

**TITLE 4.**  
**CALIFORNIA GAMBLING CONTROL COMMISSION**  
**CGCC-GCA-2020-02-E**

**FINDING OF EMERGENCY**

**REGULATIONS FOR THE IMPLEMENTATION OF EMERGENCY SANITATION  
PLANS FOR:**

**GAMBLING ESTABLISHMENTS, THIRD-PARTY PROVIDERS OF PROPOSITION  
PLAYER SERVICES, AND GAMBLING BUSINESSES**

The California Gambling Control Commission (Commission) finds the adoption of regulations on an emergency basis requiring gambling enterprises, third-party providers of proposition player services (TPPPS), and gambling businesses to implement an emergency sanitation plan upon the reopening of gambling establishments to the public and their operation during a declared state of emergency associated with a virus (as specified) is necessary for the immediate preservation of the public peace, health, safety, and general welfare. The proposed regulations have been developed utilizing the guidelines issued by the California Department of Public Health (CDPH), Department of Industrial Relations (DIR), and the Governor's Office. In addition, the Commission consulted with the above entities in the development of the guidelines and specific requirements outlined in the proposed emergency regulations.

**SECTION 48 STATEMENT**

Government Code section 11346.1(a)(2) requires that, at least five working days prior to submission of the proposed emergency action to the Office of Administrative Law, the adopting agency provided a notice of the proposed emergency action to every person who has filed a request for notice of regulatory action with the agency. After submission of the proposed emergency to the Office of Administrative Law, the Office of Administrative Law shall allow interested persons five calendar days to submit comments on the proposed emergency regulations as set forth in Government Code section 11349.6.

**EMERGENCY FACTS**

As part of the state's response to address the Coronavirus Disease 2019 (COVID-19) global outbreak, Governor Gavin Newsom declared a State of Emergency on March 4, 2020. As the situation progressed, Governor Newsom signed Executive Order (EO) N-33-20 on March 19, 2020, issuing a stay-at-home order to protect the health and well-being of all Californians and to establish consistency across the state in order to slow the spread of COVID-19. As a result, California gambling establishments and other businesses that provide nonessential services to the public have been required to cease nonessential operations and close their doors to the public multiple times since March 2020. The most recent CDPH Order, issued on July 13, 2020, required all gambling establishments to close indoor operations until further notice.

*State of Emergency Proclamation*

A state of emergency was declared in California on March 4, 2020, in response to a global outbreak of respiratory illness due to a novel coronavirus known as COVID-19. The virus has

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rapidly spread to more than 75 countries including the United States within a short time. Various state and federal agencies have been working in collaboration to monitor and plan for the potential spread of COVID-19 to the United States since December 2019. In response to the outbreak, by early March 2020 the US Centers for Disease Control and Prevention (CDC) activated the Emergency Response System, CDPH activated the Medical and Health Coordination Center, and the California Office of Emergency Services activated the State Operations Center to provide support and guidance to health facilities and the public. As of March 4, 2020, there were 94,000 confirmed cases of COVID-19 and 3,000 deaths worldwide. At that time, 129 of the confirmed cases were in the US, including 53 in California, with infections expected to increase pending the availability of more testing. Based on how rapidly the virus had spread in other countries, the state of emergency proclamation found that the number of persons requiring medical care may exceed locally available resources and it is necessary for state and local health departments to use all available preventative measures to combat the spread of COVID-19. As of July 22, 2020, there have been 425,616 confirmed cases and 8,027 deaths within the State of California alone.

The state of emergency orders all state agencies to perform any and all activities consistent with the direction of the Office of Emergency Services and the State Emergency Plan, as well as CDPH and the Emergency Medical Services Authority. Additionally, all residents of the state have been ordered to heed the advice of emergency officials in order to protect their safety. This state of emergency continues to remain in effect until further notice.

*Executive Order N-33-20*

On March 19, 2020, Governor Newsom signed EO N-33-20 to protect the public health of Californians consistently across the state by disrupting the spread of COVID-19 and mitigating its impact. The EO remains in effect until further notice. The EO finds that COVID-19 has rapidly spread throughout California, necessitating more stringent guidance from federal, state, and local public health officials. The EO directs all residents immediately heed to CDPH's current State public health directives to stay home, except as needed to maintain continuity of operations of the federal essential critical infrastructure sectors and additional sectors as the State Public Health Officer may designate as critical to protect health and well-being of all Californians.

*California Department of Public Health – Essential Critical Infrastructure Workers List*

The State Public Health Officer released a list of designated “Essential Critical Infrastructure Workers” on March 22, 2020, in an effort to help state, local, tribal, and industry partners as they work to protect communities, while ensuring continuity of functions critical to public health and safety, as well as economic and national security. The list identifies specific essential workers in the following essential critical infrastructure sectors:

- Healthcare / Public Health Sector
- Emergency Services Sector
- Food and Agriculture Sector
- Energy Sector
- Water and Wastewater Sector
- Transportation and Logistics Sector
- Communications and Information Technology Sector

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- Other Community-based Government Operations and Essential Functions Sector
- Critical Manufacturing Sector
- Hazardous Materials Sector
- Financial Services Sector
- Chemical Sector
- Defense Industrial Base Sector

Gambling enterprise, TPPPS, and gambling business employees are not identified as essential workers under any of the critical infrastructure sectors.

*California's Six Indicators to be Used for Modifying Stay-at-Home and Other Orders During a Pandemic*

On April 14, 2020, Governor Newsom unveiled the following six key indicators that will guide California's thinking for when and how to modify the stay-at-home and other orders during the COVID-19 pandemic:

1. The ability to monitor and protect our communities through testing, contact tracing, isolating, and supporting those who are positive or exposed.
2. The ability to prevent infection in people who are at risk for more severe COVID-19.
3. The ability of the hospital and health systems to handle surges.
4. The ability to develop therapeutics to meet the demand.
5. The ability for businesses, schools, and childcare facilities to support physical distancing.
6. The ability to determine when to reinstitute certain measures, such as the stay-at-home orders, if necessary.

Specifically, indicator number five above requires the ability for businesses to support physical distancing and other protocols, which are relevant to the Commission's proposed emergency regulations. The key questions that must be considered under this indicator are:

- Have we worked with businesses to support physical distancing practices and introduced guidelines to provide health checks when employees or the general public enter the premises?
- Do we have supplies and equipment to keep the workforce and customers safe?

*Update on California's Roadmap to Pandemic Resilience – Four Stages*

While California remains under a state of emergency, on April 28, 2020, Governor Newsom announced four Resilience Roadmap Stages in an update on California's Roadmap to Pandemic Resilience, which discusses how the state is planning its path forward in phases based on science, health, and data. The four stages that California will use to guide its gradual reopening process are:

- Stage 1: Safety and Preparedness – making essential workforce environment as safe as possible.
- Stage 2: Lower Risk Workplaces – creating opportunities for lower risk sectors to adapt and reopen. Modified school programs and childcare reopen.
- Stage 3: Higher Risk Workplaces – creating opportunities for higher risk sectors to adapt and reopen.
- Stage 4: End of Stay at Home Order – return to expanded workforce in highest risk workplaces. Requires Therapeutics.

