



Ohio Revised Code

Section 3775.02 Regulation by Ohio casino control commission.

Effective: March 23, 2022

Legislation: House Bill 29 - 134th General Assembly

(A) The Ohio casino control commission shall have jurisdiction over all persons conducting or participating in the conduct of sports gaming authorized by this chapter or by sections 3770.23 to 3770.25 of the Revised Code, including the authority to license, regulate, investigate, and penalize those persons in a manner that is consistent with the commission's authority with respect to casino gaming. In all cases in which this chapter requires or allows the commission to adopt rules concerning sports gaming, the commission shall adopt those rules under Chapter 119. of the Revised Code.

(B) The commission shall adopt rules that include all of the following:

(1) Procedures for a sports gaming proprietor to accept wagers on a sporting event or series of sporting events;

(2) The types of wagering tickets sports gaming proprietors are to use;

(3) The manner in which sports gaming proprietors are to issue tickets;

(4) The type of records sports gaming licensees are to keep;

(5) The system to be used to place a wager with a sports gaming proprietor;

(6) The manner in which sports gaming proprietors must verify that their patrons are at least twenty-one years of age;

(7) Protections for a player placing a wager with a sports gaming proprietor;

(8) Measures to promote responsible sports gaming;



(9) Penalties and fines for violating this section or rules adopted under this section;

(10) Restrictions to ensure that sports gaming proprietors' advertisements for sports gaming meet all of the following requirements:

(a) They clearly convey the conditions under which sports gaming is being offered, including information about the cost to participate and the nature of any promotions and information to assist patrons in understanding the odds of winning;

(b) They disclose the identity of the sports gaming proprietor and, if applicable, the mobile management services provider or management services provider;

(c) They do not target individuals under twenty-one years of age, other individuals who are ineligible to participate in sports gaming, problem gamblers, or other vulnerable individuals;

(d) They include messages designed to prevent problem gambling and provide information about how to access resources related to problem gambling;

(e) They are not false, misleading, or deceptive to a reasonable consumer.

(11) A sports gaming voluntary exclusion program, which shall allow a person to voluntarily exclude the person's self from participating in sports gaming conducted under this chapter by placing the person's name on a voluntary exclusion list and following procedures set forth by the commission.

(a) All of the following apply to the sports gaming voluntary exclusion program:

(i) Except as provided by the commission by rule, a person who participates in the program shall agree to refrain from participating in sports gaming conducted under this chapter.

(ii) The name of a person participating in the program shall be included on a list of persons excluded from participating in sports gaming conducted under this chapter.

(iii) Except as provided by the commission by rule, no person who participates in the program shall



petition the commission for admittance into a sports gaming facility or for permission to participate in sports gaming conducted under this chapter.

(iv) The list of persons participating in the program and the personal information of those persons shall be confidential and shall only be disseminated by the commission to the state lottery commission, to a sports gaming proprietor and its agents and employees for purposes of enforcement, and to other entities, upon request of the participant and agreement by the commission.

(v) A sports gaming proprietor shall make all reasonable attempts as determined by the commission to cease all direct marketing efforts to a person participating in the program.

(vi) A sports gaming proprietor shall not cash the check of a person participating in the program or extend credit to the person in any manner. However, the program shall not exclude a sports gaming proprietor from seeking the payment of a debt accrued by a person before participating in the program.

(vii) Any and all locations at which a person may register as a participant in the program shall be published.

(b) The commission shall determine, by rule, whether a participant in the sports gaming voluntary exclusion program also automatically becomes a participant in the voluntary exclusion program established under Chapter 3772. of the Revised Code. The state lottery commission shall determine, by rule, whether a participant in the sports gaming voluntary exclusion program also automatically becomes a participant in any voluntary exclusion program established under Chapter 3770. of the Revised Code.

(12) A procedure by which a sports governing body may request anonymized sports gaming data from a sports gaming proprietor if the sports governing body believes that the integrity of one of its sporting events is in question.

(13) A procedure by which a state university may request anonymized sports gaming data from a sports gaming proprietor for the purpose of conducting research to assist the commission in ensuring the integrity of sports gaming or to improve state-funded services related to responsible gambling



and problem gambling. The data are not a public record, and the state university shall not disclose the data to any person, except for the purpose of conducting the research described in this division, as part of a peer-reviewed research report, or pursuant to an agreement between the state university and the sports gaming proprietor. As used in this division, "state university" has the same meaning as in section 3345.011 of the Revised Code.

(14) Any other procedure or thing the commission determines necessary to ensure the integrity of sports gaming regulated by the commission.

(C)(1) The commission may, independently or at the request of any person, including a sports governing body, adopt rules to prohibit or restrict sports gaming proprietors from accepting wagers on a particular sporting event or to prohibit or restrict sports gaming proprietors from accepting a particular type of wager.

(2) The commission shall adopt rules prescribing a process by which the commission may prohibit or restrict sports gaming proprietors from accepting wagers on a particular sporting event or prohibit or restrict sports gaming proprietors from accepting a particular type of wager on a temporary emergency basis instead of by rule.

(3)(a) A sports governing body may formally request the commission to prohibit or restrict sports gaming proprietors from accepting wagers on a particular sporting event or to prohibit or restrict sports gaming proprietors from accepting a particular type of wager. The sports governing body shall submit the formal request in the form and manner prescribed by the commission. Upon receiving the request, the commission promptly shall send written notice of the request to every sports gaming proprietor and shall consider any timely response submitted by a sports gaming proprietor.

(b) If the commission determines that the sports governing body has shown good cause through its formal request to grant the requested prohibition or restriction, the commission promptly shall adopt the prohibition or restriction.

