



Ohio Administrative Code

Rule 3770:2-3-02 Video lottery licenses; application review process.

Effective: January 16, 2012

(A) Upon receiving a video lottery application, the director or the director's designees shall evaluate the video lottery applicant to determine if the video lottery applicant meets the requirements of the Lottery Act and the commission's rules and regulations pertaining to video lottery. In addition to consideration of factors set forth in section 3770.05 of the Revised Code and division 3770:2 of the Administrative Code pertaining to lottery sales agents the following factors may be considered during the application review process for determining whether an application for video lottery license shall be granted or denied.

- (1) The financial responsibility and security of the video lottery applicant, including the extent to which a video lottery applicant has demonstrated its ability to financially sustain video lottery at its facility, as well as the source of such financing;
- (2) The accessibility of the video lottery applicant's place of business to the public;
- (3) The volume of expected sales by the video lottery applicant;
- (4) The results of any background checks;
- (5) Whether a video lottery applicant has failed to comply with a commission rule, regulation, policy, directive or order;
- (6) Whether a video lottery applicant has failed to comply with another jurisdiction's lottery or gaming laws, rules, regulations, policies, directives or orders;
- (7) Whether the video lottery applicant or persons who will be involved in video lottery at the video lottery applicant's facility is affiliated with a technology provider to be engaged in the operation of video lottery in the state, and if so affiliated, the nature of the affiliation;



(8) The extent to which a video lottery applicant has cooperated with the commission in the application process including but not limited to cooperation with criminal and financial background checks and reviews;

(9) The completeness and adequacy of a video lottery applicant's business plan and security and surveillance plan(s), including but not limited to, the manner in which the plans reflect on a video lottery applicant's ability to offer video lottery games for sale in accordance with the Lottery Act, rules, regulations, policies, directives and orders pertaining to video lottery; and

(10) Any other information that the director deems relevant to a determination regarding a video lottery applicant's ability to offer video lottery games for sale in accordance with the Lottery Act, rules, regulations, policies, directives and orders pertaining to video lottery gaming operations.

(B) If an applicant has been licensed by another United States gaming jurisdiction for the operation of video lottery, the director may, but is not required to, consider and rely upon any certifications obtained in connection with an application submitted to another United States gaming jurisdiction in connection with the operation of video lottery.