Cardrooms are included in Stage 3, and are designated as “higher risk workplaces”.

*Executive Order N-60-20*

On May 4, 2020, EO N-60-20 informed local health jurisdictions and industry sectors that they may gradually reopen sectors under Stage 2, and eventually Stage 3, of *California’s Roadmap to Pandemic Resilience* under specific criteria and procedures outlined the State Public Officer.

*COVID-19 INDUSTRY GUIDANCE AND SUBSEQUENT CLOSURE ORDERS: Cardrooms, Satellite Wagering Facilities, and Racetracks*

On June 5, 2020, Governor Newsom released a document that provides guidance for cardrooms (formally known as gambling establishments), satellite wagering facilities, and racetracks with onsite wagering to support a safe, clean environment for workers. This document also provides guidance for TPPPS businesses that operate within a gambling establishment, where applicable. The guidelines recommended effective date of opening for cardrooms that had approved county variances to be no sooner than June 12, 2020. An updated version of the publication was subsequently released on July 2, 2020 and July 28, 2020. The Commission has acknowledged the guidance documents in developing the emergency sanitation plan regulations. Notably, as guidance are not requirements, cardrooms were able to accept said guidelines, however, there is vagueness as to the enforcement component available when guidance is issued as the guidelines are not all mandatory provisions in which cardrooms must comply. Notably, of the cardrooms that resumed operations, observations indicate that the majority of cardrooms choose to not implement some or the majority of the said guidance while operating. The Commission provided consultation to the Governor’s Office, CDPH, and the DIR on the guidelines provided and noticed the entities that the Commission would need to promulgate emergency regulations in order to enforce the guidelines issued.

On July 1, 2020, Governor Newsom and the CDPH released guidance directing counties that have been on the County Monitoring List for three consecutive days or more to close indoor operations for certain sectors which promote the mixing of populations beyond households and make adherence to physical distancing and wearing face coverings difficult. The directive includes the closing of cardrooms within the specified counties. On July 1, the following 19 counties were impacted: Contra Costa; Fresno; Glenn; Imperial; Kern; Kings; Los Angeles; Merced; Orange; Riverside; Sacramento; San Bernardino; San Joaquin; Santa Barbara; Santa Clara; Solano; Stanislaus; Tulare; and Ventura. On July 7, 2020 and July 8, 2020, additional counties were added, totaling 27 counties.

On July 13, 2020, Governor Newsom and the CDPH released a Public Health Order closing all indoor operations for specific sectors statewide, including all cardrooms. In addition, the Public Health Order required all cardrooms and TPPPS operations to comply with the existing guidance, which was subsequently updated on July 28, 2020. However, these regulations seek to make specific the requirements and authority of the Bureau of Gambling Control, the Commission’s enforcement arm, has to enforce a Public Health Order.

During the initial statewide closure and subsequent directives, cardrooms closed in a manner that was problematic for regulators to ensure proper cage activities and closures for operations

occurred. With current regulations there are no requirements for cardrooms to notify the regulators of closures, less any actual requirements concerning closures to afford adequate public protections such as minimal sanitation standards or monitoring to their (the patron's) funds. Notably, approximately less than ten percent of the active cardrooms notified the state of their closures.

The guidance however does not address crucial areas of public safety and closure procedures aforementioned. For example, employees and members of the public are encouraged rather than required (as this proposed regulation requires) to leave the premises, members of the public are not required to utilize hand sanitizer prior to the play in a table game wherein these said proposed regulations do wherein applicable, card sanitation practices are not thoroughly addressed, nor is there specificity as to how employee training is to be implemented. In addition, the guidelines do not prescribe how specific requirements are to be followed, such as tracking which equipment is sanitized and how often, leaving the ability to enforce compliance with such requirements challenging. The proposed emergency regulations seek to eliminate these areas of confusion, or where room for interpretation of the guideline language exists.

*United States Centers for Disease Control and Prevention and the Occupational Safety and Health Administration*

CDC is responding to this pandemic of respiratory disease spreading from person to person caused by COVID-19. According to CDC, the situation poses a serious public health risk. COVID-19 can cause mild to severe illness with the most severe illness occurring in adults 65 years of age and older and people of any age with serious underlying medical problems. According to CDC, the disease is thought to be spread in the following ways:

- Person-to-Person
  - Between people who are in close contact with one another (within about 6 feet).
  - Through respiratory droplets produced when an infected person coughs, sneezes or talks.
  - These droplets can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs.
  - Some recent studies have suggested that COVID-19 may be spread by people who are not showing symptoms.
- Contact with Contaminated Surfaces or Objects
  - It may be possible that a person can get COVID-19 by touching a surface or object that has the virus on it and then touching their own mouth, nose, or possibly their eyes.

CDC advises that maintaining good physical distance (about six feet) is very important in preventing the spread of COVID-19. People should wash their hands often with soap and water or use an alcohol-based hand rub (if soap and water is unavailable). Also, frequently touched surfaces should be routinely cleaned.

CDC has provided guidance on its website for businesses and employers to plan and respond to COVID-19 and recommends following guidelines published by the United States Occupational Safety and Health Administration (OSHA). OSHA has developed the document *OSHA 3990-03 2020, Guidance for Preparing Workplaces for COVID-19*, which is based on traditional infection

prevention and industrial hygiene practices. The document focuses on the need for employers to implement engineering, administrative, and work practice controls and personal protective equipment (PPE), as well as considerations for doing so.

*United States Environmental Protection Agency List N: Disinfectants for Use Against SARS-CoV-2*

For proper disinfection of surfaces, CDC and OSHA recommend the use of products that meet the United States Environmental Protection Agency's (EPA) criteria for use against SARS-CoV-2, the virus that causes COVID-19, and are appropriate for the surface. The EPA has published *List N*, which is an updated listing of all products that meet EPA's criteria for use against SARS-CoV-2.

The Commission has utilized the aforementioned information and directives in developing these regulations. The documents have been incorporated into the emergency rulemaking file and the relevant information therein is also discussed in the Informative Digest section below.

The Commission created these regulations to safeguard the public's health, safety, and create financial safeguards and protections. In addition, it provides clear direction to the industry to ensure efficient and effective regulation of cardroom operations during these unprecedented times.

**AUTHORITY AND REFERENCE**

*Statutes of Authority*

Business and Professions Code section 19811, subdivision (b), provides the Commission jurisdiction over the operation and concentration, and supervision over gambling establishments in this state and over all persons or things having to do with the operations of gambling establishments.