(c) If the commission determines that the sports governing body has not shown good cause through its formal request to grant the requested prohibition or restriction, the commission promptly shall provide the sports governing body with notice and an opportunity for a hearing to offer further



evidence in support of granting the requested prohibition or restriction.

(D) The commission shall adopt rules establishing minimum internal control standards for the administration of sports gaming proprietors' operations, sports gaming equipment, systems, or other items used by sports gaming proprietors to conduct sports gaming, and the maintenance of sports gaming proprietors' financial records and other required records. The commission may approve minimum internal control standards proposed by sports gaming proprietors.

(E)(1) The commission shall approve all sports gaming equipment and each form, variation, or composite of sports gaming to be used by sports gaming proprietors.

(2)(a) Before approving a piece of sports gaming equipment or a form, variation, or composite of sports gaming, the commission shall require it to undergo scientific testing or technical evaluation, as the commission determines appropriate. The commission may require the testing or evaluation to be conducted at the expense of the sports gaming supplier or sports gaming proprietor, as applicable, by an independent testing laboratory certified by the commission.

(b) The commission may certify an independent testing laboratory to test and evaluate sports gaming equipment and forms, variations, or composites of sports gaming if both of the following apply:

(i) The laboratory is competent and qualified to scientifically test and technically evaluate sports gaming equipment and forms, variations, or composites of sports gaming for compliance with this chapter and with the rules of the commission and otherwise to perform the functions assigned to the laboratory by the commission;

(ii) The laboratory is not owned or controlled by, is not affiliated with, and does not have any interest in a sports gaming proprietor, mobile management services provider, management services provider, sports gaming supplier, or sports governing body.

(c) The commission shall adopt rules prescribing the certification standards, fees, and duties that apply to a certified independent testing laboratory under division (E) of this section.

(3) The commission shall adopt rules requiring sports gaming licensees and sports gaming facilities



to use only approved sports gaming equipment acquired from a licensed sports gaming supplier and to use only approved forms, variations, or composites of sports gaming.

(F)(1) The commission shall determine a person's eligibility to hold or renew a sports gaming license under this chapter, shall issue all sports gaming licenses, and shall maintain a record of all sports gaming licenses issued under this chapter.

(2) The commission shall conduct a complete investigation of each applicant for a sports gaming license to determine whether the applicant meets the requirements of this chapter and of the commission's rules each time the applicant applies for an initial or renewed sports gaming license. The commission may initiate an additional licensing investigation or adjudication or reopen an existing licensing investigation or adjudication at any time.

(G)(1) Except as otherwise provided in divisions (G)(2) and (3) of this section, the commission shall levy and collect all fees and surcharges imposed under this chapter and rules adopted under this chapter and shall deposit all moneys collected in the casino control commission fund created under section 5753.03 of the Revised Code.

(2) Of the license fees described in division (E) of section 3775.04, division (B)(3) of section 3775.05, and division (B)(3) of section 3775.051 of the Revised Code, the commission shall deposit one half of one per cent in the sports gaming profits veterans fund created under section 5902.22 of the Revised Code and shall deposit the remainder in the sports gaming revenue fund created under section 5753.031 of the Revised Code.

(3) The commission shall levy and collect fines for noncriminal violations of the provisions of this chapter and of rules adopted under this chapter and shall deposit all such fines in the sports gaming revenue fund created under section 5753.031 of the Revised Code.

(H)(1) The commission, in an adjudication conducted under Chapter 119. of the Revised Code and in accordance with section 3772.04 of the Revised Code, may do any of the following:

(a) Penalize or fine any sports gaming licensee, applicant for a sports gaming license, or other person who is subject to the commission's jurisdiction under this chapter;



(b) Limit, condition, restrict, suspend, revoke, deny, or refuse to renew any sports gaming license.

(2) The executive director of the commission may issue an emergency order with respect to sports gaming under division (G) of section 3772.04 of the Revised Code.

(I)(1) The commission shall monitor all sports gaming conducted in this state by sports gaming proprietors, or shall contract with an independent integrity monitoring provider for that purpose, in order to identify any unusual betting activities or patterns that may indicate a need for further investigation. The commission shall require each sports gaming proprietor to participate in the monitoring system as part of the minimum internal control standards described in division (D) of this section.

(2) The information in the monitoring system described in division (I)(1) of this section is not a public record. The commission may disclose the information in the monitoring system only as necessary for investigative or law enforcement purposes or pursuant to a court order.

(J)(1) The executive director of the commission promptly shall report to the commission any facts or circumstances related to the operation of a sports gaming licensee that constitute a violation of state or federal law and immediately report any suspicious wagering to the appropriate state or federal authorities.

(2) The commission shall cooperate with any investigation conducted by a law enforcement agency or sports governing body, including by providing, or facilitating the provision of, wagering information and audio or video files related to persons placing wagers, provided that the commission shall not be required to provide any information to a sports governing body that would jeopardize an ongoing criminal investigation.

(3) A sheriff, chief of police, or prosecuting attorney shall furnish to the commission, on forms prescribed by the commission, any information obtained concerning any apparent violation of this chapter or rules adopted under this chapter. If the information is considered a confidential law enforcement investigatory record under section 149.43 of the Revised Code, the commission shall not disclose the information to the public.



(K)(1) The attorney general has a civil cause of action to restrain any violation of this chapter or of rules adopted under this chapter. Upon the request of the commission or its executive director, the attorney general shall commence and prosecute such an action to completion. The court shall give priority to such an action over all other civil actions.

(2) An action brought under division (K)(1) of this section does not preclude an administrative or criminal proceeding on the same facts.

(3) The attorney general may enter into an agreement with a state or local law enforcement agency to carry out the duties described in division (K)(1) of this section.