Ohio Revised Code

Section 3774.03 Rules.

Effective: March 23, 2018

Legislation: House Bill 132 - 132nd General Assembly

The commission shall adopt rules under Chapter 119. of the Revised Code as are necessary to complete the functions and address the subjects enumerated in division (A) of this section.

(A) The commission may adopt, and as advisable and necessary may amend or repeal, rules that include all of the following:

(1) Prohibiting fantasy contest operator's employees, relatives living in the same household as those employees, and athletes and referees in the underlying professional sports competitions from competing in any public fantasy contest offered by a fantasy contest operator or from sharing any material nonpublic information with third parties;

(2) Ensuring fantasy contest operators prohibit access to both of the following:

(a) Individuals under eighteen years of age;

(b) Individuals who, upon request, seek to restrict themselves from entering fantasy contests.

(3) Ensuring fantasy contest operators segregate fantasy contest player funds from operational funds or maintain a reserve that exceeds the amount of player funds on deposit, which reserve may not be used for operational activities. These reserve funds may take the form of cash, cash equivalents, payment processor reserves, payment processor receivables, an irrevocable letter of credit, a bond, any other method approved by the commission, or a combination thereof, in an amount that must exceed the total balances of the fantasy contest player's accounts. All reserve funds, except payment processor reserves, shall be maintained by or otherwise under the control of a licensed fantasy contest operator, unless otherwise authorized by the commission.

(4) Prescribing requirements related to beginning players and highly experienced players;

(5) Prescribing requirements for internal procedures, including at a minimum, procedures for all of the following:

(a) Complying with all applicable state and federal requirements to protect the privacy and online security of fantasy contest players and their accounts;

(b) Suspending the accounts of players who violate this chapter and the rules adopted by the commission under this chapter or division (L) of section 3772.03 of the Revised Code;

(c) Providing fantasy contest players with access to information on playing responsibly and seeking assistance for compulsive behavior;

(d) Establishing the maximum number of entries that a fantasy contest player may submit to each fantasy contest;

(e) Any other procedure that the commission determines necessary in the rules adopted under this chapter or division (L) of section 3772.03 of the Revised Code.

(6) Requiring a license application to require an applicant for a fantasy contest operator license to designate at least one key employee as a condition to obtain a license;

(7) Establishing the length of time, which shall be not more than three years, that a fantasy contest operator license and renewal license shall be valid;

(8) Establishing the fee for obtaining or renewing a license, which shall not exceed ten thousand dollars for each year of a license and a total of thirty thousand dollars for a three-year license, and which may be paid in equal installments on an annual basis over the term of the license; and

(9) Any other procedure or thing that the commission determines necessary to ensure the integrity of fantasy contests.

(B) The commission may not adopt rules to do either of the following:

(1) Limit or regulate the statistical makeup of a game or contest, or the digital platform of a fantasy contest operator ; or

(2) Require licensure of any persons other than fantasy contest operators, holding companies, or management companies.

(C) Nothing in this section prohibits the commission from adopting rules establishing consumer protections.