Business and Professions Code section 19824, provides the Commission shall have all powers necessary and proper to enable it fully and effectually to carry out the policies and purposes of the Gambling Control Act (Act), including, without limitation, the power to:

- For any cause deemed reasonable by the Commission via the Act or regulations adopted pursuant to the Act, deny, limit, condition, or restrict any license, permit, or approval, or impose any fine upon any person licensed or approved (subdivision (b)).
- Take actions deemed to be reasonable to ensure that gambling activities take place only in suitable locations (subdivision (e)).

Business and Professions Code section 19840 authorizes the Commission to adopt regulations for the administration and enforcement of the Act.

Business and Professions Code section 19841 requires the Commission to adopt regulations that do the following:

- With respect to applications and registrations, the regulations shall include, but not be limited to, provisions that (subdivision (a)):
  - Prescribe the method and manner of application and registration.

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- Prescribe the information to be furnished by any applicant, licensee, or registrant concerning, as appropriate, business activities.
- Prescribe the information to be furnished by an owner licensee relating to the licensee's gambling employees.
- Prescribe minimum procedures for adoption by owner licensees to exercise effective control over their gambling affairs, which shall include, but not be limited to, provisions for the provision of reliable records, accounts, and reports of operations, and events, including reports to the Department of Justice's Bureau of Gambling Control (Bureau) (subdivision (h)(3)).
- Restrict, limit, or otherwise regulate any activity that is related to the conduct of controlled gambling (subdivision (o)).
- Define and limit the area, games, equipment permitted, or the method of operation of games and equipment, if the Commission, upon the recommendation of, or in consultation with, the Bureau, determines that local regulation of these subjects is insufficient to protect the health, safety, or welfare of residents in geographical areas proximate to a gambling establishment (subdivision (p)).

*Reference Statutes*

Business and Professions Code section 19801 provides legislative findings and declarations that state the following:

- Public trust that permissible gambling will not endanger public health, safety, or welfare requires that comprehensive measures be enacted to ensure that gambling is conducted in suitable locations (subdivision (g)).
- All gambling operations, all persons having a significant involvement in gambling operations, all establishments where gambling is conducted, and all gambling equipment must be licensed and regulated to protect the public health, safety, and general welfare of the residents of this state as an exercise of the police powers of the state (subdivision (i)).
- In order to effectuate state policy as declared in the Act, it is necessary that gambling establishments, activities, and equipment be licensed, that persons participating in those activities be licensed or registered, that certain transactions, events, and processes involving gambling establishments and owners of gambling establishments be subject to prior approval or permission, that unsuitable persons not be permitted to associate with gambling activities or gambling establishments, and that gambling activities take place only in suitable locations. Any license or permit issued, or other approval granted pursuant to the Act, is declared to be a revocable privilege, and no holder acquires any vested right therein or thereunder (subdivision (k)).

Business and Professions Code section 19823 states the responsibilities of the Commission include, without limitation, all of the following:

- Assuring that licenses, approvals, and permits are not issued to, or held by, unqualified or disqualified persons, or by persons whose operations are conducted in a manner that is inimical to the public health, safety, or welfare.
- Assuring that there is no material involvement, directly or indirectly, with a licensed gambling operation, or the ownership or management thereof, by unqualified or disqualified persons, or by persons whose operations are conducted in a manner that is inimical to the public health, safety, or welfare.

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- For the purposes of this section, “unqualified person” means a person who is found to be unqualified pursuant to the criteria set forth in Section 19857, and “disqualified person” means a person who is found to be disqualified pursuant to the criteria set forth in Section 19859.

Business and Professions Code section 19920 provides that it is the policy of the state to require that all establishments wherein controlled gambling is conducted in this state be operated in a manner suitable to protect the public health, safety, and general welfare of the residents of the state. The responsibility for the employment and maintenance of suitable methods of operation rests with the owner licensee, and willful or persistent use or toleration of methods of operation deemed unsuitable by the Commission or by local government shall constitute grounds for license revocation or other disciplinary action.

Business and Professions Code section 19984, subdivision (b) allows a gambling enterprise to contract with a TPPPS to provide proposition player services at a gambling establishment, subject to specified conditions. One of these conditions requires the Commission to establish reasonable criteria for, and require the licensure or registration of, any person or entity that provides proposition player services at gambling establishments, including owners, supervisors, and players. The provision also allows the Commission to impose licensing requirements, disclosures, approvals, conditions, or limitations as it deems necessary to protect the integrity of controlled gambling in this state.

**POLICY STATEMENT OVERVIEW**

As of July 21, 2020, all gambling establishments in California have been ordered to close to the public until further notice. Upon further directives from the Governor, CDPH and the State Public Health Officer, and in accordance with various government issued guidance documents and publications, gambling establishments will likely be allowed to reopen to the public in the future under modified orders while the state of emergency remains in effect.

The policy of the state requires that all establishments wherein controlled gambling is conducted in this state be operated in a manner suitable to protect the public health, safety, and general welfare of the residents of the state. The Commission’s jurisdiction over the operation and concentration, and supervision over gambling establishments and over all persons or things having to do with the operations of gambling establishments, make it necessary for the Commission to adopt emergency regulations to avoid serious harm to employees and customers and for the immediate preservation of the public health, safety, and general welfare. (See Authority and Reference section for further detail.)

Pursuant to its authority in Business and Professions Code sections 19811, 19824, 19840, and 19841, the Commission finds that adoption of regulations on an emergency basis requiring a gambling enterprise, TPPPS, and gambling business to develop, submit and implement an emergency sanitation plan with specified minimum requirements is necessary prior to reopening gambling establishments to the public during a declared state of emergency associated with a virus.

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These proposed regulations are necessary to provide the Bureau a clear outline of requirements, makes the requirements a cardroom, TPPPS and Gambling Business must undertake during a State of Emergency pertaining to viruses more specific, outlines all necessary areas the guidelines do not presently address to protect public health and safety, and provides consistency and stability to ensure public health and safety across the State of California for the businesses in which the Commission regulates.

In summary, the regulations require the emergency sanitation plan contain minimum standards for:

- Physical distancing and hygiene practices for workers and the public, including modified table game rules concerning designated player spaces and the maximum number of players allowed to participate;
- Advising workers and the public of physical distancing and hygiene practices upon entering a gambling establishment;
- Employee training and documentation;
- Health screenings for any individual entering a gambling establishment;
- Equipment and supplies that must be provided and worn by workers while at a gambling establishment;
- Routine sanitation of common areas and equipment using disinfectants that meet the EPA's criteria;
- Sanitation standards for common contact areas in the gambling establishment and equipment shared by workers;
- Procedures and sanitation standards to ensure the safe handling of cards and gaming chips; and,
- Other requirements as specified.

**INFORMATIVE DIGEST**

Pursuant to the authority vested by sections 19811, 19824, 19840, and 19841 of the Business and Professions Code, and to implement, interpret, or make specific sections 19801, 19823, 19920, and 19984, the Commission is proposing to adopt the amendments to Chapters 2.1, 3, 6, and 7 of Division 18 of Title 4 of the California Code of Regulations, as described below.

