

STATE OF CALIFORNIA

OFFICE OF ADMINISTRATIVE LAW

300 Capitol Mall, Suite 1250
Sacramento, CA 95814
(916) 323-6225 FAX (916) 323-6826

Kenneth J. Pogue
Director

GAVIN NEWSOM, Governor

ENDORSED - FILED
in the office of the Secretary of State
of the State of California



JAN 11 2023

1:59 PM

January 11, 2023

TO: Secretary of State

FROM: Samuel Micon, Attorney (916-323-6809)

RE: OAL file no. 2022-1216-01EE; California Gambling Control Commission

Date filed with the Secretary of State: 12-23-2022

PLEASE RETAIN THIS COMMUNICATION WITH YOUR COPY OF THE ABOVE-ENTITLED REGULATIONS.

On December 23, 2022, a California Gambling Control Commission (CGCC) second emergency readoption was filed with the Secretary of State. During the initial emergency, CGCC adopted 4 CCR section 12368.1. In the first readoption, CGCC repealed section 12368.1. In the second readoption, no action was taken – and no action needed to be taken – on 12368.1 to leave it repealed. Despite this, OAL mistakenly listed section 12368.1 as “repealed” on the Notice of Approval filed on 12-23-2022. Attached to this Memorandum please find a Corrected Notice of Approval which indicates that section 12368.1 does not need to be addressed in the second readoption.

Please place and keep this Memorandum and the attached Corrected Notice of Approval with OAL file no. 2022-1216-01EE, which was filed on December 23, 2022. Please contact me if you have any questions.

Attachments:

- Form 400 for OAL Action 2022-1216-01EE
- Notice of Approval – Filed 12-23-2022
- Corrected Notice of Approval – Filed 01-11-2023

CC:

Joshua Rosenstein, California Gambling Control Commission
Ruth Lafler, Thomson-Reuters California Code of Regulations

EMERGENCY

DocuSign Envelope ID: FA1A0919-1DF7-43B-9334-31010F
STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW
NOTICE PUBLICATION/REGULATIONS SUBMISSION

STD. 400 (REV. 10/2019)

For use by Secretary of State only

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

DEC 23 2022

1:50 pm

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 2022-1216-01EE	EMERGENCY NUMBER 2022-1216-01EE
For use by Office of Administrative Law (OAL) only		OFFICE OF ADMIN. LAW 2022 DEC 16 AM9:00	
AGENCY WITH RULEMAKING AUTHORITY California Gambling Control Commission		AGENCY FILE NUMBER (if any) CGCC-2022-03-EEE	

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) COMMISSION FEES MODERNIZATION III	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) 2022-0721-07E, 2022-0922-01EE
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (including title 26, if toxics related)
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)
TITLE(S)
4

3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input checked="" type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input type="checkbox"/> Other (Specify)	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) <input type="checkbox"/> Effective on filing with Secretary of State <input type="checkbox"/> §100 Changes Without Regulatory Effect <input checked="" type="checkbox"/> Effective other (Specify) December 30, 2022

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY
<input checked="" type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660) <input type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal <input type="checkbox"/> Other (Specify)

7. CONTACT PERSON Josh Rosenstein	TELEPHONE NUMBER (916)274-5823	FAX NUMBER (Optional) N/A	E-MAIL ADDRESS (Optional) jrosenstein@cgcc.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

DocuSigned by: SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Stacey Luna Baer</i>	DATE 12/16/2022
TYPED NAME AND TITLE OF SIGNATORY Stacey Luna Baer, Executive Director	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

DEC 23 2022

Office of Administrative Law

**State of California
Office of Administrative Law**

In re:
California Gambling Control Commission

Regulatory Action:

Title 04, California Code of Regulations

Adopt sections: 12318, 12368.2, Appendix
to Chapter 5

Amend sections: 12112, 12360, 12368,
12470, 12472, Appendix to
Chapters 2 and 7

Repeal sections: 12368.1

**NOTICE OF APPROVAL OF EMERGENCY
REGULATORY ACTION**

**Government Code Sections 11346.1 and
11349.6**

OAL Matter Number: 2022-1216-01


OAL Matter Type: Emergency Readopt (EE)

The California Gambling Control Commission ("CGCC") re-adopts for the second time its emergency rulemaking which took effect on August 1, 2022 (OAL File No. 2022-0721-07E). This emergency rulemaking updates the Commission's fee collection methodologies and procedures for cardroom establishments. CGCC is also further clarifying its fee collection procedures and methodologies.

OAL approves this emergency regulatory action pursuant to sections 11346.1 and 11349.6 of the Government Code.

This emergency regulatory action is effective on 12/30/2022 and will expire on 4/3/2023. The Certificate of Compliance for this action is due no later than 3/30/2023.

Date: December 23, 2022


**Sam Micon
Attorney**

For: Kenneth J. Pogue
Director

Original: Stacey Luna Baxter, Executive
Director

Copy: Josh Rosenstein

**State of California
Office of Administrative Law**

In re:
California Gambling Control Commission

Regulatory Action:

Title 04, California Code of Regulations

Adopt sections: 12318, 12368.2, Appendix
to Chapter 5
Amend sections: 12112, 12360, 12368,
12470, 12472, Appendix to
Chapters 2 and 7
Repeal sections: ~~12368.1~~

**CORRECTED NOTICE OF APPROVAL OF
EMERGENCY REGULATORY ACTION**

**Government Code Sections 11346.1 and
11349.6**

OAL Matter Number: 2022-1216-01

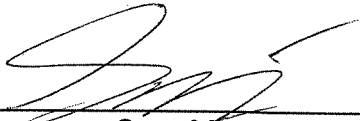
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