



## ADVISORY NOTICE

### APPROVAL OF SOUTHERN CALIFORNIA GAMBLING CONTROL ACT HEARINGS

(CGCC-GCA-2021-04-R)

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On January 11, 2022, the Office of Administrative Law approved regulations, which update the California Gambling Control Commission's (Commission) regulations concerning Southern California Gambling Control Act Hearings. The approved regulations were filed with the Secretary of State on January 11, 2022, and will become effective April 1, 2022.

#### **Approved Regulations**

This regulatory action has made changes in Chapter 2 of Division 18 of Title 4 of the California Code of Regulations. Those changes are as follows:

#### **CHAPTER 1. GENERAL PROVISIONS.**

##### **ARTICLE 1. DEFINITIONS AND GENERAL PROCEDURES.**

*Amend Section 12006. Service of Notices, Orders, and Communications.*

**Subsection (b)** is amended to reference the new version of the Notice of Defense form, CGCC-CH1-03 (Rev. 08/21).

##### **ARTICLE 2. PROCEDURES FOR HEARINGS AND MEETINGS ON APPLICATIONS.**

*Amend Section 12052. Commission Meetings; General Procedures; Scope; Notice; Rescheduling of Meeting.*

This section provides general procedures regarding the hearing process that is required for the consideration of any license, permit, finding of suitability, renewal, or other Commission approval.

1. **Subparagraphs (c)(2)(B) and (C)** contain non-substantive amendments to align with the re-numbering of the subsections in Section 12060.
2. **Subparagraph (c)(2)(E)** is amended to include a new version of the Notice of Defense form, CGCC-CH1-03 (Rev. 08/21). This form is provided to the applicant to complete, and once returned to the Bureau and Commission, provides important information to the Commission concerning the evidentiary hearing process. Section 1 of the form is being amended to provide an applicant the ability to request a GCA hearing be held at a Southern California location. The applicant is required to acknowledge that there may be a significant delay in concluding a Southern California hearing and confirms that their primary residence is in one of the following California counties: Imperial, Kern, Los

Angeles, Orange, Riverside, San Diego, San Luis Obispo, San Bernardino, Santa Barbara, or Ventura.

Amend Section 12057. Default Decisions and Uncontested Applications.

**Subsection (a)** is amended to reference the new version of the Notice of Defense form, CGCC-CH1-03 (Rev. 08/21).

Amend Section 12060. GCA Hearings.

This section implements the evidentiary hearing process pursuant to Business and Professions Code sections 19870 and 19871. This process provides a clear method for the applicant to show the Commission that he, she, or it meets the requirements of the Act and is of good character, honesty, and integrity.

1. **New subsection (c)** provides that an applicant may request his, her, or its GCA hearing be held at a Southern California location on the Notice of Defense form under specified conditions (see below).
2. **New paragraph (c)(1)** provides that the Executive Director (or designee), as defined in Section 12002(w), will approve an applicant's request to have a Southern California GCA hearing if specified criteria are met (identified below).
  - a. **New subparagraph (c)(1)(A)** specifies that the hearing must not be estimated by Commission staff to exceed four hours in length.
  - b. **New subparagraph (c)(1)(B)** specifies that the applicant's primary residence must be located in one of the following counties: Imperial, Kern, Los Angeles, Orange, Riverside, San Diego, San Luis Obispo, San Bernardino, Santa Barbara, or Ventura.
  - c. **New subparagraph (c)(1)(C)** specifies that a GCA hearing will be noticed for a Southern California location only when doing so is in the best public interest, promotes judicial economy, and comports with the Commission's availability.
3. **New paragraph (c)(2)** authorizes Commission staff to cancel a Southern California GCA hearing and issue a new notice of hearing for the Commission's Sacramento office if at any time before the hearing the Executive Director determines that the criteria in subparagraphs (c)(1)(A) through (C) are no longer met.
4. **Subsection (e)** [formerly (d)] specifies that if a request for a continuance of a Southern California hearing is granted, the hearing may be relocated to the Commission's office in Sacramento if the criteria specified in subparagraphs (A) through (C) of paragraph (1) of subsection (c) are no longer met.
5. **Subsections (f), (g), (h), (i), (j), (k), (l), (m), and (n)** [formerly (e), (f), (g), (h), (i), (j), (k), (l), and (m) respectively] contain non-substantive amendments to align with the re-lettering of the subsections in Section 12060.

**CHAPTER 2. LICENSES AND WORK PERMITS.**

**ARTICLE 2. INITIAL AND RENEWAL LICENSES AND WORK PERMITS.**

*Amend Section 12118. Objection to Local Work Permits.*

**Paragraph (c)(3)** contains a non-substantive amendment to align with the re-lettering of the subsections in Section 12060.

**Regulation Text**

A copy of the recently approved regulations is attached. That document is also available on the Commission's Web site under "Regulations/Recently Adopted, Amended, and Repealed Regulations" at [www.cgcc.ca.gov](http://www.cgcc.ca.gov).

**Questions, Concerns, Suggestions**

For any questions, concerns, or suggestions regarding the adoption of this regulation, please contact [lawsandregs@cgcc.ca.gov](mailto:lawsandregs@cgcc.ca.gov).