

RESOLUTION 2015-161
A RESOLUTION OF THE INDIANA GAMING COMMISSION
ADOPTING AN EMERGENCY RULE
REGARDING LIMITED MOBILE GAMING UNDER IC 4-33-4 AND 4-35-4

The Indiana Gaming Commission ("Commission") adopts the following resolution pursuant to the authority granted under Ind. Code §§ 4-33-4 and 4-35-4.

The Commission has considered the following factors:

1. Pursuant to Ind. Code §§ 4-33-4-3, 4-35-4-2, and 4-22-2-37.1, the Commission has the authority to adopt emergency rules.

2. Ind. Code §§ 4-33-4-3 and 4-35-4-2 authorize the Commission to adopt emergency rules if the Commission determines that: (1) the need for a rule is so immediate and substantial that rulemaking procedures under Ind. Code §§ 4-22-2-13 through 4-22-2-36 are inadequate to address the need; and (2) an emergency rule is likely to address the need.

3. At the March 19, 2015 Commission Meeting, the Commission approved Resolution 2015-67 regarding Limited Mobile Gaming emergency rules.

4. Commission staff identified several changes that need addressed immediately and can only be addressed through another emergency rule.

5. An emergency rule with these changes is necessary to effectively regulate Limited Mobile Gaming until the final rule is effective.

6. The Commission finds that the need for revised Limited Mobile Gaming rules is immediate and substantial such that rulemaking procedures under Ind. Code §§ 4-22-2-24 through 4-22-2-36 are inadequate to address the need and that an emergency rule is necessary to address the need.

7. While the emergency rule is in effect, the Commission will complete the administrative final rulemaking process, including Ind. Code §§ 4-22-2-24 through 4-22-2-36. The Commission anticipates a final rule regarding Limited Mobile Gaming will be in effect by December 2015.

NOW, THEREFORE, THE INDIANA GAMING COMMISSION ADOPTS THE FOLLOWING RESOLUTION:

SECTION 1: SCOPE

This resolution applies to casino licensees desiring to institute Limited Mobile Gaming pursuant to Ind. Code § 4-33-9-17 or 4-35-7-1.5.

SECTION 2: DEFINITIONS

The definitions set forth in Ind. Code §§ 4-33 and 4-35 and Title 68 of the Indiana Administrative Code apply to this resolution.

SECTION 3: ADOPTION OF THE EMERGENCY RULE

Pursuant to IC 4-22-2-37.1, the Commission adopts the attached emergency rule for the initial ninety (90) day period as well as for the optional ninety (90) day extension period. The Commission further adopts any stylistic, grammatical, typographical, or other non-substantive changes that the Commission or the Legislative Services Agency may make to this emergency rule. The Commission shall file the proposed emergency rule and submit it for publication with the Legislative Services Agency.

SECTION 4: EFFECTIVE DATE

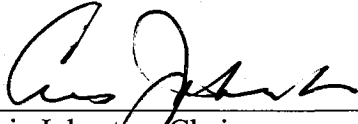
The emergency rule adopted in Section 3 of this resolution is to become upon filing.

SECTION 5: EXPIRATION DATE

This resolution expires upon the final expiration of the emergency rule adopted herein.


ADOPTED THE 17TH DAY OF SEPTEMBER 2015.

THE INDIANA GAMING COMMISSION:



Cris Johnston, Chair

ATTEST:



Joseph Svetanoff, Secretary