

June 12, 2009

NOTICE OF PROPOSED EMERGENCY ACTION

(Pursuant to Government Code section 11346.1)

INTERIM APPROVAL OF BINGO CARD-MINDING DEVICES

(CGCC-GCA-2008-04-E)

NOTICE IS HEREBY GIVEN that the California Gambling Control Commission (Commission) is proposing to readopt an emergency regulation that establishes a process for granting interim approval of card-minding devices used in the play of bingo games. Section 12486 (formerly Section 12482), Title 4, Division 18, Chapter 8, California Code of Regulations, was initially adopted as an emergency regulation effective January 1, 2009,¹ was amended in a subsequent emergency adoption effective April 24, 2009,² and was amended a second time in another emergency adoption effective May 18, 2009.³ The emergency adoption of the proposed regulation implements one element of the California Remote Caller Bingo Act (CRCBA),⁴ as mandated by Business and Professions Code section 19850.6 and Penal Code section 326.5.

Government Code section 11346.1, subdivision (a), paragraph (2), requires that, at least five working days prior to submission of the proposed emergency action to the Office of Administrative Law (OAL), the adopting agency provide 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 action to OAL, OAL shall allow interested persons five calendar days to submit comments on the proposed emergency regulations as set forth in Government Code section 11349.6. The Commission expects to file the proposed action with OAL on June 19, 2009.

Upon filing, OAL will have ten calendar days within which to review and make a decision on the proposed emergency action. If approved, OAL will file the regulations with the Secretary of State, and the emergency regulations will become effective upon that filing, and will remain in effect for 180 days. The Commission anticipates that the proposed emergency regulations may become effective as early as June 29, 2009, upon approval by OAL. Within the 180-day effective period, the Commission will proceed with a regular rulemaking action, including a public comment period, to make the emergency regulations permanent.

Attached to this Notice are the specific text of the proposed emergency regulations and the Commission's *Statement Concerning Emergency Regulations*. These documents are also available on the Commission's Web site, at www.cgcc.ca.gov, under "Laws and Regulations; Gambling Control Act Regulations; 2008 Proposed Gambling Control Act Regulations / Documents."

¹ See OAL File No. 2008-1218-06 E

² See OAL File No. 2009-0414-01 E

³ See OAL File No. 2009-0508-02 E

⁴ Chapter 748, Statutes of 2008 (SB 1369, Cedillio and Battin, et al.)

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Inquiries concerning the proposed emergency action may be directed to James B. Allen, Regulatory Actions Manager, at California Gambling Control Commission, 2399 Gateway Oaks Drive, Suite 220, Sacramento, California 95833-4231; Telephone: 916.263.4024; Facsimile: 916.263.0499; E-mail: Jallen@cgcc.ca.gov.