*General Notes*

A general change has been made in the proposal to replace the word “shall.” Shall is a potentially ambiguous word. In most connotations, the term is used to convey an obligation. However, the word has been used in a variety of contexts to convey a range of ideas including “may,” defining a term, meaning “should,” etc. In an effort to foreclose any such ambiguity, shall is replaced throughout the text with other words subject to less interpretation. These changes are non-substantive and clarifying in nature.

*Third-party Provider of Proposition Player Services and Gambling Business Requirements*

The Commission is proposing changes to the existing versions of the Level III Supplemental Information forms (BGC-APP-034A and BGC-APP-034B) referenced in Section 12200 of Chapter 2.1. The forms have been updated to require the primary owner of a TPPPS or gambling business to submit an emergency sanitation plan as part of the license application supplemental information package. This requirement is necessary to implement recommendations provided by

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the state, CDC, and OSHA for employers to develop a workplace-specific COVID-19 prevention plan that can help guide protective actions against COVID-19 and other similar types of viral pandemics that may occur in the future.

New Section 12292(a) requires the primary owner of a TPPPS or gambling business (Chapters 2.1 and 2.2 respectively) prepare and maintain an emergency sanitation plan. Additionally, the section requires that emergency sanitation plans must be activated if the primary owner participates in the play of any controlled game where the operating gambling establishment is subject to a state of emergency or other order and that state of emergency or other order is associated with a virus and includes an isolation, stay-at-home, telework, teleconferencing, or physical distancing order(s). CDC has identified COVID-19 as a disease that can spread between people who are in close contact with one another (within about six feet), through respiratory droplets produced when an infected person coughs or sneezes or by coming in contact with contaminated surfaces or objects. These requirements are necessary to implement state guidance publications and recommendations provided by the state, CDC, and OSHA for employers to develop a workplace-specific COVID-19 prevention plan that can help guide protective actions against COVID-19. It is also recommended that employees are provided with adequate, usable, and appropriate training, education, and informational material about business-essential job functions and worker health and safety, including proper hygiene practices and the use of any workplace controls. TPPPS and gambling business employees interact and come in close contact with one another and with the public at gaming tables. In order to protect both employees and the public, it is necessary to require that TPPPS and gambling businesses enact the emergency sanitation plan under the specified circumstances and ensure employees be provided proper training.

New Section 12292(a)(1)(A) requires that at a minimum, the emergency sanitation plan for a TPPPS or gambling business must identify the job title(s) (including contact information such as a phone number) of the person(s) responsible for:

- Maintaining the emergency sanitation plan;
- Implementing the emergency sanitation plan;
- Coordinating training and documenting all required training related to the emergency sanitation plan; and
- Conducting regular evaluations of the primary owner's operations for compliance with the emergency sanitation plan while the plan is activated.

These requirements are necessary to ensure there is at least one employee assigned to and responsible for maintaining, implementing, and providing training on the sanitation plan.

New Section 12292 (a)(1)(B) requires that at a minimum, the emergency sanitation plan for a TPPPS or gambling business must identify contact information for the local health department for the jurisdiction in which the gambling establishment is located.

New Section 12292 (a)(1)(C) requires that at a minimum, the emergency sanitation plan for a TPPPS or gambling business must identify all contact information necessary for communicating information related to any outbreak among employees.

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As to New Sections 12292 (a)(1)(B) and 12292 (a)(1)(C) Additionally, providing specific contact information for reaching the assigned employee and the local health department is essential to ensure adequate coordination should an outbreak occur among employees. These requirements are consistent with state guidelines and existing Commission regulations for maintaining operational policies.

New Section 12292(a)(2) provides that at a minimum, the emergency sanitation plan for a TPPPS or gambling business contains the following minimum employee and public health requirements:

- Each employee must wear a face covering, in the manner prescribed by the manufacturer, while at the gambling establishment as well as all personal protective equipment in accordance with the emergency sanitation plan
- Each employee must wash their hands, or use hand sanitizer if unable to access a sink or handwashing station, at least once every 60 minutes..
- All shared equipment must be sanitized prior to being used by a different employee.
- Upon return to a floor bank under the control of the TPPPS, as identified in subsection (c) of Section 12387, all chips must be sanitized or kept out of rotation for a time period sufficiently long to ensure that no viral threat remains (based upon the most current information available regarding for the virus for which the state of emergency or other order is associated was issued).
- Require the Bureau, all of the TPPPS' contracted gambling enterprises, and the local health department(s) with jurisdiction over the contracted gambling enterprises must be notified of any presence of the virus associated with the state of emergency or other order identified in connection with an employee or owner of the primary owner within 24 hours or a shorter time frame if required by a local entity with jurisdiction(s).

In addition to being transmitted through respiratory droplets of an infected person, CDC has advised that current evidence suggests SARS-CoV-2 may remain viable for hours to days on surfaces made from a variety of materials. Requiring the TPPPS to notify the Bureau, the local health department(s) with jurisdiction, and contracted gambling enterprise of any TPPPS employee that has come into contact with the virus provides adequate contract tracing and ensures the appropriate authorities are aware of the incident. This will also reduce the likelihood of additional spreading of the virus by providing proper notice to the contracted gambling enterprise so that it can identify and isolate any employee that may have been exposed to an infected TPPPS employee. These employee requirements are necessary to implement CDC and OSHA recommendations for basic infection prevention measures on minimizing the risk of viral exposure to employees and the public.

New Section 12292(a)(3) contains minimum sanitation standards that must be included in an emergency sanitation plan of a TPPPS or gambling business, which are as follows:

- All reusable face coverings or gloves must be properly cleaned, decontaminated, and maintained after and between uses..
- The sanitation of shared equipment must include the use of a disinfectant that is on the appropriate United States Environmental Protection Agency's list of registered disinfectants, a diluted household bleach solution at a ratio of five tablespoons (75

milliliters) of bleach per gallon (3.78 liters) of water, or an alcohol solution containing at least 70 percent alcohol that is appropriate for the surface being cleaned.

- For any shared equipment that requires sanitization but is not recorded by the gambling establishment's surveillance system, the primary owner must maintain a record of all sanitizations performed. This record must include the date and time of each sanitation and the name of the employee who performed it.

For proper disinfection of surfaces, CDC and OSHA recommend the use of disinfectants that meet the EPA's criteria. In regards to the current state of emergency concerning COVID-19, the EPA has published List N, which is an updated listing of all products that meet EPA's criteria for use against SARS-CoV-2. CDC also states that diluted household bleach solutions at a ratio of five tablespoons of bleach per gallon of water may be used as a disinfectant if appropriate for the surface. These requirements are necessary to implement recommendations for cleaning, disinfection, and proper use and disposal of equipment provided by CDC, OSHA, and EPA based on the known facts of how COVID-19 and other infectious diseases spread as previously discussed. Further, the requirements ensure that adequate accountability of the primary owner for sanitation of shared equipment is maintained, tracked, and recorded.

