

**TITLE 11. CALIFORNIA BUREAU OF GAMBLING CONTROL
NOTICE OF PROPOSED RULEMAKING**

**“Gaming Activity Review (Tournament Series)
Procedures and Requirements, and Required Forms”**

The California Bureau of Gambling Control (Bureau) proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION: The Bureau proposes to add to sections 2010 of Title 11, Article 2, 2038 of Title 11, Article 4 and adopt 2073 of Title 11, Article 7 of the California Code of Regulations, concerning gaming activity review (tournament series) procedures and requirements, and required forms.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Bureau at any time during the 45-day public comment period. To be considered for summary and response, all written comments must be received no later than 5:00 p.m, December 12, 2008. The Bureau has not scheduled a public hearing, however, if the Bureau receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comments period, the Bureau will honor the request and schedule a hearing.

Written comments for the Bureau’s consideration should be directed to:

Michelle Abe, Bureau Regulations Coordinator
Bureau of Gambling Control
1425 River Park Drive, Ste. 400
Sacramento, CA 95815
Telephone: (916) 263-5775
E-mail: michelle.abe@doj.ca.gov
FAX: (916) 263-0928

AUTHORITY AND REFERENCE

Authority for the proposed regulations is provided by various provisions of the Gambling Control Act, which may be found in Business and Professions Code sections 19800 et seq. In particular, Business and Professions Code section 19826.

The proposed regulations implement, interpret, or make specific following reference citations: Business and Professions Code sections 19801, 19826, 19866 and 19920.

INFORMATIVE DIGEST AND POLICY STATEMENT OVERVIEW

Chapter 5 of Division 8 of the Business and Professions Code. Section 19800 et seq.

Existing regulations require a gambling establishment to submit an application to the Bureau, for review and approval, to authorize gaming activity for use in a gambling establishment. Once approved, gaming activities cannot be modified without Bureau approval.

The proposed regulation changes will establish a new initial application process for the review and approval of one type of gaming activity, specifically a tournament series, whereby the Bureau can

generally approve a tournament structure with an allowable range of variations during the initial gaming activity review process.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Bureau has made the following initial determinations:

Required Determinations

LOCAL MANDATE

These regulations do not impose a mandate on local agencies or school districts.

IMPACT ON PRIVATE PERSONS/BUSINESSES

The Bureau is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

IMPACT ON BUSINESS

The Bureau has made a determination that the proposed regulatory changes will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

IMPACT ON SMALL BUSINESS

The Bureau has made a determination that the proposed regulatory changes may affect small business.

SIGNIFICANT EFFECT ON HOUSING COSTS: The Bureau has made an initial determination that the proposed regulatory action would not affect housing costs.

COST OR SAVINGS TO ANY STATE AGENCY:

None.

COST TO ANY LOCAL AGENCY OR SCHOOL DISTRICT THAT MUST BE REIMBURSED IN ACCORDANCE WITH GOVERNMENT CODE SECTION 17561:

None.

OTHER NON-DISCRETIONARY COST OR SAVINGS IMPOSED UPON LOCAL AGENCIES:

None.

COST OR SAVINGS IN FEDERAL FUNDING TO THE STATE:

None.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the Bureau must determine that no reasonable alternative considered by the Bureau or that has otherwise been identified and brought to the attention of the Bureau would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The Bureau invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

ASSESSMENT REGARDING CREATION OR ELIMINATION OF JOBS IN CALIFORNIA

The Bureau has made an assessment and determined that the adoption of the proposed regulation will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

CONTACT PERSON

Inquiries concerning this rulemaking should be directed to:

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Bureau of Gambling Control
1425 River Park Drive, Ste. 400
Sacramento, CA 95815
Telephone: (916) 263-5775
E-mail: michelle.abe@doj.ca.gov
FAX: (916) 263-0928

Requests for a copy of the proposed text of the regulation or Initial Statement of Reasons, should be directed to:

Penny Brown, Associate Governmental Program Analyst
Bureau of Gambling Control
1425 River Park Drive, Ste. 400
Sacramento, CA 95815
Telephone: (916) 263-5820
E-mail : penny.brown@doj.ca.gov
FAX: (916) 732-7959

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Bureau Regulations Coordinator will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at the office at the above address. As of the date of this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulation, and the Initial Statement of Reasons. A copy may be obtained by contacting the Bureau Regulations Coordinator at the address or telephone number listed above or by accessing the Bureau's website at <http://caag.state.ca.us/gambling/index.htm>. Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the Bureau Regulations Coordinator or viewed on the website.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following receipt of public comment, the Bureau may adopt the proposed regulation substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the modified text, with changes clearly indicated, will be made available to the public for at least 15 days prior to the date on which the Bureau adopts the regulation. Requests for copies of any modified regulation should be sent to the attention of the Bureau Regulations Coordinator at the address indicated above. The Bureau will accept written comments on the modified regulation for 15 days after the date on which it is made available.