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PENNSYLVANIA GAMING CONTROL BOARD
P.O. Box 69060
HARRISBURG, PA 17106



CHAD W. ZIMMERMANN
Assistant Chief Counsel
P.O. Box 69060
Harrisburg, PA 17106-9060
Phone: (717) 346-8300
Fax: (717) 346-8350
Email: cwzimmerma@pa.gov

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April 29, 2019

Chairman George D. Bedwick
Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17101

RE: Table game rules approval procedures

Dear Chairman Bedwick:

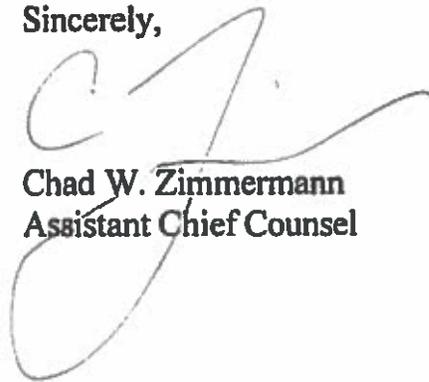
I was present at the March 21, 2019 Public Meeting of the Independent Regulatory Review Commission ("IRRC") on behalf of the Pennsylvania Gaming Control Board ("PGCB" or "Board"). After my presentation of Final Form Rulemaking #125-204, you asked me a procedural question regarding the table games rules of play for casino games in the Commonwealth. Specifically, you inquired as to whether the Board allows casinos to offer table games while the regulations adopted by the Board are in Proposed Rulemaking status, prior to being adopted as a Final Form Rulemaking.

Pursuant to the Pennsylvania Race Horse Development and Gaming Act of 2004 ("the Act"), the Board is granted authority to promulgate temporary regulations governing the rules of new table games that are not subject to the Commonwealth Documents Law, the Regulatory Review Act and the Commonwealth Attorneys Act. See 4 Pa.C.S. § 13A03 (a)(1)(2)(3). Regulations promulgated as temporary regulations expire two years after the date of publication in the Pennsylvania Bulletin. See 4 Pa.C.S. § 13A03(a).

Prior to the expiration of the temporary regulations relating to new table games, the Board begins the process of promulgating the same regulations through the traditional regulatory review process and subject to the Commonwealth Documents Law, the Regulatory Review Act and the Commonwealth Attorneys Act. To that end, because the temporary regulation is already in place allowing a gaming entity to offer table games, the entity is permitted to continue offering that game authorized by the applicable regulation during the formal promulgation of that regulation.¹

I trust this response answers the question you asked. If you have any further questions or concerns regarding this matter, please do not hesitate to contact me further.

Sincerely,

A handwritten signature in blue ink, appearing to read 'C. Zimmermann', with a large, sweeping flourish at the end.

Chad W. Zimmermann
Assistant Chief Counsel

¹ By way of background, table games manufacturers (the owner of the rights to various table games) seeking approval for a new table game by submitting the game including rules and statistical analysis to the Board's Office of the Gaming Laboratory which reviews the game, reviews the statistical analysis of the game and compares it to the submitted rules of play to determine if the game is appropriate to be offered in the Commonwealth. After Gaming Laboratory review and verification, the table game will be subject to submission for Board approval and ultimately posting of the rules of the game and offering by a casino.