

## RESOLUTION 2008-112

### A RESOLUTION ADOPTING LSA DOCUMENT #08-298 AS A FINAL RULE

The Indiana Gaming Commission (“Commission”) adopts the following resolution pursuant to the authority granted to it under IC 4-33.

The Commission has considered the following factors:

1. The Commission began promulgation of the attached LSA Rule Document #08-298 under IC 4-22. A Notice of Intent to adopt LSA Document #8-298 was posted at DIN: 20080423-IR-068080298NIA on the *Indiana Register* website on April 23, 2008.
2. The proposed rule was posted at DIN: 20080618-IR-068080298PRA on the *Indiana Register* website on June 18, 2008.
2. The Commission held a public hearing on this rule in compliance with IC 4-22. That hearing was held in the offices of the Indiana Gaming Commission on July 23, 2008 at 2:00 p.m. The transcript of the hearing was fully considered. The transcript of the hearing has been reviewed by Commission members. There were no members of the public that attended the hearing, and there were no written comments submitted to the staff.
3. If the Commission approves this Resolution adopting the attached rule document as a final rule, the rule will be forwarded to the Office of the Attorney General and the Governor for approval, and filed thereafter with the *Indiana Register*. The rule will be effective 30 days after it is filed with the *Indiana Register*.

**NOW, THEREFORE, BE IT RESOLVED BY THE INDIANA GAMING COMMISSION, THAT THE FOLLOWING RESOLUTION IS ADOPTED:**

#### **SECTION 1: SCOPE**

This resolution applies to all persons subject to the authority granted to the Commission by the General Assembly in Indiana Code 4-32.2 including, but not limited to, all persons and entities licensed by the Commission, all persons or entities that have applied to the Commission for licensure, all qualified organization, manufacturer, and distributor applicants, any person who conducts charity gaming, and any person who sells, distributes or manufacturers licensed supplies.

#### **SECTION 2: DEFINITIONS**

The definitions set forth in IC 4-33 and 68 IAC apply to this resolution.

#### **SECTION 3: ADOPTION OF FINAL RULES**

The Commission adopts following rules as reflected on the attached final rule document:

**68 IAC 1-1-82**

Pursuant to IC 4-22-2, the Commission adopts the attached final rule document. The rule will be forwarded to the Office of the Attorney General for approval as to legality under IC 4-22-2-32. Upon approval by the Office of the Attorney General, the rule will be submitted to the Governor's Office for approval pursuant to IC 4-22-2-33. After the rule has been approved or deemed approved by the Governor, the rule will be submitted to the *Indiana Register* for filing in accordance with IC 4-22-2-35. The Commission further adopts any stylistic, grammatical, typographical, or other non-substantive changes that the Commission staff or the Legislative Services Agency may make to this rule document before it is printed as a final rule in the *Indiana Register*.

**SECTION 4: EFFECTIVE DATE**

This resolution is effective immediately.

**ADOPTED THIS THE 28<sup>th</sup> DAY OF AUGUST, 2008.**

**THE INDIANA GAMING COMMISSION:**

  
William Barrett, Chair

ATTEST:

  
Thomas Swihart, Secretary

**TITLE 68 INDIANA GAMING COMMISSION**

**Final Rule**  
LSA Document #08-298(F)

**DIGEST**

Amends 68 IAC 1-1-82 to broaden the definition of “slot machine”, make it more specific, and differentiate “slot machine” from “electronic gaming device”. Effective 30 days after filing with the Publisher.

**68 IAC 1-1-82**

SECTION 1. 68 IAC 1-1-82 IS AMENDED TO READ AS FOLLOWS:

**68 IAC 1-1-82 “Slot machine” defined**

Authority: IC 4-33-4; IC 4-35-4-2; IC 4-35-4-3

Affected: IC 4-33; IC 4-35

Sec. 82. “Slot machine” means a type of electronic gaming device **that is controlled by a microprocessor or equivalent and that utilizes a random number generator in the determination of game outcome. A slot machine may utilize a live host whose duties are limited to one (1) or more of the following:**

- (1) Effectuating monetary transactions with patrons at the buy-in and cash-out stages.**
- (2) Administering casino internal control procedures regarding patron buy-ins and cash-outs.**
- (3) Monitoring the technical functionality of the device and reporting malfunctions to appropriate casino staff.**
- (4) Explaining to casino patrons the rules of a game and how to operate the device.**

*(Indiana Gaming Commission; 68 IAC 1-1-82; filed Nov 10, 1994, 11:00 a.m.: 18 IR 478; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898; readopted filed Sep 14, 2007, 1:40 p.m.: 20071103-IR-068070354RFA)*