



Ohio Administrative Code Rule 3770:2-12-01 Facility requirements.

Effective: August 30, 2018

(A) Capital investment plan. A master facility plan shall be submitted for review and approval by the racing commission and the director of the lottery. The plan must propose capital investments totaling a minimum of one hundred fifty million dollars in categories as defined in paragraph (C) of rule 3770:2-2-01 of the Administrative Code.

(1) Up to twenty-five million dollars of the capital investment may be allocated for existing land and facilities.

(2) Capital investments made in a temporary facility which becomes part of the permanent master facility plan may be considered for inclusion in the minimum capital investment requirement.

(B) Schedule. The capital investment must be completed within three years from issuance of a license.

(C) Reporting. The video lottery sales agent shall provide status reports in a format and according to a schedule established by the racing commission and the lottery director. The video lottery sales agent shall maintain supporting records detailing actual expenditures and shall make those records available for inspection.

(D) Facility requirements. A permit holder who has been licensed as a video lottery sales agent shall submit a facility plan which must meet the following requirements.

(1) The facility design must comply with applicable building and safety codes. If not already accessible, renovated and new facilities should meet the requirements of the Americans with Disabilities Act.

(2) The facility plan must include:



- (a) Computer space for the central monitoring and control system
 - (b) A dedicated office for use by the lottery that is located adjacent to the gaming floor and equipped with work space, telephones, and access to office supplies and equipment.
 - (c) Security and surveillance systems approved by the director as described in rule 3770-2-06 of the Administrative Code including an area for the detention of individuals taken into custody by any law enforcement agent that has jurisdiction over the facility.
 - (d) A gaming floor plan detailing the placement of video lottery terminals, self-serve cashing equipment and automated teller machines.
 - (e) A restricted access plan noting placement of the cashiers cage; computer rooms; count room; video lottery terminal storage and repair; surveillance room; vault and armored car bay; and any other restricted areas.
 - (f) Identification of space dedicated exclusively to simulcasting and pari-mutuel operations.
 - (g) Identification of improvements to live racing facilities including the racetrack; grandstand; barn and stable areas;
 - (h) All other components set forth in Chapter 3769. of the Revised Code or any administrative rules promulgated in furtherance thereof.
- (E) Temporary facility requirements.
- (1) A video lottery sales agent may submit a proposal for review and approval of the racing commission and the director to operate at a temporary facility.
 - (2) The temporary facility must comply with the requirements set forth in paragraph (G) of this rule.
 - (3) A video lottery sales agent may request a deviation from the facility plan requirements in writing for consideration and approval by the director and the state racing commission. No deviation may be



undertaken without the express approval of the director and the state racing commission.

(4) The minimum capital investment in a temporary facility shall total five million exclusive of the cost of acquisition of video lottery terminals.

(F) Facility relocation. A permit holder may submit to the state racing commission a proposal for the relocation of a facility which must contain a facility plan meeting the requirements set forth in this rule.

(G) Relocation costs. If the state racing commission approves a temporary facility, the permit holder shall be responsible for all costs associated with the transition from a temporary facility to a permanent facility including the cost of relocating the central monitoring system and components