



Ohio Administrative Code

Rule 3769-2-43 Commission to determine distribution percentage of video lottery terminal income.

Effective: August 13, 2017

(A) Permit holders licensed by the state racing commission who are video lottery sales agents of the Ohio lottery who have not entered into an agreement with the applicable state racing commission recognized horseman's association in accordance with division (C) of section 3769.087 of the Revised Code shall pay not less than nine per cent or more than eleven per cent of the video lottery terminal income for the benefit of breeding and racing in Ohio. The percentage so determined shall not be less than nine per cent or more than eleven per cent of the video lottery terminal income, and shall be a sliding scale based upon capital expenditures necessary to build the video lottery sales agent's master facility plan that was submitted and approved pursuant to Chapter 3770:2-12 of the Administrative Code. The determination of the amount of the allowable expenditure under the master facility plan will be determined by the Ohio facilities construction commission, unless previously determined by the state architect's office. The incremental adjustments of the sliding scale are set forth in the following table:

Total Investment (\$MM) Inclusive of assumed credit of \$25mm given for the value of existing land & facilities	Effective Horse Rate at 0.15% Buy Down Increment	Excluding License Fee
Including License Fee	11% Rate	\$150.00
\$200.00	11%	\$160.00
\$210.00	10.85%	\$170.00
\$220.00	10.70%	\$180.00
\$230.00	10.55%	\$190.00
\$240.00	10.40%	\$200.00
\$250.00	10.25%	\$210.00
\$260.00	10.10%	\$220.00
\$270.00	9.95%	\$230.00
\$280.00	9.80%	\$240.00
\$290.00	9.65%	\$250.00
\$300.00	9.50%	\$260.00



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\$310.00	9.35%	\$270.00
\$320.00	9.20%	\$280.00
\$330.00	9.05%	\$290.00
\$340.00	9.00%	

(B) The percentage of video lottery terminal income identified in paragraph (A) of this rule shall be paid and distributed consistent with industry practices.