

OFFICE OF THE SECRETARY OF STATE

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ARCHIVES DIVISION

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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 462
OREGON RACING COMMISSION

FILED

06/11/2024 2:21 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Amends OAR 462-220-0010 to correct typo's and defines affiliates.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 07/31/2024 10:00 AM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

A public rulemaking hearing may be requested in writing by 10 or more people, or by a group with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date the Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

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NEED FOR THE RULE(S)

Corrects typo's and defines affiliates.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

ADW rule committee. Documents stored electronically with the agency.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

No Affect

FISCAL AND ECONOMIC IMPACT:

None

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

None

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small businesses were not involved and are not affected.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

AMEND: 462-220-0010

RULE SUMMARY: Corrects typo's and defines affiliates.

CHANGES TO RULE:

462-220-0010

Definitions ¶¶

(1) A multi-jurisdictional simulcasting and interactive wagering totalizator hub is a business that, through a qualified subscriber-based service, conducts pari-mutuel wagering on the races that it simulcasts and other races that it carries in its wagering menu. The term "advance deposit wagering licensee" "ADW" or "hub" will be used in these rules to refer to the multi-jurisdictional simulcasting and interactive wagering totalizator hub.¶¶

(2) The terms "qualified subscriber-based service" and "closed-loop subscriber-based system" shall mean any information service or system that uses:¶¶

(a) A device or combination of devices authorized and operated for placing, receiving, or otherwise making a wager and by which a person must subscribe in order to be able to place, receive, or otherwise make a bet or wager;¶¶

(b) An effective customer verification and age verification system; and¶¶

(c) Appropriate data security standards to prevent unauthorized access by any person who has not subscribed or who is a minor.¶¶

(3) "Affiliate" refers to a third-party entity that rebrands or markets a licensed product or service.¶¶

(4) "Foreign jurisdiction" means a jurisdiction of a foreign country or political subdivision thereof.¶¶

(45) Handicapping contests, also known as tournaments, may include but are not limited to competitions whereby players compete amongst each other in multi-race events from amongst predetermined live races at a licensee's racecourse or simulcast races offered by the licensee, or any combination.

Statutory/Other Authority: ORS 462.270(3), 462.725

Statutes/Other Implemented: ORS 462.725