New Section 12292(a)(4)(A) contains minimum training standards concerning procedures for providing all new employees and existing employees with an orientation or reorientation training, as applicable, concerning the emergency sanitation plan. New Section 12292(a)(4)(B) requires that the sanitation plan training for a TPPPS or gambling business contain information concerning the following topics:

- When a state of emergency or other order is active, information related to the virus for which the current state of emergency or other order was issued, including how to prevent the virus from spreading and which underlying health conditions, as identified in any guidelines, requirements, or instructions provided by any federal agency (e.g., the Centers for Disease Control and Prevention or the Occupational Safety and Health Administration), any other state agency (e.g., the California Department of Public Health), or the local jurisdiction, may make certain individuals more susceptible to contracting the virus;
- When a state of emergency or other order is active, the importance of not coming to work if the employee or someone with whom the employee lives has been diagnosed with the virus for which the current state of emergency or other order was issued, or the employee is exhibiting symptoms of the virus for which the current state of emergency or other order was issued;
- When a state of emergency or other order is active, information on employer- or government-sponsored leave benefits that the employee may be entitled to receive related to the virus for which the current state of emergency or other order was issued;
- How to self-screen at home, including temperature and/or symptom checks;
- Information on proper hygiene and physical distancing practices and the importance thereof (as specified); and,
- The purpose and proper use of face coverings including specified information and instructions.

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New Section 12292(b) requires training for all new employees within 60 days of being issued a license or work permit, or the employee's start date (whichever is later). New employee orientation training may be conducted via an internal training program, an external training program, or by providing printed or electronic training materials. Upon activation of the emergency sanitation plan, each existing employee must receive a reorientation of the training following activation of the sanitation plan. Employees must receive reorientation training during their first work shift following activation of the emergency sanitation plan. Reorientation training must be presented in-person, via simultaneous video teleconference, or via previously video-recorded material. Employees who received orientation or reorientation training in-person, via simultaneous video teleconference, or via previously video-recorded material within the previous three months immediately prior to activation of the emergency sanitation plan are exempt from this requirement.

The requirements of new Sections 12292(a)(4)(A), 12292(a)(4)(B), and 12292(b) are necessary to ensure employees continue to receive adequate, standardized training on a regular basis and are equipped with pertinent up-to-date knowledge needed to maintain a safe workplace. The requirements are consistent with state and federal guidelines.

New Section 12292(c) establishes record keeping requirements for each employee that completes the training for tracking purposes. Consistent with existing Commission regulations, these requirements are necessary to ensure accountability for employee safety and that all employees are equipped with the most up-to-date knowledge and procedures needed to navigate a viral emergency.

New Section 12992(d) through (f) requires an applicant for registration to submit an emergency sanitation plan to the Bureau as part of the application for registration process. Further, the regulations require a TPPPS or gambling business submit a copy of its emergency sanitation plan to the Bureau within 30 calendar days after the effective date of these regulations and within seven calendar days of revising the emergency sanitation plan. These requirements ensure that a TPPPS or gambling business develops and submits an emergency sanitation plan when applying for a registration or, if already the holder of a valid registration, upon the regulations taking effect. Additionally, the requirements ensure the Bureau is notified and receives a copy anytime a primary owner revises its emergency sanitation plan to verify the plan remains compliant with the regulations. The requirements are consistent with the procedures required by existing Section 12370 for gambling enterprises, and are appropriate to apply to TPPPS and gambling businesses for the purpose of these proposed regulations.

New Section 12992 (g) provides that compliance with the requirements of this section does not exempt the primary owner from any other federal, state, or local laws or other requirements imposed by entities with jurisdiction over the contracted gambling enterprise(s). This provision is necessary to provide clarity that this section only contains minimum requirements and does not exempt the licensee from complying with other laws or requirements that are by other authorities having jurisdiction and related expertise. Further, the guidelines and requirements provided by other agencies are dynamic and continue to be updated at the time of this writing. This provision ensures the licensee is provided proper notice that there are additional requirements that have been established by such authorities.

*Gambling Enterprise Requirements*

The Commission is proposing changes to the existing versions of the following forms: (1) Gambling Establishment Supplemental Information for a State Gambling License form (BGC-APP-015C) referenced in Section 12342 of Chapter 6, and (2) Notice of Relocation form (CGCC-050) referenced in Section 12364 of Chapter 7. These forms are required to be submitted to the Bureau with an application for a state gambling license or when an owner licensee plans to relocate the gambling establishment to a new location. The forms are being updated to require the submission of an emergency sanitation plan for the gambling establishment as part of the application and relocation planning processes. Additionally, conforming changes are proposed to Section 12364(b)(1)(C) concerning the planned relocation of a gambling establishment to a new location that is more than 1,000 feet from any boundary line of its governing local jurisdiction. These requirements are necessary to implement recommendations provided by the state, CDC, and OSHA for employers to develop a workplace-specific COVID-19 prevention plan that can help guide protective actions against COVID-19 and other similar types of viral pandemics that may occur in the future.

The Commission is proposing minor, nonsubstantive changes to Section 12370(a). The terms “gambling enterprise” and “gambling establishment” are inconsistently used throughout the Act. For consistency in the regulations, gambling enterprise has been used in other regulatory packages adopted by the Commission to refer to the person or entity that conducts a gambling operation; whereas a gambling establishment is the physical room or building where the controlled gambling or activity occurs. As such, this practice has been carried forward in this section and throughout the proposed regulations for clarity, as appropriate.

New Section 12371(a) requires gambling enterprises to prepare and maintain an emergency sanitation plan. The emergency sanitation plan must be activated if the operating gambling establishment is subject to a state of emergency or other order and that state of emergency or other order is associated with a virus and includes an isolation, stay-at-home, telework, teleconferencing, or physical distancing order(s).

CDC has identified COVID-19 as a disease that can spread between people who are in close contact with one another (within about six feet), through respiratory droplets produced when an infected person coughs or sneezes or by coming in contact with contaminated surfaces or objects. These requirements are necessary to implement recommendations provided by CDC and OSHA for employers to develop a workplace-specific COVID-19 prevention plan that can help guide protective actions against COVID-19. It is also recommended that employees are provided with adequate, usable, and appropriate training, education, and informational material about business-essential job functions and worker health and safety, including proper hygiene practices and the use of any workplace controls. A gambling establishment is the physical room or building where the controlled gaming occurs, which possess a risk to all employees and the public that enter. Gambling enterprise employees interact and come in close contact with one another and with the public while inside the establishment. Multiple people come in contact with common equipment and surfaces on a frequent basis and within a short amount of time. In order to protect both employees and the public, it is necessary to require gambling enterprises enact an emergency

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sanitation plan under the specified circumstances and ensure their employees be provided proper training.

