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Rulemaking Update
January 30, 2020

Four Rulemaking Projects in Progress

RULE CHANGE	RULE CHANGES DRAFTED	TEMPORARY RULES ADOPTED	COMMISSION DISCUSSION	NOTICE FILED	PUBLIC HEARING	CLOSE OF COMMENT PERIOD	UPDATE COMMISSION	COMMISSION TO CONSIDER ADOPTING RULES
Retailer Rates	X	NA	x	x	x	12/6/2019	Oct. and Nov. 2019; Jan. 2020	TODAY
Scoreboard/ Player Account	X	Effective 10/1/19 to 3/28/20	TODAY	Feb. 2020	March 2020	March 2020	March 2020	March 2020
Scratch-it Second-chance Drawings	Pending	NA	TBD/Early 2020					
Casino/Concentration Rule	X	NA	Oct. 2019; TODAY	Feb. 2020	March 2020	TBD	TBD	TBD

Scoreboard and Player Account Rulemaking | Update

Temporary rules adopted October 1, 2019:

1. Lottery rules **updated to reflect Lottery's current game portfolio** that includes digital play and Scoreboard
2. Adopted new division of rules to govern **Scoreboard**
3. Suspended division about **obsolete game** (also called Scoreboard)

Proposed Permanent Rules:

- **Rule text showing all changes and detailed rule-by-rule summaries** are in your materials
- Very similar to temporary rules; **no major policy changes**:
 - Edited to improve readability
 - Policies stated more clearly

Scoreboard and Player Account Rulemaking | Next Steps

- Draft rules will be shared in a Rulemaking Notice to **open the public comment period**
 - Five-week written comment period and public hearing
 - Will report back to Commission after comment period
 - Consider permanent adoption in March
- Reminder these rules are **DRAFT** to open public comment period; we can update during the rulemaking process

Casino/Concentration Rule | OAR 177-040-0017

- Memo and **DRAFT** rule text in your materials
- This rule is **invalid on a technicality** and needs to be readopted to ensure Lottery has authority to enforce the casino and concentration prohibitions.
- Note: “Concentration” is defined by Lottery as **between three and six video lottery retailers in a strip mall**, depending on the total number of spaces/storefronts in the strip mall

Casino/Concentration Rule | OAR 177-040-0017

Updated Draft Rule Does Four Things:

1. Commits Lottery to only place VLTs in **viable businesses**.
2. Allows Lottery to require a video retailer applicant to **demonstrate business viability** only when Lottery has business viability concerns.
3. Allow Lottery to **prevent concentrations** by considering video retailer applications in **order of time received** when multiple applications would, if all were approved, create a concentration.
4. Allow Lottery to **resolve concentrations** (in the unlikely event one occurs) based on **last in, first out** (with an exception for an owner with multiple locations involved in the concentration.)

Casino/Concentration Rule | Next Steps

- Draft rules will be shared in a Rulemaking Notice to solicit comment from the public and retailers
 - Five-week written comment period and public hearing
 - Will report back to Commission after comment period
 - Consider permanent adoption in early 2020/TBD
- Reminder this rule is a **DRAFT** to open public comment period; we can update during the rulemaking process



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