defined, of a gambling establishment.

2. Adopt Section 12364. Relocation of Gambling Establishment.

This regulation establishes a streamlined process by which a gambling enterprise planning a physical relocation, as defined, of its gambling establishment must notify the Bureau of that proposed relocation.

Pursuant to this regulation, an owner-licensee is required to notify the Bureau of a planned relocation, as defined, of a gambling establishment at least 90 days in advance of the intended commencement of gambling operations at the new location, using a newly-created form, CGCC-050 (New 06/12). In addition to the form, the owner licensee is required to submit copies of the following: a draft floor plan for the new establishment, a fully executed rental or lease agreement, the fire safety and evacuation plan, and the security and surveillance plan. In addition, evidence of the issuance to the licensee of all required approvals, licenses and permits by any applicable local jurisdictional entity as well as any applicable state or federal agency concerning the new location are to be submitted, as specified.

In circumstances in which the new location of the gambling establishment will be within 1,000 feet of the boundary line of the neighboring jurisdiction, as defined, the owner-licensee is

required to provide documentation from that neighboring jurisdiction confirming that there is no objection to the planned location of the gambling establishment. As an alternative to obtaining advance confirmation, the licensee may submit to the appropriate agency or department in the neighboring jurisdiction, a copy of its Notice of Relocation concurrent with the submission to the Bureau. This notice provides the neighboring jurisdiction with the opportunity to submit any objections to the Bureau, as specified.

During the review process, the Bureau is required to conduct a site visit. The dates of this visit must be scheduled so as not to prevent the gambling establishment from opening on their reported date. The Bureau shall determine compliance with, at a minimum, the following internal control requirements: drop and drop collection, count and count room functions, cage functions, and security and surveillance. Any noted deficiencies in compliance shall require the issuance of a notice for correction. The commencement of gambling operations shall not be delayed unless the deficiency prevents substantial compliance with the laws or regulations and materially threatens public safety or the integrity of the gambling operation, and the deficiency cannot be corrected or mitigated within a reasonable time. Copies of all reports and notices are to be provided to the Commission.

Regulation Text

A copy of the recently approved regulations is attached. That document is also available on the Commission's Web site under "Laws and Regs/Recently Approved Regulations" at www.cgcc.ca.gov.

Questions, Concerns, Suggestions

For any questions, concerns, or suggestions regarding the adoption of these regulations, please contact James Allen, Regulatory Actions Manager, at (916) 263-4024.