New Section 12371(a)(1)(A) requires that at a minimum, the emergency sanitation plan for a gambling enterprise must:

- Identify the job title(s) (including contact information such as a phone number) of the person who is responsible for:
  - Maintaining the emergency sanitation plan;
  - Implementing the emergency sanitation plan;
  - Coordinating training and documenting all required training related to the emergency sanitation plan; and
  - Conducting regular evaluations of the gambling establishment for compliance with the emergency sanitation plan while the emergency sanitation plan is activated.

These requirements are necessary to ensure there is at least one employee assigned to and responsible for maintaining, implementing, and providing training on the emergency sanitation plan.

New Section 12371(a)(1)(B) requires that at a minimum the emergency sanitation plan for a gambling enterprise must identify contact information for the local health department for the jurisdiction in which the gambling establishment is located.

New Section 12371(a)(1)(C) requires that at a minimum the emergency sanitation plan for a gambling enterprise must identify all contact information necessary for communicating information related to any outbreak among employees.

As to New Sections 12371 (a)(1)(A) through 12271(a)(1)(C), providing specific contact information for reaching the assigned employee and the local health department is essential to ensure adequate coordination should an outbreak occur among employees. These requirements are consistent with state guidelines and existing Commission regulations for maintaining operational policies.

New Section 12371(a)(1)(D) requires the emergency sanitation plan provide procedures for when the gambling establishment is required by the state and/or public health officials to close. The closing procedures in the plan must require that the Chief of the Bureau and Executive Director of the Commission be notified by email within 24 hours of closing. Further, the procedures must require the gambling enterprise to conduct an outstanding gaming chip liability count, which must be conducted within 24 hours of closure, and include a notification to the Bureau of the results within 24 hours of the count being completed.

The requirements are necessary to ensure adequate and safe planning and procedures are established in the event businesses are ordered to close in response to a state of emergency or other order associated with a virus. Providing notification to the Bureau and Commission of closure is necessary so that these authorities can track and confirm the operational status of all gambling establishments in California. Further, pursuant to an emergency closure, there is likely

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to be gaming chips in circulation held by patrons outside of the gambling establishment, which would no longer have the ability to cash such chips in upon closure. Requiring that an outstanding chip liability count be conducted and reported to the Bureau within 24 hours is necessary to ensure the integrity and accountability of funds is maintained pursuant to an emergency closure.

New Section 12371(a)(2) provides minimum employee and public health requirements the gambling enterprise must include in their emergency sanitation plan, which are described below.

Subparagraph (A) requires the gambling enterprise provide an entering process to ensure that no person is allowed to stay in the gambling establishment if they are displaying a temperature of 100.4 degrees Fahrenheit or greater. This requirement does not apply to employees unless employer screening has been identified in any guidelines, requirements, or instructions provided by any federal or state agency or by the local jurisdiction. According to CDC, one of the common symptoms of COVID-19 is a fever. CDC considers a person to have a fever when he or she has a measured temperature of at least 100.4 °F [38 °C]. This requirement will help to screen any person displaying one of the key indicators identified by the CDC for being infected with a virus such as COVID-19 and prevent the potential spread of infection within the gambling establishment. It is important to note, if a gambling enterprise does not want to be responsible for conducting temperature screenings on TPPPS employees, the TPPPS contract made between the gambling enterprise and TPPPS may be amended to require the TPPPS to ensure a screening is conduct on its own employees prior to entering the establishment (subject to Bureau contract approval).

Subparagraphs (B) through (M) provide, as part of the minimum requirements of an emergency sanitation plan, the gambling enterprise must:

- Provide a process to ensure that every member of the public, upon entry, is directed to practice a physical distancing standard consistent with applicable physical distancing guidelines provided by any federal agency, any other state agency, or the local jurisdiction, to not touch their face, to frequently wash their hands with soap for at least 20 seconds, and how to properly use, handle and dispose of face coverings and gloves.
- Clearly designate separated entrance(s) and exit(s) to help maintain physical distancing, wherever possible .
- Ensure that employees and members of the public have sufficient accessibility to hand sanitizer dispensers - touchless whenever possible - at all entrances and at high contact areas such as reception areas, lobbies, gaming tables, restaurant entrances, meeting and convention spaces, elevator lobbies, employee break rooms, employee time clock locations, cages (both interior and exterior), count rooms, locations where floor banks are maintained, and ATMs.
- Ensure that all sanitary facilities remain operational and stocked at all times. Ensure that all persons (dealers and players) use hand sanitizer prior to beginning play at each card table.
- Whenever practical and possible, install and encourage the use of hands-free devices including motion-sensor lights, contactless payment systems, automatic soap and paper towel dispensers, and touchless timecard systems.

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- Provide that each employee must wear a face covering, in the manner prescribed by the manufacturer, while at the gambling establishment as well as all personal protective equipment in accordance with the emergency sanitation plan.
- Provide that employees whose job duties involve contact with bodily fluids must wear appropriate protective gloves.
- Provide that each employee must wash their hands, or use hand sanitizer if unable to access a sink or handwashing station, at least once every 60 minutes.
- Provide a list of areas and equipment to be sanitized. At a minimum, the following must be included on the list: Identify all common contact areas, with the frequency of sanitation at least once per hour; all shared equipment must be sanitized prior to use by a different employee; player spaces at gaming tables, including but is not limited to the immediate surface of the gaming table, the player's chair, and any immediately adjacent barrier's surface(s), must be sanitized before another player is allowed to occupy the space.
- Implement measures to ensure appropriate physical distancing between all persons within the gambling establishment; including but not limited to:
  - Clearly marking areas where employees or members of the public should stand when waiting in a line.
  - Other measures such as the use of non-permeable polymethyl methacrylate barriers for areas where appropriate physical distancing practices cannot be accomplished
- Provide a list of common areas where signage will be prominently posted. Additionally, ensure that signage is prominently posted on the gambling establishment's website(s) and at all entrances to the gambling establishment. Signage must indicate the following:
  - Individuals who are showing signs of illness are directed to leave the establishment;
  - Information that is provided to the public pursuant to paragraph subsection (a)(2)(B); and,
  - 3. Information regarding proper appropriate physical distancing.
- Inspect deliveries and take all necessary and feasible disinfection measures when receiving goods.
- Consider installing portable high-efficiency air cleaners, upgrading the building's air filters to the highest efficiency possible, and making other modifications to increase the quantity of outside air and ventilation in offices and other spaces, whenever practical and possible.
- Notify the Bureau, all contracted primary owners, and the local health department(s) with jurisdiction must be notified of any presence of the virus associated with designated by the state of emergency or other order identified in connection with an employee or owner, pursuant to Business and Professions Code section 19851, subdivision (b), of the gambling enterprise within 24 hours, or a shorter time frame if required by a local entity with jurisdiction(s).
- Provide that upon return to a cage, all chips must be sanitized or kept out of rotation for a time period sufficiently long to ensure that no viral threat remains (based upon the most current information available regarding the virus for which the state of emergency or other order was issued is associated).

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The requirements of subparagraphs (B) through (M) are necessary to mitigate risk to public health and safety and implement recommendations for basic infection prevention and contact tracing measures provided by the state, CDC, and OSHA based on the known facts of how COVID-19 and other infectious diseases spread as previously discussed. Further, requiring the gambling enterprise to notify the Bureau, local health department, and contracted primary owner of an employee that has come into contact with the virus provides adequate contract tracing and ensures the appropriate authorities are aware of the incident. This will also reduce the likelihood of additional spreading of the virus by providing proper notice to the primary owner so that it can identify and isolate any TPPPS employee that may have been exposed to an infected gambling enterprise employee.

New Section 12371(a)(3)(A) through (E) provides the following minimum requirements for the operation of gaming tables in a gambling establishment while an emergency sanitation plan is in effect:

- No gaming table is allowed to operate unless:
  - The gaming table is operating with no more than half of the number of players allowed in the Bureau-approved game rules, with remaining spaces for players distributed on the table to ensure maximum physical separation. Any play space that is to remain unused must be removed or covered in such a way as to prohibit its use by a player; or,
  - The gaming table includes, between each available space designated for a player, a clear, non-tinted, non-permeable barrier, such as polymethyl methacrylate, that is sufficiently sized to prevent two players from coming into direct physical contact during the play of any controlled game.
- Participation in or observation of a controlled game by a member of the public will not be allowed unless that person has a space designated for a player at the table or is at another designated space that is positioned to allow for appropriate physical distancing and the gaming table includes a vacant player space that has been designated for participants to approach the table one at a time.
- If, after the reduction of spaces for players, the gaming table does not allow for appropriate physical distancing, each all players must wear appropriate face coverings in the manner prescribed by the manufacturer of its intended use. If players must wear face coverings, no activity may be conducted at the table that would require the removal of face coverings, except during the actual consumption of a beverage..
- The gambling enterprise must provide frequent breaks in play in games where items are passed back and forth for an extended period, to allow employees and players to wash their hands or use hand sanitizer.
- Cards must be replaced as follows:
  - If the game rules allow a player to touch the cards, all cards that have been dealt must be replaced at least every four hours.
  - If the game rules do not allow a player to touch the cards, all cards that have been dealt must be replaced at least every twelve hours.
  - Any card removed from the table must be disposed of, sanitized, or kept out of rotation for seven days.

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These requirements will prevent overcrowding at gaming tables and will help those participating in a controlled game, including TPPPS employees, gambling business employees, and members of the public, to maintain appropriate health and safety practices. The requirements prevent physical distancing practices recommended by CDC and OSHA from being broken when an individual places a backline bet. Requirements for safely handling, sanitizing or disposing of cards and chips used in a game ensures public and employee safety in handling these potentially contaminated items. These requirements are necessary to mitigate risk to public health and safety and implement recommendations for basic infection prevention measures provided by CDC and OSHA based on the known facts of how COVID-19 and other infectious diseases spread as previously discussed.

New Section 12371(a)(4) contains minimum requirements for non-gambling areas within a gambling establishment. Non-gambling areas such as office spaces, cages, security rooms, break rooms, supply rooms, and meeting rooms, must be closed, have reduced capacity, be modified with the use of barriers, or be otherwise reconfigured, to ensure physical distancing between all persons, whenever possible. Additionally, self-service coffee, water, and snack areas must be closed unless those services are capable of dispensing without being physical contact. These requirements are necessary to mitigate risk to public health and safety and implement recommendations for basic infection prevention measures provided by CDC and OSHA based on the known facts of how COVID-19 and other infectious diseases spread as previously discussed.

New Section 12371(a)(5)(A) through (C) provides the following minimum sanitation standards for the gambling enterprise while an emergency sanitation plan is in effect:

- Any reusable face coverings or gloves must be properly cleaned, decontaminated, and maintained after and between uses. There must be a designated space to dispose of or collect used face coverings or gloves, including any that may be utilized by the public. Face coverings and protective gloves must never be shared between persons.
- The sanitation of common contact areas and shared equipment must include the use of a disinfectant that is on the appropriate United States Environmental Protection Agency's list of register disinfectants, or a diluted household bleach solution at a ratio of five tablespoons of bleach per gallon (3.78 liters) of water, or an alcohol solution with at least 70 percent alcohol that is appropriate for the surface being cleaned.
- The gambling enterprise must maintain a record of all sanitizations performed, for any common contact area or shared equipment that requires sanitization but is not recorded by the gambling establishment's surveillance system, the gambling enterprise must maintain a record of all sanitizations performed. This record must include the date and time of each sanitation and the name of the employee who performed

The requirements are necessary to ensure the safe usage and disposal of used face coverings and gloves that could potentially contain live viral particles. For proper disinfection of surfaces, CDC and OSHA recommend the use of disinfectants that meet the EPA's criteria and are appropriate for the surface. In regards to the current state of emergency concerning COVID-19, the EPA has published List N, which is a comprehensive document of all products that meet EPA's criteria for use against SARS-CoV-2. CDC also states that diluted household bleach solutions at a ratio of five tablespoons (1/3<sup>rd</sup> cup) of bleach per gallon of water may be used if appropriate for the surface. These requirements are necessary to implement recommendations

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for proper use and disposal of protective equipment as well as general cleaning and disinfection guidance provided by CDC, OSHA, and EPA based on the known facts of how COVID-19 and other infectious diseases spread as previously discussed. Further, the requirements ensure that adequate accountability of the gambling enterprise for sanitation is maintained, tracked, and recorded.

New Section 12371(a)(6)(A) contains minimum training standards concerning procedures for providing all new employees and existing employees with an orientation or reorientation training, as applicable, concerning the emergency sanitation plan.

New Section 12371(a)(6)(B) requires that the sanitation plan training for a gambling enterprise to contain information concerning the following topics:

- When a state of emergency or other order is active, information related to the virus for which the current state of emergency or other order was issued, including how to prevent the virus from spreading and which underlying health conditions, as identified in any guidelines, requirements, or instructions provided by any recognized federal, state or local governments, may make certain individuals more susceptible to contracting the virus;
- When a state of emergency or other order is active, the importance of not coming to work if the employee or someone they live with whom the employee lives has been diagnosed with a virus for which the current state of emergency or other order is issued, or the employee is exhibiting symptoms of the virus for which the current state of emergency or other order is issued;
- When a state of emergency or other order is active, information on employer- or government-sponsored leave benefits that the employee may be entitled to receive related to the virus for which the current state of emergency or other order is issued;
- How to self-screen at home, including temperature and/or symptom checks;
- The importance of proper hygiene, including frequent handwashing with soap and water, or using hand sanitizer containing at least 60 percent ethanol or 70 percent isopropanol when unable to access a sink or handwashing station;
- The importance of physical distancing, both at work and outside of work time; and,
- Information on the purpose and proper use of face coverings (as specified).

These requirements are necessary to ensure employees receive adequate training and are equipped with pertinent knowledge needed to maintain a safe workplace. The requirements are consistent with state and federal guidelines.

New Sections 12371(b) requires training for all new employees within 60 days of being issued a license or work permit, or the employee's start date (whichever is later). New employee orientation training may be conducted via an internal training program, an external training program, or by providing printed or electronic training materials. Upon activation of the emergency sanitation plan, each existing employee must receive a reorientation of the training following activation of the sanitation plan. Employees must receive reorientation training during their first work shift following activation of the emergency sanitation plan. Reorientation training must be presented in-person, via simultaneous video teleconference, or via previously

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video- recorded material. Employees who received orientation or reorientation training in-person, via simultaneous video teleconference, or via previously video-recorded material within the previous three months immediately prior to activation of the emergency sanitation plan are exempt from this requirement.

These requirements are necessary to ensure accountability for employee safety and that all employees are equipped with the most up-to-date knowledge and procedures needed to navigate a virus-based emergency.

New Sections 12371(c) establishes record keeping requirements for each employee that completes the training for tracking purposes. These requirements are necessary to ensure accountability for employee safety and that all employees are equipped with the most up-to-date knowledge and procedures needed to navigate a viral emergency.

New Section 12371(d) through (f) requires an applicant for an initial gambling enterprise owner license to submit an emergency sanitation plan to the Bureau as part of the initial license application process. Further, the regulations require a gambling enterprise to submit a copy of its emergency sanitation plan to the Bureau within 30 calendar days after the effective date of these regulations and within seven calendar days of revising the emergency sanitation plan. These requirements ensure that a gambling enterprise develops and submits an emergency sanitation plan when applying for an initial license or, if already the holder of a valid license, upon the regulations taking effect. Additionally, the requirements ensure the Bureau is notified and receives a copy anytime a gambling enterprise revises its emergency sanitation plan to verify the plan remains compliant with the regulations. The new provision is consistent with the procedures required by existing Section 12370, another emergency plan requirement.

Lastly, New Section 12371 (g) provides that compliance with the requirements of this section does not exempt the gambling enterprise from any other federal, state, or local laws or other requirements imposed by entities with jurisdiction over the gambling enterprise. This provision is necessary to provide clarity that this section only contains minimum requirements and does not exempt the licensee from complying with other laws or requirements that have been established by other authorities having jurisdiction and related expertise. Further, the guidelines and requirements provided by other agencies are dynamic and continue to be updated at the time of this writing. This provision ensures the licensee is provided proper notice that there are additional guidelines and requirements that have been established by such authorities

**FISCAL IMPACT ESTIMATES:**

MANDATE IMPOSED ON LOCAL AGENCY OR SCHOOL DISTRICT FOR WHICH PART 7 (COMMENCING WITH SECTION 17500) OF DIVISION 4 OF THE GOVERNMENT CODE REQUIRES REIMBURSEMENT:  
None.

COST TO ANY STATE OR LOCAL AGENCY OR SCHOOL DISTRICT FOR WHICH PART 7 (COMMENCING WITH SECTION 17500) OF DIVISION 4 OF THE GOVERNMENT CODE REQUIRES REIMBURSEMENT:  
None.

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FISCAL IMPACT ON PUBLIC AGENCIES INCLUDING COSTS OR SAVINGS TO STATE AGENCIES OR COSTS/SAVINGS IN FEDERAL FUNDING TO THE STATE: The Commission has determined that this regulatory proposal will not have a significant fiscal impact on state agencies.

**DOCUMENTS RELIED UPON:**

**State of California – Office of Governor Gavin Newsom**

*State of Emergency Proclamation – March 4, 2020*

<https://www.gov.ca.gov/wp-content/uploads/2020/03/3.4.20-Coronavirus-SOE-Proclamation.pdf>

*Executive Order N-33-20 – March 19, 2020*

<https://www.gov.ca.gov/wp-content/uploads/2020/03/3.19.20-attested-EO-N-33-20-COVID-19-HEALTH-ORDER.pdf>

*California’s Roadmap to Modify the Stay-at-Home Order – Six Critical Indicators – April 14, 2020*

<https://www.gov.ca.gov/wp-content/uploads/2020/04/California-Roadmap-to-Modify-the-Stay-at-Home-Order.pdf>

*Update on California’s Pandemic Roadmap – Four Resilience Roadmap Stages – April 28, 2020*

<https://www.gov.ca.gov/wp-content/uploads/2020/04/Update-on-California-Pandemic-Roadmap.pdf>

*COVID-19 INDUSTRY GUIDANCE: Cardrooms, Satellite Wagering Facilities, and Racetracks – Initially Published on June 5, 2020 and Updated on July 2, 2020*

<https://covid19.ca.gov/pdf/guidance-cardrooms-racetracks.pdf>

**California Department of Public Health – State Public Health Officer**

*Essential Critical Infrastructure Workers List – March 22, 2020*

<https://covid19.ca.gov/img/EssentialCriticalInfrastructureWorkers.pdf>

*Guidance for the Use of Face Coverings – June 18, 2020*

[https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/Guidance-for-Face-Coverings\\_06-18-2020.pdf](https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/Guidance-for-Face-Coverings_06-18-2020.pdf)

**United States Centers for Disease Control and Prevention**

*How COVID-19 Spreads – April 13, 2020* <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/how-covid-spreads.html#>

*Interim Guidance for Businesses and Employers to Plan and Respond to Coronavirus Disease 2019 (COVID-19) – April 19, 2020*

<https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>

*Prepare Your Small Business and Employees for the Effects of COVID-19 – April 6, 2020*

<https://www.cdc.gov/coronavirus/2019-ncov/downloads/guidance-small-business.pdf>

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*Reopening Guidance for Cleaning and Disinfecting – Public Spaces, Workplaces, Businesses, Schools, and Homes – April 28, 2020*

[https://www.cdc.gov/coronavirus/2019-ncov/community/pdf/Reopening\\_America\\_Guidance.pdf](https://www.cdc.gov/coronavirus/2019-ncov/community/pdf/Reopening_America_Guidance.pdf)

*Cleaning and Disinfecting Your Facility Fact Sheet – April 1, 2020*

<https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility-H.pdf>

*What To Do If You Are Sick – April 28, 2020*

<https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>

**United States Occupational Safety and Health Administration**

*OSHA 3990-03 2020, Guidance for Preparing Workplaces for COVID-19*

<https://www.osha.gov/Publications/OSHA3990.pdf>

**United States Environmental Protection Agency**

*United States Environmental Protection Agency List N: Disinfectants for Use Against SARS-CoV-2 (COVID-19) – July 23, 2020*

<https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2-covid-19>

**Lancet Microbe 2020 Study**

*Stability of SARS-CoV-2 in Different Environmental Conditions*

Supplementary Appendix to: Chin A W H, Chu J T S, Perera M R A, et al. Stability of SARS-CoV-2 in different environmental conditions. Lancet Microbe 2020; published April 2, 2020.